

Scientific Committee on Consumer Safety (SCCS)
Request for a scientific opinion on
potential health risks posed by food-imitating and child-appealing chemical
consumer products

1. Background

Food-imitating and child-appealing chemical consumer products, such as shower gels, shampoos, body lotions, soaps, liquid soaps and dish-washing liquids are common on the European market. These products resemble foodstuffs or are child-appealing due to their shape, colour, appearance, odour, consistence, packaging or other characteristics. In particular, food-imitating or child-appealing chemical consumer products may lead consumers and especially vulnerable people, such as children or elderly people, to ingest them. Be it because of their inherent toxicity properties, be it from other characteristics (viscosity, foaming potential, vomiting induction potential) ingestion of these products may pose a risk to the health of consumers.

It is difficult to determine the level of potential health risk of such products, due to a considerable number of elements to be taken into account. These include the inherent toxicity properties of the chemicals, the non-chemical attributes of the product, the amounts of product ingested, the probability that the product is confused with food or attracts children, the impact of bad taste (sometimes caused by deliberate addition of a bitter-tasting chemical), and whether bad taste can prevent ingestion to a degree that a health risk can be avoided.

Additionally, in some instances the standard animal toxicological tests used to determine the safety of the product may indicate low orders of inherent toxicity upon ingestion, but be poor predictors of the clinical picture in humans due to the fact that the animal models used do not adequately mimic human physiology. As a specific example, the standard oral toxicity tests are conducted in animal species (rats or mice) which do not possess the human vomiting reflex which is the most common cause for chemically induced pneumonitis.

The regulatory framework governing the safety of chemical consumer products includes:

- * Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which appearing, to be other than they are, endanger the health or safety of consumers¹,
- * Directive 2001/95/EC of 3 December 2001 on general products safety²,
- * Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products³,
- * Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations⁴.

¹ OJ L 192, 11.7.1987, p. 49

² OJ L 11, 15.1.2002, p. 4

³ OJ L 262, 27.9.1976, p.169

⁴ OJ L 262, 27.9.1976, p.201

- * Toys directive
- * Detergents directive
- * Biocides directive

Member States' authorities differ in their safety assessments of chemical consumer products. Despite several discussions with Member States' experts a common approach could not be found. As a result, on the basis of different assessment elements, Member States continue to adopt different measures to limit the marketing and use of food-imitating and child-appealing chemical consumer products to ensure consumer health and safety.

To move towards a harmonised solution in the EU, the Commission considers it necessary to request the Scientific Committee on Consumer Safety (SCCS) to provide guidance on the potential health risks that may result after ingestion or of food-imitating and child-appealing chemical consumer products.

2. Terms of reference

The SCCS is asked to assess, in the light of current scientific data and knowledge:

1. What are the elements of a product which are likely to increase the probability for confusion with foodstuffs or that make a product more child-appealing? If possible, a ranking of such elements should be given.
2. What are the inherent properties and attributes of chemical consumer products that may cause or contribute to adverse health effects upon ingestion?
3. What are the circumstances under which exposure to food-imitating or child-appealing chemical consumer products will pose a serious risk to the health and safety of consumers, in particular to children and elderly people, taking into account e.g. volume ingested, taste of the product etc.? In which circumstances may such a risk materialise?
4. What are the most common adverse health effects observed in humans if such products are ingested?

3. Deadline

March 2011