

## STATUTORY INSTRUMENTS

# 2013 No. 1478

## The Cosmetic Products Enforcement Regulations 2013

### PART 2

#### Offences, Penalties and Enforcement

##### Offences

**12.**—(1) It is an offence for a person to contravene a provision of the [F<sup>1</sup>EU] Cosmetics Regulation set out in Schedule 4.

(2) It is an offence—

- (a) intentionally to obstruct any person acting in the execution or enforcement of the [F<sup>1</sup>EU] Cosmetics Regulation;
- (b) without reasonable cause, to fail to give to any such person any assistance or information which that person may reasonably require for those purposes;
- (c) knowingly or recklessly to furnish to any such person any information knowing it to be false or misleading in a material particular; or
- (d) to fail to produce a document or record to any such person when required to do so.

(3) It is an offence to fail to comply with any of the requirements made by the enforcement authority acting under Articles 25 (non-compliance by the responsible person), 26 (non-compliance by distributors) or 27 (safeguard clause) of the [F<sup>1</sup>EU] Cosmetics Regulation.

(4) Proceedings must not be commenced against a responsible person or a distributor under paragraph (1) where—

- (a) an enforcement authority has required the responsible person or the distributor to take measures under Articles 25(1) or 26 of the [F<sup>1</sup>EU] Cosmetics Regulation in terms of the non-compliance; and
- (b) any time period for compliance specified by the enforcement authority in the notice served under regulation 8 when requesting those measures has not expired.

**F1** Word in regs. 12-15 omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 34 para. 38** (with regs. 2, 3) (as amended by [S.I. 2020/676](#), regs. 1(1), 2, 3); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Cosmetic Products Enforcement Regulations 2013, Section 12.