

Import of cosmetic products

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The Federal Institute for Risk Assessment (BfR) regularly receives inquiries from companies regarding the import of cosmetic products to Germany. In the following information, BfR provides a concise overview of practices and statutory provisions to be observed in this context.

In principle, cosmetic products are not subject to prior authorisation, rather compliance with statutory provisions falls under the company's due diligence. Manufacturers and importers must assure that substances used in these products are safe for human health. The statutory provisions to be followed prior to the market launch of a cosmetic product are specified in the German cosmetics regulation (*Kosmetik-Verordnung* – KVO) and the German food and feed code (*Lebensmittel - und Futtermittelgesetzbuch* – LFGB). The currently valid version of both laws is available in bookshops and via the Internet. KVO includes the provisions of the Cosmetics Directive 76/768/EEC (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1976L0768:20080424:en:PDF>) transposed into German law.

Some substances that are specifically used in cosmetics fall under separate provisions. These regulations are specified in a number of annexes (lists) to the KVO. They include i.e. a ban on the use of certain substances in the manufacture or treatment of cosmetics (Annex 1 of the KVO, so-called negative list) or specify restrictions of use in regard to the field of application or maximum authorised concentration (Annex 2 to the KVO). Furthermore, additional annexes list substances that are subject to a special authorisation procedure. These substances are only added to the so-called positive-list after detailed toxicological analysis in order to determine that they do not constitute a consumer health hazard. These annexes include dyes, preserving agents and UV filters. On 11 July 2010 the new EU regulation on cosmetic products 1223/2009/EC (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:342:0059:0209:en:PDF>) will come into force Europe-wide.

The competent German *Länder* authorities for the official control of foodstuffs are responsible for monitoring cosmetic products and must be notified of the import of such products accordingly. Furthermore the composition of a cosmetic product must be communicated to the Federal Office of Consumer Protection and Food Safety (BVL). For these purposes, please contact:

Federal Office of Consumer Protection and Food Safety (BVL)
P.O. Box 1564
38005 Braunschweig
Germany

Information regarding the notification procedure for frame formulations can be obtained from the German cosmetics regulation and the *Bundesanzeiger* (German federal gazette) No. 40 and No. 241 or is available from the German Cosmetic, Toiletry, Perfumery and Detergent Association (*Industrieverband Körperpflege- und Waschmittel e. V.* – IKW) in Frankfurt/Main. Additional questions regarding statutory provisions or whether cosmetic products are admissible for import can be addressed to the competent *Länder* authorities. The associations of the cosmetics industry can provide further information, for example, on experts/ laboratories that can check cosmetic products regarding their health safety and marketability in Germany.