



Brussels, **XXX**
[...](2022) **XXX** draft

ANNEX

ANNEX

to the

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

**amending Annexes III and VI to Regulation (EC) No 1223/2009 of the European
Parliament and of the Council**

ANNEX

Regulation (EC) No 1223/2009 is amended as follows:

(1) In Annex III, the following entries are added:

Reference number	Substance identification				Restrictions			Wordings 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 use preparation	Other	
a	b	c	d	e	f	g	h	i
'OP: please insert the next consecutive number	2,6-Di-Tert-Butyl-4-Methylphenol*	Butylated Hydroxytoluene	128-37-0	204-881-4	a) Mouthwash b) Toothpaste c) Other leave-on and rinse-off products	a) 0,001 % b) 0,1 % c) 0,8 %		
OP: please insert the next consecutive number	1H-Indene-1,3(2H)-dione, 2-(2-quinoliny)-, sulfonated, sodium salts (CI 47005)*,**	Acid Yellow 3	8004-92-0	305-897-5	Non-oxidative hair dye products	0,5 %		

* From ... [OP please insert the date = first day of the month following 6 months after the date of entry into force of this Regulation] non-oxidative hair dye products containing that substance and not complying with the restrictions shall not be placed on the Union market. From ... [OP please insert

the date = first day of the month following 12 months after the date of entry into force of this Regulation] non-oxidative hair dye products containing that substance and not complying with the restrictions shall not be made available on the Union market.

** For use as a colorant, see Annex IV, entry No. 82.’.

(2) Annex VI is amended as follows:

(a) entry 3 is replaced by the following:

Refer ence numb er	Substance identification				Conditions			Wordings 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 use preparation	Other	
a	b	c	d	e	f	g	h	i
‘3	Benzoic acid, 2-hydroxy-, 3,3,5-trimethylcyclohexyl ester/Homosalate*	Homosalate	118-56-9	204-260-8	Face products with the exception of propellant spray products	7,34 %		

* From ... [OP please insert the date = first day of the month following 24 months after the date of entry into force of this Regulation] cosmetic products containing that substance and not complying with the conditions shall not be placed on the Union market. From ... [OP please insert the date = first day of the month following 30 months after the date of entry into force of this Regulation] cosmetic products containing that substance and not complying with the conditions shall not be made available on the Union market.’;

(b) the following entries are added:

Refer ence numb er	Substance identification				Conditions			Wordings 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 use preparation	Other	

a	b	c	d	e	f	g	h	i
'OP: please insert the next consecutive number	1,1'-(1,4-piperazinediyl)bis[1-[2-[4-(diethylamino)-2-hydroxybenzoyl]phenyl]-methanone	Bis-(Diethylaminohydroxybenzoyl Benzoyl) Piperazine	919803-06-8	485-100-6		10 % *		
OP: please insert the next consecutive number	1,1'-(1,4-piperazinediyl)bis[1-[2-[4-(diethylamino)-2-hydroxybenzoyl]phenyl]-methanone	Bis-(Diethylaminohydroxybenzoyl Benzoyl) Piperazine (nano)	919803-06-8	485-100-6		10 % *	Only nanomaterials having the following characteristics are allowed: - Purity \geq 97 % - Median particle size D50 (50 % of the number below this diameter): \geq 50 nm of number size distribution. Not to be used in applications that may lead to exposure of the end user's lungs by inhalation.	

* In case of combined use of Bis-(Diethylaminohydroxybenzoyl Benzoyl) Piperazine and Bis-(Diethylaminohydroxybenzoyl Benzoyl) Piperazine (nano), the sum shall not exceed 10 %.