

Dear Sirs,

The CTPA is the UK association representing manufacturers and importers of cosmetic products in the UK. Amongst the CTPA membership are all the major manufacturers active in the oral care sector, most of which are planning to market toothwhitening products to UK consumers. Through CTPA membership, these same companies are also active at European level in Colipa, the European cosmetic, toiletry and perfumery association.

CTPA is aware of the Colipa response to the public consultation and fully supports that document in its entirety. It represents a clear presentation of the scientific and practical market data demonstrating the safety of cosmetic toothwhitening products containing up to 6% hydrogen peroxide or equivalent. Therefore, I will not repeat the arguments and the text of that document but will confine my remarks to additional points relating to the business impact on companies that are members of the UK association of the constant delay and obfuscation that has surrounded this issue. In my personal opinion, there has been avoidable confusion between cosmetic toothwhitening, which whitens the colour of a normal tooth, and tooth bleaching carried out by a dentist to restore a diseased tooth to normal. This confusion has not added to the clarity of debate at European level.

The delay in approving the marketing of these safe and effective products has been detrimental to the interests of members of the CTPA. My member companies have acted with laudable restraint and responsibility in awaiting the change to the Cosmetics Directive before launching their products. In the meantime, products are on sale to the consumer from other companies both via mail order, the internet and even through retail outlets. These other companies have been taking opportunity to gain a market presence through marketing unlawful products in the absence of competition or robust enforcement action. This has an adverse impact on my members' market presence and is contrary to the principles of a single market. Neither is it in the best interests of the consumer for the market in toothwhiteners to be distorted in this way. There is clearly a consumer requirement for toothwhitening products, a need which my members wish to meet through the provision of safe, effective and high quality products. Yet, in complying with the current restrictions within the Cosmetics Directive, my member companies find themselves at an unfair competitive disadvantage.

Cosmetic toothwhitening products should be available to the general consumer, subject to appropriate restrictions in the Cosmetics Directive on concentration and labelling; the scientific data support the safety of these products as do the market research data from countries where such products have been safely sold and used for many years. The Colipa document details these facts clearly. Indeed, in my opinion, there are no credible data showing that cosmetic toothwhitening products containing up to 6% hydrogen peroxide or equivalent are likely to cause harm to human health and therefore I believe there are no arguments for not amending the Cosmetic Directive accordingly.

Yours faithfully,

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