



**Global Compliance & Regulatory Services Ltd**

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## **COSMETIC PRODUCT SAFETY REPORT**

**PRODUCT:** Cyclax Nature Pure Green Tea refining Face & Neck Cream

**REFERENCE:** CYC344

**RESPONSIBLE PERSON:** THREE PEARS LTD

**CREATED BY:** GLOBAL COMPLIANCE & REGULATORY SERVICES LTD

**ASSESSOR:** RAJAT NARANG FRSC ERT

**QUALIFICATION:** AUTHORISED SAFETY ASSESSOR

B. TECH, MAS (PHYSICAL & BIOLOGICAL SCIENCES)

EUROPEAN REGULATORY TOXICOLOGIST

We have analysed Cyclax Nature Pure Green Tea refining Face & Neck Cream as per the Cosmetics Regulation (EC) No. 1223/2009 and its amendments. We have found all the evidences satisfactory that product formulation is compliant to Europe. We confirm the report **PASS**

**Signed by:**

**Rajat Narang FRSC ERT**

**European Regulatory Toxicologist**

**Safety Assessor**

## **DESCRIPTION OF THE COSMETIC PRODUCT**

### **BACKGROUND**

A Cosmetic is a personal care product which is applied, rubbed, sprinkled or sprayed on any part of body to change the appearance or in many occasions to protect it from external damaging factors or stress. It could be applied to beautify the appearance or to give a special effect.

A product which corrects body odour or adds perfume is also considered a Cosmetic.

Cosmetic and Personal care products we apply in our everyday life are more than just cosmetic. It makes you feel more complete and gives satisfaction.

The definition of Cosmetics in various countries are:

### **EUROPE**

A 'cosmetic product' shall mean any substance or preparation intended to be placed in contact with the various external parts of the human body (epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance and/or correcting body odours and/or protecting them or keeping them in good condition.

### **USA**

The Federal Food, Drug, and Cosmetic Act (FD&C Act) defines cosmetics by their intended use, as "articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body...for cleansing, beautifying, promoting attractiveness, or altering the appearance" [FD&C Act, sec. 201(i)]. Among the products included in this definition are skin moisturizers, perfumes, lipsticks, fingernail polishes, eye and facial makeup preparations, cleansing shampoos, permanent waves, hair colors, and deodorants, as well as any substance intended for use as a component of a cosmetic product.

### **CANADA**

A "cosmetic" is any substance used to clean, improve or change the complexion, skin, hair, nails or teeth. Cosmetics include beauty preparations (make-up, perfume, skin cream, nail polish) and grooming aids (soap, shampoo, shaving cream, deodorant).

### **CHINA**

Cosmetics are defined as daily used industrial chemicals which can be spread on the outer surface of human body (e.g. skin, hairs, nails, lips etc) for the purpose of cleaning, deodorizing, providing skin care, beauty and make – up, by way of smearing, spraying or other similar means.

### **JAPAN**

The law defines cosmetics as "articles with mild action on the human body, which are intended to be applied to the human body through rubbing, sprinkling or other method,

aiming to clean, beautify and increase the attractiveness, alter the appearance or to keep the skin or hair in good condition.

#### BRAZIL

Perfumes, cosmetics and toiletries were characterized as: “any preparation made of natural or synthetic substances, for external use on various parts of the body, skin, hair, nails, lips, external genitalia, teeth and mucous membranes, the oral cavity with the exclusive or main purpose of cleaning them, perfuming them, changing their appearance or correcting body odors, protect them or just keep them in good condition.”

#### SOUTH KOREA

Cosmetics are divided into two categories: general cosmetics and functional cosmetics. Functional cosmetics refer to products that aid in brightening skin, improving wrinkles in skin, tanning skin gently or protecting skin from sun’s ultraviolet radiation, are subject to more stringent evaluation than general cosmetics.

In this case,

Product: Cyclax Nature Pure Green Tea refining Face & Neck Cream

Product Reference: CYC344

Application Area: Face & Neck

Target: Adults

## **QUANTITATIVE AND QUALITATIVE COMPOSITION OF THE COSMETIC PRODUCT**

The quantities of Qualitative-Quantitative analysis have been restricted for view. The assessor has reviewed the formulation and PASSED the assessment. Complete information could be asked from the Safety Assessor or Manufacturer of the product.

The aim of that section of the cosmetic product safety report is to provide the exact quantitative and qualitative composition of the finished product, starting from the raw materials. Raw materials are substances or mixtures used in the manufacturing of the cosmetic product. The intended function of each substance is to be indicated.

The complete product composition is specified, stating the name and identity (qualitative) of each raw material (including chemical name, INCI, CAS, EINECS/ELINCS, where possible), and the amount of each raw material, stating the weight percentage (quantitative).

Ranges are not used, unless this can be justified (e.g. viscosity or pH adjusters). If concentration ranges are unavoidable, toxicological considerations and calculations are based on the highest concentration figure.

All substances entering the composition of commercial mixtures supplied as raw materials (including directly added preservatives, antioxidants, chelators, buffering agents, solvents, other additives, etc.) are identified and quantified in the formula of the finished product. This also applies to all substances indirectly added to the product, such as preservatives used for preserving raw materials. The intended function of each substance is to be indicated.

The visibility of Qualitative-Quantitative analysis is limited as per manufacturer's request. Please contact either Safety Assessor or manufacturer for full details.



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## **PHYSICAL/CHEMICAL CHARACTERISTICS**

The aim of that section of the cosmetic product safety report is to describe the relevant physical and chemical specifications of the substances or mixtures used and the cosmetic product itself. These specifications are crucial for an appropriate safety assessment, as they may influence the safety of a cosmetic product. For example, physico-chemical properties, in combination with other information, can help the safety assessor determine the need to investigate relevant toxicological parameters.

In addition, the physico-chemical characteristics of the substances or mixtures and finished products set the benchmark against which the products and the raw materials can be considered acceptable from a quality point of view.

## **MICROBIOLOGICAL QUALITY**

The aim of that section of the cosmetic product safety report is to determine the acceptable microbiological specifications of the raw materials (substances or mixtures) and finished product from a microbiological point of view.

In accordance with Annex I to Regulation (EC) No 1223/2009, particular attention is paid to the microbiological specifications of cosmetic products intended to be used on sensitive body parts and on specific populations.

In addition, information regarding microbiological quality is essential in order to justify the effectiveness of the preservation system and justify the indicated minimum durability of the cosmetic product stored under appropriate conditions and period-after-opening (PAO) (10) of the finished product in terms of safety.

The microbiological specifications of the raw materials (substances or mixtures) and cosmetic product form part of the safety assessment. Attention is paid to the microbiological specifications of cosmetic products intended to be used around the eyes, on mucous membranes in general, on damaged skin (e.g. skin care products suitable for atopic or irritated skin), on children under three years of age, on elderly people or on persons with compromised immune responses.

Microbiological quality of the finished cosmetic product

Concerning microbiological susceptibility, there is a difference between three product categories:

(1) Low microbiological risk products (e.g. products with an alcohol content > 20 %, products based on organic solvents, high/low-pH products), for which neither a preservation challenge test nor microbiological quality tests on the finished product are necessary. A scientific justification is to be provided, however;

(2) Single-use products, and products which cannot be opened (e.g. for which the packaging allows dosing the product without it coming in contact with the air), for which only microbiological quality tests on the finished product are necessary. A scientific justification is to be provided, however;

(3) All other products, for which both a preservation challenge test and microbiological quality tests on the finished product are necessary.

Specific 'Guidelines on Microbiological Quality of the Finished Product' are provided in the SCCS Notes of Guidance (11).

As per above guidelines, does the product need microbiological testing? YES

Reason: It is a water-based formulation. Micro-challenge test has been checked by the assessor.

## **STABILITY OF THE COSMETIC PRODUCT**

As the requirement is to assess the stability of the cosmetic product under reasonably foreseeable storage conditions, if stability is dependent on storage conditions, information about these conditions is passed on throughout the supply chain, and, if relevant for the end user, it needs to be indicated on the labelling of the product.

The methodology used to determine the product's minimum durability is well described.

Any specific preservation precautions is to be mentioned.

All available data is used to justify the indicated minimum durability should be listed in the safety report. In order to determine the coherence of the stability study conducted, and to check the relevance of the date of minimum durability chosen for the product, the description of the tests specific to the stability study and the results of those tests, if applicable is included in the cosmetic product safety report. In addition, the following are also provided:

- (1) Evidence that the composition of the product used for stability testing corresponds to the product placed on the market;
- (2) The results of the preservative efficacy study, e.g. challenge test, if applicable (7);
- (3) When applicable, the period-after-opening (PAO) (8) and its justification.

The SCCS has recommended that 'relevant stability tests, adapted to the type of cosmetic product and its intended use, should be carried out. To make sure that no stability problems are induced by the type of container and packaging used, physical stability tests are currently carried out with inert containers and those intended to be used on the market.' (9)



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**IMPURITIES, TRACES, INFORMATION ABOUT THE PACKAGING MATERIAL**

The aim of that section of the cosmetic product safety report is to assess whether the cosmetic product contains substances that have not been intentionally added to the formulation, and which may have an impact on its safety.



## **IMPURITIES ARE UNINTENDED SUBSTANCES IN RAW MATERIALS**

A trace is a small quantity of an unintended substance in the finished product. Traces are to be evaluated with regard to safety of the finished product. When traces of prohibited substances are present, evidence of their technical unavoidability are also to be provided. Traces can originate from the following sources: impurities in the raw materials/substances; the manufacturing process; potential chemical evolution/interaction and/or migration of substances in the product that could occur under normal storage conditions and/or through contact with the packaging material.

Because substances may migrate from the packaging to the formulation, the relevant characteristics of the packaging material are to be considered.

In accordance with point 4 of Annex I to Regulation (EC) No 1223/2009, the section on 'Impurities, traces, information about the packaging material' is to address three specific issues:

- (a) The purity of substances and mixtures;
- (b) In case of traces of prohibited substances, evidence of their technical unavoidability;
- (c) The relevant characteristics of the packaging material, in particular purity and stability.

In practical terms, those elements may be interpreted as follows:

- (a) Precise definition of impurities and traces (see 3.4.1);
- (b) Evidence of technical unavoidability of prohibited substances (see 3.4.2);
- (c) Potential release of substances from the packaging or possible deterioration of the product in contact with the packaging (see 3.4.3).

For the analysis of impurities and packaging material, data from suppliers are of crucial importance and is preferred.

In this case, material information is not available.



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**NORMAL AND REASONABLY FORESEEABLE USE**

The section on normal and reasonably foreseeable use of the product is essential for the safety assessor to be able to determine a relevant exposure scenario. The intended use should be appropriately communicated to the consumer in order to avoid misuse of the product.

As a practical approach, if available, we include a photo of the packaging or the artwork in the labelling section to show the presentation of the product and its intended use.

All of the ingredients included in the formulation are widely used in cosmetic industry & its products already available in the market place and have good safety profiles and have documentations to support this.

In case of eye contact, wash with clean, warm water immediately.

We have calculated the possible margin of safety in sections ahead as per the intended use of product.

In case of any adverse reaction, seek medical assistance.

## REPORT ON THE TOXICOLOGICAL RESULTS

The safety assessment of a product for systemic toxicity is highly dependent on data on each substance, since there will be no data on systemic toxicity for the finished cosmetic product.

Risk characterisation usually involves an expert evaluation of the potential non-quantifiable adverse effects, followed by calculation of an uncertainty factor or margin of safety (35). This calculation depends on the systemic exposure to the substance and its toxicological parameters.

In accordance with Point 8 part A of Annex I to Regulation (EC) No 1223/2009, systemic effects and margin of safety are to be considered in Part A of the safety report. As they are mandatory, the omission of these steps is to be duly justified. An example where this could apply would be the presence of a substance in the cosmetic product at a low level, with the expected (worst case) exposure levels being below the appropriate threshold of toxicological concern (TTC) values (36). Another example could be the inclusion of food materials for which a much higher innocuous ingestion level is known.

According to the procedures described in the SCCS Notes of Guidance (37), the margin of safety (MoS) for a specific route of exposure can be calculated using the following formula:

$$\text{SED} = \frac{\text{DAa } (\mu\text{g}/\text{cm}^2) \times 10^{-3} \text{mg}/\mu\text{g} \times \text{SSA } (\text{cm}^2) \times \text{F } (\text{day}^{-1})}{60 \text{ kg}}$$

where the Systemic Exposure Dose (SED) is obtained by combining the external exposure (mg/kg bw/day) with the absorption rate (typically expressed in % or  $\mu\text{g}/\text{cm}^2$ ), frequency and retention factors.

It is generally accepted that the margin of safety should be at least 100 to declare a substance safe for use in a finished product.

In the case of route-to-route extrapolation, the respective bioavailability via each route should ideally be taken into consideration. The assumption of 100 % oral bioavailability might overestimate the systemic exposure in a toxicity study via the oral route. Therefore, in the absence of data, it should be assumed that not more than 50 % of an orally administered dose is systemically available. If there is evidence to suggest poor oral bioavailability, for example if the substance is a poorly soluble particulate, it may be more appropriate to assume that only 10 % of the administered dose is systemically available (38). Whenever oral absorption data are available, these should be included in the calculations.

The NOAEL chosen for calculating the margin of safety is taken from long-term repeated dose toxicity studies (sub-acute, sub-chronic, and/or chronic toxicity tests, carcinogenesis tests, teratogenesis tests, reproduction toxicity, etc.).

The value used will be the lowest NOAEL obtained by the most pertinent study with respect to the conditions of use of the substance, to species sensitivity, etc.



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From the complete toxicological profile, a NOAEL should be determined for the systemic effects. In general, the lowest relevant NOAEL of the most relevant endpoint is selected for calculating the margin of safety.

The calculation of the margin of safety based only on Median Lethal Dose (LD50) data derived from single dose tests (instead of a NOAEL from at least sub-acute tests) cannot be used to justify safe use.

When the absence of bioavailability can be clearly demonstrated, the calculation of the margin of safety is not necessary. In these cases the possible local effects on skin or mucous membranes should still be considered.

## **TOXICOLOGICAL PROFILE OF THE SUBSTANCES**

The aim of this section of the cosmetic product safety report is to describe the toxicological hazard of each of the substances in the finished product, determine the potential exposure, and draw up a risk characterisation. These aspects are of crucial importance in order to perform the risk assessment, as they are the three essential steps of the risk assessment process (18).

The endpoints to be considered, as well as the necessary data, depend on a number of factors, including the routes of exposure, the conditions of use of the product, the physico/chemical characteristics and the possible absorption of the substance. The choice of relevant endpoints should be the responsibility of the safety assessor, who should justify their decisions.

General considerations concerning the toxicological profile

Human experiences, animal studies or alternative methods to animal testing are helpful in understanding the health risk for humans exposed to dangerous substances. For the toxicological profiles, toxicological studies are used to identify the hazards which could be associated with a risk to humans. It is essential to consider the quality and limitations of the studies that have been performed. The validity of a study should be taken into consideration in determining whether there is a need for new information to understand the risk to human health (20). Studies conducted in accordance with international guidelines are the most useful, but unfortunately not all studies meet these standards. Thus, the limitations of such studies should be considered in assessing the toxicological profile for each substance. The safety assessor ensures that the experimental data comply with the requirements of Article 18 of Regulation (EC) No 1223/2009 concerning animal testing. The Communication from the Commission to the European Parliament and the Council on the animal testing and marketing ban and on the state of play in relation to alternative methods in the field of cosmetics outlines the Commission's interpretation of those requirements (21).



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### **UNDESIRABLE EFFECTS AND SERIOUS UNDESIRABLE EFFECTS**

The aim of that section of the cosmetic product safety report is to monitor the safety of the product after it has been placed on the market and to take corrective action, where necessary. To this end, the responsible person (in collaboration with the distributors) is required to set up a system to collect, document, establish the causality of and manage the undesirable effects caused by the product after its use in the Union (43). When the undesirable effects are serious, the responsible person (and the distributors) are to notify the competent authority of the Member State where the effects occurred (44).

The product is understood to be new or reformulation of existing product in the market. If subsequent details of undesirable or serious undesirable effects are known, manufacturing company or safety assessor or a poison centre must be informed immediately to re-evaluate the product safety.

## **INFORMATION ON THE COSMETIC PRODUCT**

This section allows the inclusion of any additional information which is not covered under the other headings but is considered relevant in order to carry out the safety assessment of the product.

Internal organs: This product is unlikely to cause damage to the internal organs following application to the body.

Eye area: This product may cause irritation to the eye area.

Ingestion: This product is likely to cause irritation

Overall Safety assessment: The ingredients contained within this product are well within the Cosmetic Regulations (EC) No 1223/2009 and its amendments.

The finished product Cyclax Nature Pure Green Tea refining Face & Neck Cream does not contain any undisclosed chemicals.

Warnings to be listed: If applicable, on label

Ingredients that might be a dermal irritant to be listed: INCI list on pack

Not suitable for babies.

**LABELLED WARNINGS AND INSTRUCTIONS OF USE**

The aim of that section of the cosmetic product safety report is to explicitly list the particular precautions to be observed in use, including at least those listed in Annexes III to VI to Regulation (EC) No 1223/2009 and any special precautionary information on cosmetic products for professional use, which should appear on the labelling.

In accordance with Annex I to Regulation (EC) No 1223/2009, this section is to be a statement regarding the need to label any particular warnings and instructions of use in accordance with Article 19(1)(d) of Regulation (EC) No 1223/2009.

It is the task of the safety assessor to determine which warnings or instructions of use, in addition to those listed in Annexes III to VI, need to be labelled to ensure the safe use of the product.

The safety assessor could suggest what is to appear on the labelling on a case-by-case basis, taking into account the legal obligations deriving from Article 19 and the Annexes to Regulation (EC) No 1223/2009 and, where relevant, instruments such as Commission Recommendation 2006/647/EC (48) and other guidelines published by the Commission such as those on the ‘period of time after opening’ labelling (49) and the labelling of ingredients under Directive 76/768/EEC (50).

	<p><b>GREEN TEA REFINING FACE &amp; NECK CREAM</b>                  This non-greasy, light cream rich in Green Tea. Helps protect against harmful free radicals. Daily application can help leave your skin soft, refined and silky smooth to the touch.</p> <p>كريم شاي أخضر لتفتيح للوجه و الرقبة                  كريم لطيف غير دهني غني بالشاي الأخضر يساعد على الحماية ضد الملوثات الضارة البشرة                  يساعد تطبيقك اليومي على ترك بشرتك أكثر النضارة ناعماً حروري ورائحة النعنع</p> <p>PRODUCT NOT TESTED ON ANIMALS • PRODUITO NO TESTADO CON ANIMALES •                  صنع في المملكة المتحدة</p>	<p><b>CREMA REFINADORA PARA EL ROSTRO Y EL CUELLO AL TE VERDE</b>                  Esta ligera crema es rica rica en el verde así como antioxidante concentrado por efecto de los dulces radicales libres.                  Su aplicación diaria puede ayudar a conseguir una piel más suave, fina y sedosa al tacto.</p> <p><b>INGREDIENTS:</b> Aqua (Water), Glycerin, Ethylhexyl Stearate, Cetearyl Alcohol, Glyceryl Stearate, Caprylyl Caprylate, Trifluoroacetyl Phenoxypolylphenol, DIMETHYL Hydantoin, Parfum (Fragrance), Carbomer, Triethanolamine, Proxylene Glycol, Camellia Sinensis (Green Tea) Leaf Extract, Hexyl Cinnamal, Benzyl Salicylate, Berytheryl Methylpropylsilanol, Hydroxyphenethyl 3-Cyclohexane Carboxylate, Limonene, Citronellol, Amyl Cinnamal, CI 19140 (Yellow 5), CI 42090 (Blue 1)</p> <p><b>CAUTION:</b> For external use only. Rinses eyes immediately with clean, warm water if product comes into contact with them. Do not use on broken or irritated skin. Discontinue use if irritation or rash appears on the skin.</p> <p> Hoes of Cyclus                  Wexley, West Midlands B65 6EY, U.K.</p> <p>300ml e                  10.14 fl oz</p>	<p><b>CYCLQX</b>                  1 8 9 6  <b>NATURE PURE</b>  <i>Green Tea</i>                  REFINING FACE &amp; NECK CREAM</p>
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## **DATA AND STATEMENT RELATED TO THE INGREDIENTS (RAW MATERIALS)**

The safety evaluation of substances and/or mixtures consists of three main steps:

- (1) Hazard characterisation of substances and mixtures;
- (2) Assessment of the local and systemic exposure (considering absorption data);
- (3) Risk assessment of systemic effects (calculation of margin of safety) and risk assessment of local effects (such as skin allergy, skin irritation).

For fragrance and flavour compounds, where information on their composition is confidential, a safety assessment has been provided to the responsible person for the finished cosmetic product by the manufacturer of that mixture.

Taking into account the concentration in the final cosmetic product and its exposure pattern, the safety assessment of the fragrance and flavour compound is prepared following the principles described in Annex I to Regulation (EC) No 1223/2009 and these guidelines. An appropriate document demonstrating the safety of the fragrance or flavour compound has been provided by the supplier to the responsible person for the finished cosmetic product.

As per above description, Cyclax Nature Pure Green Tea refining Face & Neck Cream has been formulated with ingredients, widely used in the cosmetic industry, and have been safely used and unlikely to cause adverse effects. The formulation does not contain any impurities or residual chemicals that are toxic to human health.

## **CERTIFICATES OF SAFETY**

The safety evaluation of the cosmetic product covers three main aspects:

(1) Summary of the risk assessment based on the local and systemic effects of all individual substances/mixtures (51);

(2) Additional assessment of the safety of the formulated product, which cannot be assessed by assessing the substances/mixtures separately. This could for instance be the formulation's skin compatibility, assessment of possible combination effects, such as one ingredient that can increase the absorption rate of another ingredient, possible effects that could arise from interaction with packaging material, or possible effects due to chemical reactions between the individual substances/mixtures in the formulated product (52);

(3) Other factors that influence the safety assessment, such as stability, microbiological quality, packaging, and labelling, including use instructions and precautions for use.

The specific assessment for cosmetic products IS NOT intended for use on children under the age of three which is required in accordance with Regulation (EC) No 1223/2009 also takes into account the specific recommendations in the SCCS Notes of Guidance (53).

In the specific assessment required in accordance with Regulation (EC) No 1223/2009 for cosmetic products intended exclusively for use in external intimate hygiene, the particular characteristics of the application site also are to be taken into account.

This Cyclax Nature Pure Green Tea refining Face & Neck Cream has been formulated with ingredients, widely used in the cosmetic industry, and have been safely used and unlikely to cause adverse effects. The formulation does not contain any impurities or residual chemicals that are toxic to human health.

If the consumer follows the directions and considering similar products containing similar raw materials with a long history of safety, this product is not expected to pose a risk to the health of the majority of consumers through any path of irritation.

The raw material contained at the concentration used has no known or documented carcinogenic, mutagenic or reprotoxic effect.

Cyclax Nature Pure Green Tea refining Face & Neck Cream is assessed as safe for the consumer.

## REFERENCE

- (1) Article 11(2) of Regulation (EC) No 1223/2009.
- (2) Article 10(1) of Regulation (EC) No 1223/2009.
- (3) Article 10(1)(c) of Regulation (EC) No 1223/2009.
- (4) The SCCS's Notes of Guidance for the Testing of Cosmetic Ingredients and their Safety Evaluation, 8th Revision, SCCS/1501/12, and its subsequent updates.
- (5) SCCS Notes of Guidance, para. 3-6.2, pp. 35-36.
- (6) This point is relevant in the context of Good Manufacturing Practices, and is explicitly addressed by the relevant standard EN ISO 22716:2007. More specifically, it matches the requirements for the release of raw materials and the finished product.
- (7) See section 3.3 on Microbiological quality.
- (8) See 'Practical implementation of Article 6(1)(c) of the Cosmetics Directive (76/768/EEC): Labelling of product durability: "period of time after opening" ' (Council Directive 76/768/EEC, OJ L 262, 27.9.1976, p. 169)  
[http://ec.europa.eu/consumers/sectors/cosmetics/files/doc/wd-04-entr-cos\\_28\\_rev\\_version\\_adoptee20040419\\_en.pdf](http://ec.europa.eu/consumers/sectors/cosmetics/files/doc/wd-04-entr-cos_28_rev_version_adoptee20040419_en.pdf)
- (9) SCCS Notes of Guidance, para. 4-3.3, p. 74.
- (10) The 'date of minimum durability' is the date until which the cosmetic product, stored under appropriate conditions, will continue to fulfil its initial function and, in particular, will remain safe; the PAO is the period of time after opening for which the product can be used without any harm to the consumer. See 'Practical implementation of Article 6(1)(c) of the Cosmetics Directive (76/768/EEC): Labelling of product durability: "period of time after opening" '.
- (11) SCCS Notes of Guidance, para 4-4, pp. 75–76.
- (12) Article 17 of Regulation (EC) No 1223/2009 establishes that traces of prohibited substances are only permitted if they are technically unavoidable and if they have no impact on the safety of the cosmetic products.
- (13) The 'non-threshold genotoxic and carcinogenic substances' are the genotoxic and carcinogenic substances without a threshold for the carcinogenic-genotoxic effects.
- (14) Opinion of the Scientific Committee on a request from EFSA related to A Harmonised Approach for Risk Assessment of Substances Which are both Genotoxic and Carcinogenic, the EFSA Journal (2005) 282, pp. 1-31.
- (15) OJ L 338, 13.11.2004, p. 4.
- (16) To evaluate the risk, one needs to consider the hazard together with the exposure, and this is the duty of the safety assessor.
- (17) SCCS Notes of Guidance, para 4, p. 66 et seq.
- (18) M. Pauwels, V. Rogiers, Human Health Safety Evaluation of Cosmetics in the EU: A Legally Imposed Challenge to Science, Toxicology and Applied Pharmacology, 243 (2010), p. 261.
- (19) Communication from the Commission to the European Parliament and the Council on the animal testing and marketing ban and on the state of play in relation to alternative methods in the field of cosmetics, COM(2013) 135 final.

- (20) H.J. Klimisch, E. Andreae and U. Tillmann (1997), A systematic approach for evaluating the quality of experimental and ecotoxicological data. *Regul Toxicol Pharmacol* 25:1-5.
- (21) See in particular point 3.1 of the Communication.
- (22) OJ L 142, 31.5.2008, p. 1.
- (23) SCCS Notes of Guidance, para. 3.4.11. Also cf. opinions SCCNFP/0068/98, an earlier version of the Notes of Guidance, and SCCNFP/0245/99 on Basic Criteria of the Protocols for the Skin Compatibility Testing of Potentially Cutaneous Irritant Cosmetic Ingredients or Mixtures of Ingredients on Human Volunteers.
- (24) Read-across is a technique for data gap filling in which information for one or more source chemicals is used to make a prediction for a target chemical, which is considered to be similar in some way. From ECHA, 'Guidance on information requirements and chemical safety assessment Chapter R.4: Evaluation of available information', December 2011, p. 12. [http://echa.europa.eu/documents/10162/17235/information\\_requirements\\_r4\\_en.pdf](http://echa.europa.eu/documents/10162/17235/information_requirements_r4_en.pdf)
- (25) One definition for weight of evidence is: 'the process of considering the strengths and weaknesses of various pieces of information in reaching and supporting a conclusion concerning a property of the substance.' From ECHA, 'Practical guide 2: How to report weight of evidence', 2010, p. 2, [http://echa.europa.eu/documents/10162/13655/pg\\_report\\_weight\\_of\\_evidence\\_en.pdf](http://echa.europa.eu/documents/10162/13655/pg_report_weight_of_evidence_en.pdf)
- (26) Cfr. SCCS Notes of Guidance, Section 3-6 Basic Requirements for Cosmetic Substances Present in Finished Cosmetic Products (which are to be evaluated by individual safety assessors).
- (27) The SCCS Notes of Guidance clearly address this issue in para. 3-6.1 General toxicological requirements.
- (28) According to the SCCS's Notes of Guidance (para. 3-4.5), priority should be given to the NOAEL as regards sub-chronic toxicity (90 day study). Only if such values are not available should results relating to sub-acute toxicity (28-day study) be used.
- (29) ECHA, Guidance on information requirements and chemical safety assessment — Chapter R.7a: Endpoint specific guidance, May 2008.
- (30) OJ L 396, 30.12.2006, p. 1.
- (31) Cfr. ECHA, Guidance for identification and naming of substances under REACH and CLP, November 2011, p. 29. [http://echa.europa.eu/documents/10162/17235/substance\\_id\\_en.pdf](http://echa.europa.eu/documents/10162/17235/substance_id_en.pdf)
- (32) I.e. 'the systemically available dose that passes the relevant physical barriers (gastro-intestinal, skin or lung structures) and becomes available in the blood stream for subsequent distribution to tissues and organs', ref. M. Pauwels, V. Rogiers, p. 262.
- (33) Basic criteria for the in vitro assessment of dermal absorption of cosmetic ingredients (SCCS/1358/10).
- (34) SCCS Notes of Guidance, para 3-7.2, p. 49.
- (35) M. Pauwels, V. Rogiers, p. 262.
- (36) SCCS, SCHER and SCENIHR, Opinion on Use of the Threshold of Toxicological Concern (TTC) Approach for Human Safety Assessment of Chemical Substances with focus on Cosmetics and Consumer Products, SCCP/1171/08.
- (37) SCCS Note of Guidance, para 3-7, p. 46.

- (38) IGHRC, Guidelines on route-to-route extrapolation of toxicity data when assessing health risks of chemicals. The Interdepartmental Group on Health Risks from Chemicals (2006), <http://www.silsoe.cranfield.ac.uk/ieh/ighrc/ighrc.html>
- (39) See for example: SCCS (Scientific Committee on Consumer Safety), Guidance on safety assessment of nanomaterials in cosmetics, SCCS/1484/12; SCENIHR (Scientific Committee on Emerging and Newly Identified Health Risks), Opinion on the scientific basis for the definition of the term 'nanomaterial', 8 December 2010.
- (40) R. Kroes, A. G. Renwick, V. Feron, C. L. Galli, M. Gibney, H. Greim, R. H. Guy, J. C. Lhuguenot, J. J. M. van de Sandt, Application of the threshold of toxicological concern (TTC) to the safety evaluation of cosmetic ingredients, *Food and Chemical Toxicology* 45 (2007), pp. 2533–2562.
- (41) Several publicly available databases containing toxicological data on substances used in cosmetics exist, and are listed in the Appendix to this Guideline.
- (42) OJ L 353, 31.12.2008, p. 1, and ECHA's registration website: <http://apps.echa.europa.eu/registered/registered-sub.aspx>
- (43) This is a consequence of the requirement of Article 23 of Regulation (EC) No 1223/2009, which establishes the obligation for responsible persons to notify serious undesirable effects to competent authorities in the EU Member States.
- (44) Article 23 of Regulation (EC) No 1223/2009.
- (45) For undesirable effects that are very likely or likely to be attributable to the cosmetic product, Article 21 of Regulation (EC) No 1223/2009, 'Access to information for the public', applies.
- (46) European Commission, Serious Undesirable Effects (SUE) Reporting Guidelines, [http://ec.europa.eu/consumers/sectors/cosmetics/files/pdf/sue\\_reporting\\_guidelines\\_en.pdf](http://ec.europa.eu/consumers/sectors/cosmetics/files/pdf/sue_reporting_guidelines_en.pdf)
- (47) This is an obligation of the responsible person according to article 10(1)(c) of Regulation (EC) No 1223/2009.
- (48) OJ L 265, 26.9.2006, p. 39.
- (49) Available on [http://ec.europa.eu/consumers/sectors/cosmetics/documents/guidelines/labelling/index\\_en.htm](http://ec.europa.eu/consumers/sectors/cosmetics/documents/guidelines/labelling/index_en.htm)
- (50) Available on [http://ec.europa.eu/consumers/sectors/cosmetics/files/doc/guide\\_labelling200802\\_en.pdf](http://ec.europa.eu/consumers/sectors/cosmetics/files/doc/guide_labelling200802_en.pdf)
- (51) For products in the same range, where the only difference among different products is the colouring agent, and that has no impact on safety, e.g. for lipsticks or other colour make-up, a combined product safety report may be considered, but is to be justified.
- (52) SCCS, SCHER, SCENIHR, Toxicity and Assessment of Chemical Mixtures, 2012 [http://ec.europa.eu/health/scientific\\_committees/environmental\\_risks/docs/scher\\_o\\_155.pdf](http://ec.europa.eu/health/scientific_committees/environmental_risks/docs/scher_o_155.pdf)
- (53) SCCS Notes of Guidance, para 3-7.3, p. 51.
- (54) European Commission, Serious Undesirable Effects (SUE) Reporting Guidelines, [http://ec.europa.eu/consumers/sectors/cosmetics/files/pdf/sue\\_reporting\\_guidelines\\_en.pdf](http://ec.europa.eu/consumers/sectors/cosmetics/files/pdf/sue_reporting_guidelines_en.pdf)