

CALL FOR SCIENTIFIC DATA ON DICHLOROMETHANE

A. Background

The Cosmetics Directive as modified by the Council and the European Parliament (2003/15/EC¹) stipulates that *“the use in cosmetic products of substances classified as carcinogenic, mutagenic or toxic for reproduction, of category 1, 2 and 3, under Annex I to Directive 67/548/EEC shall be prohibited. To that end the Commission shall adopt the necessary measures in accordance with the procedure referred to in Article 10(2). A substance classified in category 3 may be used in cosmetics if the substance has been evaluated by the SCCNFP and found acceptable for use in cosmetic products.”*

In order to implement that provision, the Commission, in accordance with Article 8, paragraph 2, of the Directive 76/768/EEC, has consulted the SCCNFP. On 25 May 2004, the SCCNFP confirmed its opinion of 25 September 2001 (SCCNFP/0825/04) and Commission adopted Directive 2004/93/EC in order to amend accordingly Annexes II and III of the Cosmetics Directive.

The consultation concerned all substances classified as CMR 3 at that time within Annex I to Council Directive 67/548/EEC and which were not already regulated by the Cosmetics Directive.

Therefore, the substance dichloromethane (CAS 75-09-2, EC 200-838-9), classified as carcinogenic of category 3 at that time, but listed in Annex III up to a concentration of 35%, was not part of the scientific consultation.

However, it appears that since the inclusion of this substance (Annex III, reference number 7) by Council Directive 82/368 of 17 May 1982, this substance has not been evaluated.

B. Request

In view of the elements mentioned above the Commission intends to consult the Scientific Committee on Consumer Safety (SCCS) on the safety of this substance when used in cosmetic product.

Therefore, the Commission would like to invite any of the interested parties to submit scientific data to demonstrate the safety of this substance.

¹ OJ L 66, 11.03.2003, p. 26. See recital (12).
(12) *“The SCCNFP stated in its opinion of 25 September 2001 that substances classified pursuant to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances(2) as carcinogenic (except substances only carcinogenic by inhalation), mutagenic or toxic for reproduction, of category 1 or 2, and substances with similar potential, must not be intentionally added to cosmetic products, and that substances classified pursuant to Directive 67/548/EEC as carcinogenic, mutagenic or toxic for reproduction, of category 3, and substances with similar potential, must not be intentionally added to cosmetic products unless it can be demonstrated that their levels do not pose a threat to the health of the consumer.”*
(2) OJ 196, 16.8.1967, p. 1. Directive as last amended by Commission. Directive 2001/59/EC (OJ L 225, 21.8.2001, p. 1).

Any information should be delivered with the reference: "dichloromethane" by mail, or e-mail by **31 January 2010** at the latest to:

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