

Submission from Wildlife and Countryside Link on the Cosmetic Products Regulation (EC) No 1223/2009 (Restriction of Chemical Substances) (Amendment and Transitional Provisions) Regulations 2026 (SI 2026/23)

[The Cosmetic Products Regulation](#) (EC) No 1223/2009 (Restriction of Chemical Substances) (Amendment and Transitional Provisions) Regulations 2026 takes forward controls on harmful substances in cosmetics – a ban on 3-(4'-methylbenzylidene)-camphor (commonly known as "4-MBC") and a reduction for labelling formaldehyde releasing preservatives in cosmetics, as well as bans on substances classified as carcinogenic, mutagenic or toxic for reproduction ("CMR substances") from use in cosmetic products. These changes mirror similar provisions in the EU, e.g. [a ban on 4-MBC](#) in cosmetics was enacted in 2024.

However, there are some provisions in the EU cosmetics regulation which have not been matched in the UK. For example:

- An update in the 2024 EU legislation which reduced concentrations of retinol (a vitamin A derivative) permissible in face, hand and body products in over-the-counter products. Its aim is to reduce daily overexposure to vitamin A which can [exceed safe levels](#) in combination with sources from food and supplements, and is linked to liver damage and in older people, a higher risk of bone fracture. In its [report](#), the EU's Scientific Committee on Consumer Safety said: "Compared to food, the contribution of vitamin A from cosmetics is lower. However, it will add to the overall consumer exposure, and this may be of concern for consumers with the highest exposure (5% of the total population) to vitamin A from food and food supplements." There has also been [rising concern](#) about the growing use of these and similar skin care products by young teenagers, and pregnant women are [more vulnerable](#) to adverse impacts from exposure.
- GB cosmetics regulation does not currently include 2023 EU update that [expanded its fragrance allergen list](#) from 24 to over 80 substances ([EU Regulation 2023/1545](#)). This requires that products sold in the EU and Northern Ireland (from scent to moisturiser) should list this expanded list of fragrances on the labels above certain concentrations, to alert consumers who may be allergic to them.
- There are also differences between GB and the EU in the CMRs banned in cosmetics (it seems there are fewer CMRs restricted in this SI than in [EU 2025/877](#)).

Questions for government

While many products on the GB market will comply with higher EU standards, current divergence raises the prospect that GB consumers will have less protection from the health impacts of harmful chemicals in these products they use every day than EU citizens, and the potential for products which do not meet higher EU standards to get dumped on the GB market.

It would be helpful if the Department for Business and Trade could set out the following:

- Details of GB and EU divergence on cosmetic regulation.
- How it manages differences between EU and GB hazard classifications.
- What plans it has to match EU laws improving the safety of cosmetic products where this relates to health risks for consumers.

- What assessment it has made about the impact of changes proposed by HSE to the classification of chemicals on cosmetics regulation and what representations did it make about them? NGOs are concerned that [the changes](#) will accelerate divergence from EU classifications.

23 January 2026

Response from the Department for Business and Trade

The UK Cosmetic Regulation (Regulation (EC) No 1223/2009) is assimilated law. The UK Cosmetic Regulation governs cosmetic safety, labelling, and sale in Great Britain (GB). Following the UK's exit from the EU, the UK Cosmetic Regulation operates independently, and the Secretary of State has powers to update the Regulation to make amendments for ingredient restrictions, in the same way that the European Commission can with respect to the EU Cosmetic Regulation. The Regulation is kept under review and is amended when it is in the interests of product safety to do so. Any changes to the UK Cosmetic Regulation go through the normal process, including stakeholder engagement and notification to the World Trade Organisation (WTO).

SIs such as The Cosmetic Products Regulation (EC) No 1223/2009 (Restriction of Chemical Substances) (Amendment and Transitional Provisions) Regulations 2026 are routinely prepared, to update the annexes of the UK Cosmetic Regulation to ensure the continued safe use of chemical substances in cosmetics. This SI is intended to make specific and targeted changes to the UK Cosmetic Regulation based on the classification of a list of substances as carcinogenic, mutagenic or toxic for reproduction (CMR). It also implements recent scientific advice from the UK's Scientific Advisory Group on Chemical Safety of Non-Food and Non-Medicinal Consumer Products (SAG-CS).

While changes made to the EU Cosmetic Regulation do not apply to products placed on the GB market, we are aware of the changes to EU requirements raised by Wildlife and Countryside Link. These changes are considered on a case-by-case basis, informed by relevant evidence including the independent expert advice provided by SAG-CS.

CMRs

With regards to the substances classified as CMRs, Article 15 of the UK Cosmetic Regulation sets out that cosmetic products must not contain substances classified as CMRs under Great Britain Classification, Labelling and Packaging Regulation (GB CLP), unless the substances are listed in Annexes 3 to 6 of the Cosmetic Regulation. After a derogation is requested and the scientific evidence demonstrates that the substance is safe for use under specific restrictions, HSE considers harmonisation of classifications in response to changes proposed by the EU, including CMR substances and updates the GB CLP Regulation accordingly. These changes are then reflected under the UK Cosmetics Regulation. HSE's classification of CMRs generally tend to be in alignment with the EU. The updates to the UK Cosmetic Regulation intended through this SI reflect the recent classification made under the GB CLP Regulation rather than the latest classifications or amendments made by the EU. While there are currently fewer substances classified as CMRs under the GB CLP regulations than by the EU, we expect further substances to be classified as CMRs in the future by HSE, at which point we will take the necessary action to prohibit them under the GB Cosmetics Regulation.

Vitamin A

OPSS published a call for data regarding the potential risks to human health related to the use of vitamin A in cosmetic products. The deadline for submissions was 30 April 2025. Following the call for data, vitamin A was added to the list of substances that OPSS has prioritised for assessment of their safety in consumer products by the SAG-CS. The final decision regarding any potential changes to the use of vitamin A in cosmetics will be made after the SAG-CS assessment is completed, which we expected to be finalised later this year.

HSE's proposals

The HSE consulted from 23 June to 18 August 2025 on proposals to reform three pieces of chemicals legislation: Great Britain Biocidal Products Regulation (GB BPR); Great Britain Classification, Labelling and Packaging (GB CLP); and Great Britain Prior Informed Consent for the export and import of hazardous chemicals (GB PIC). In relation to GB CLP, the reform proposals suggest procedural changes to how the GB Classification system operates but do not propose changes to the underlying scientific criteria used for classifying and labelling chemicals. These criteria are set out in Article 36 and Annexes I and II to the GB Classification, Labelling and Packaging Regulation (known as the GB CLP Regulation). The final proposals for GB CLP will be confirmed as part of HSE's response to the Chemicals Legislative Reform Proposals consultation. This is expected to be published soon, subject to Ministerial approval.

28 January 2026