



Brussels, XXX
[...] (2025) XXX draft

ANNEX

ANNEX

to the

Commission Regulation (EU) .../...

**amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council
as regards the use in cosmetic products of certain substances classified as carcinogenic,
mutagenic or toxic for reproduction**

ANNEX

Annexes II, III, IV and V to Regulation (EC) No 1223/2009 are amended as follows:

(1) Annex II is amended as follows:

(a) entry 1397 is replaced by the following:

Reference number	Substance identification		
	Chemical name/INN	CAS number	EC number
a	b	c	d
‘1397	Perboric acid (H ₃ BO ₂ (O ₂)), monosodium salt trihydrate [1];	13517-20-9 [1]	239-172-9 [1]
	Perboric acid, sodium salt, tetrahydrate [2];	37244-98-7 [2]	234-390-0 [2]
	Perboric acid (HBO(O ₂)), sodium salt, tetrahydrate [3];	10486-00-7 [3]	- [3]
	Sodium peroxoborate, hexahydrate [4];	- [4]	- [4]
	Sodium perborate [5];	15120-21-5 [5]	239-172-9 [5]
	Sodium peroxometaborate; sodium peroxoborate [6];	7632-04-4/ 10332-33-9/ 10486-00-7 [6]	231-556-4 [6]
	Perboric acid, sodium salt [7];	11138-47-9 [7]	234-390-0 [7]
	Perboric acid, sodium salt, monohydrate [8];	12040-72-1 [8]	234-390-0 [8]
	Perboric acid (HBO(O ₂)), sodium salt, monohydrate [9];	10332-33-9 [9]	- [9] ’

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(b) entries 1398 and 1399 are deleted;

(c) entry 1727 is replaced by the following:

Reference number	Substance identification		
	Chemical name/INN	CAS number	EC number
a	b	c	d
‘1727	Silver (nano) [1 nm < particle diameter ≤ 100 nm];	7440-22-4	231-131-3’

	Silver (massive) [particle diameter ≥ 1 mm]		
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(d) the following entries are added:

Reference number	Substance identification		
	Chemical name/INN	CAS number	EC number
a	b	c	d
[OP: please replace with the next consecutive number]	Multi-walled Carbon Tubes (synthetic graphite in tubular shape) with a geometric tube diameter range ≥ 30 nm to < 3 μ m and a length ≥ 5 μ m and aspect ratio $> 3:1$, including Multi-Walled Carbon Nanotubes, MWC(N)T	-	-
[OP: please replace with the next consecutive number]	reaction mass of 1,3-dioxan-5-ol and 1,3-dioxolan-4-ylmethanol	-	-
[OP: please replace with the next consecutive number]	Acetone oxime	127-06-0	204-820-1
[OP: please replace with the next consecutive number]	2-(dimethylamino)-2-[(4-methylphenyl)methyl]-1-[4-(morpholin-4-yl)phenyl]butan-1-one	119344-86-4	438-340-0
[OP: please replace with the next consecutive number]	2,3-epoxypropyl neodecanoate	26761-45-5	247-979-2
[OP: please replace with the next consecutive number]	Benthiavalicarb-isopropyl (ISO); isopropyl [(S)-1-{[(R)-1-(6-fluoro-1,3-benzothiazol-2-yl)ethyl]carbamoyl}-2-methylpropyl]carbamate	177406-68-7	-
[OP: please replace with the next consecutive number]	7-oxabicyclo[4.1.0]hept-3-ylmethyl 7-oxabicyclo[4.1.0]heptane-3-carboxylate	2386-87-0	219-207-4
[OP: please replace with the next consecutive number]	Sodium 3-(allyloxy)-2-hydroxypropanesulphonate	52556-42-0	258-004-5

number]			
[OP: please replace with the next consecutive number]	1,4-dichloro-2-nitrobenzene	89-61-2	201-923-3
[OP: please replace with the next consecutive number]	Fenpropidin (ISO); (<i>R,S</i>)-1-[3-(4- <i>tert</i> -butylphenyl)-2-methylpropyl]piperidine	67306-00-7	-
[OP: please replace with the next consecutive number]	<i>N,N'</i> -methylenediacrylamide	110-26-9	203-750-9
[OP: please replace with the next consecutive number]	<i>tert</i> -butyl 2-ethylperoxyhexanoate	3006-82-4	221-110-7
[OP: please replace with the next consecutive number]	Trimethyl borate	121-43-7	204-468-9
[OP: please replace with the next consecutive number]	<i>S</i> -metolachlor (ISO); 2-chloro- <i>N</i> -(2-ethyl-6-methylphenyl)- <i>N</i> -[(2 <i>S</i>)-1-methoxypropan-2-yl]acetamide; (<i>R_aS_a</i>)-2-chloro- <i>N</i> -(6-ethyl- <i>o</i> -tolyl)- <i>N</i> -[(1 <i>S</i>)-2-methoxy-1-methylethyl]acetamide [contains 80-100% 2-chloro- <i>N</i> -(2-ethyl-6-methylphenyl)- <i>N</i> -[(2 <i>S</i>)-1-methoxypropan-2-yl]acetamide and 0-20% 2-chloro- <i>N</i> -(2-ethyl-6-methylphenyl)- <i>N</i> -[(2 <i>R</i>)-1-methoxypropan-2-yl]acetamide]	87392-12-9	-
[OP: please replace with the next consecutive number]	Pyraclostrobin (ISO); methyl <i>N</i> -(2-[[1-(4-chlorophenyl)-1 <i>H</i> -pyrazol-3-yl]oxymethyl]phenyl) <i>N</i> -methoxy carbamate	175013-18-0	-'

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(2) in Annex III, the following entries are added:

Reference number	Substance identification				Restrictions			Wording of conditions of use and warnings
	Chemical Name/INN	Name of Common Ingredients Glossary	CAS number	EC number	Product type, Body parts	Maximum concentration in ready for use preparation	Other	
a	b	c	d	e	f	g	h	i
‘[OP: please insert the next consecutive number]’	Silver (powder) [100 nm < particle diameter < 1 mm]	Silver	7440-22-4	231-131-3	(a) Toothpaste (b) Mouthwash	For (a) and (b): 0,05 %		
[OP: please insert the next consecutive number]	Hexyl 2-hydroxybenzoate	Hexyl Salicylate	6259-76-3	228-408-6	(a) Hydroalcoholic-based fragrances (b) All rinse-off products (except shower gel, hand wash, hair conditioner and shampoo intended for children below 3 years of age) (c) All leave-on	(a) 2 % (b) 0,5 % (c) 0,3 % (d) 0,001 % (e) 0,001 % (f) 0,1 %	Not to be used in preparations for children under 3 years of age, with the exception of (d) “Toothpaste” and (f).	(e) Not to be used for children under 3 years of age’

					<p>products (except hair conditioner, body lotion, face cream, hand cream, lipstick/lip balm and fragrance products intended for children below 3 years of age)</p> <p>(d) Toothpaste</p> <p>(e) Mouthwash</p> <p>(f) Shower gel, hand wash, shampoo, hair conditioner, body, face and hand (skin) care products, lipstick/lip balm and fragrance products intended for children below 3 years of age</p>			
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(3) in Annex IV, entry 142 is replaced by the following:

Reference number	Substance identification					Conditions			Wording of conditions of use and
	Chemical name	Colour index	CAS number	EC number	Colour	Product type, Body parts	Maximum concentration in	Other	

r		Number/Name of Common Ingredients Glossary					ready for use preparation		warnings
a	b	c	d	e	f	g	h	i	j
'142	Silver (powder) [100 nm < particle diameter < 1 mm]	Silver	7440-22-4	231-131-3	White	(a) Lip products (b) Eye shadow	For (a) and (b): 0,2 %'		

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(4) in Annex V, entry 7 is replaced by the following:

Reference number	Substance identification				Conditions			Wording of conditions of use and warnings
	Chemical name/INN	Name of Common Ingredients Glossary	CAS number	EC number	Product type, Body parts	Maximum concentration in ready for use preparation	Other	
a	b	c	d	e	f	g	h	i
'7	Biphenyl-2-ol; 2-phenylphenol; 2-hydroxybiphenyl	o-Phenylphenol	90-43-7	201-993-5	(a) Rinse-off products	(a) 0,2 % (as phenol)	When o-Phenylphenol and Sodium o-Phenylphenate are used	Avoid contact with eyes'
		Sodium o-	132-27-4	205-055-6	(b) Leave-on products	(b) 0,15 % (as phenol)		

	Sodium 2-biphenylolate	Phenylphenate					<p>together, the combined concentration (as phenol) shall not exceed 0,2 % in rinse-off and 0,15 % in leave-on products.</p> <p>Not to be used in applications that may lead to exposure of the end-user's lungs by inhalation. Not to be used in oral products.</p>	
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