



# *International Federation of Aromatherapists*

## **BREXIT: THINGS TO CONSIDER IN PREPARATION**

There are some actions that businesses in the cosmetics sector should be taking to be best prepared for Brexit. Some drafted practical guidelines have been produced which cover 4 key areas:

### **1. Preparation of data for UK database.**

Businesses will no longer have access to their EU notification files after 29th March 2019. All cosmetic products will need a UK based Responsible Person who should take the necessary action to prepare their data to enable them to complete the notification to the Secretary of State using the new UK database.

The UK database will enable both individual and bulk upload of cosmetic product information. CPNP allows users to download ZIP files containing XML files for each notification. **The UK cosmetic product registration service can accept only product information as ZIP files containing XML files. It will not accept uploads in any other formats such as PDF or ZIP files containing PDF files.**

You can use the same information you used to make the EU notification. You may find it useful to review the information you submitted to CPNP when considering your UK notification. To use the same data, you could choose to export your notification as a ZIP file. If the original EU notification had attached a document with formulation information, you will also need to provide this.

If you do not have access to your EU notification files, you will need to enter your cosmetic product information manually.

**Key Message:** Responsible persons based in the UK should prepare their data **now** from their own records in the file format outlined above in preparation for the notification of product information for Brexit.

### **2. Notification requirements to the Secretary of State using the UK database**

To ensure market surveillance and public health bodies in the UK have continued access to information relating to cosmetic products on sale in the UK, a requirement has been included in the SI for the notification of product information to the Secretary of State. This mirrors the current requirements for how information is notified to the EU for these same purposes.

**There are notification requirements for all cosmetic products placed on the UK market (from your website or shop) after exit day.**

Responsible persons will have 90 days to complete their notification where products were previously notified on CPNP prior to the UK exiting the EU and they place those same products on the UK market within 90 days of exit. There is also a reduced amount of information to be submitted for these products to simplify the process.

For products that are already on the EU market and that you will continue to make available on the UK market after exit, they will be requiring notification of some key information within 90 days of exit.

**In this case you will need to provide details of:**



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- the category of cosmetic product and its name or names, enabling its specific identification.
- The name of the Responsible Person
- The address at which the product information file (PIF) in respect of the cosmetic product is kept.
- The contact details of a natural person to contact in the case of urgency.
- The frame formulation allowing for prompt and appropriate medical treatment in the event of difficulties.

**For products that you are placing on the market in the UK after Exit you will need to provide the information above 'AND' the following information BEFORE you place the product on the market.**

- The name and the Chemicals Abstracts service (CAS) or EC number of substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR) of category 1A or 1B under regulation (EC) No 1272/2008
- The original labelling and where reasonably legible, a photograph of the corresponding packaging.

## **Key Message:**

Responsible Persons will have 90 days from Exit to make notifications using the new UK database for existing products made available on the market in that period.

New products being placed on the UK market after Exit day will be required to be notified prior to being placed on the market.

## **3. Change in status relating to importers - not applicable to aromatherapists.**

## **4. Product Labelling**

The law currently requires product labels for cosmetic products to contain the name and the address of the product's Responsible Person. For all new products placed on the market after the UK leaves the EU, the labelling must detail the UK Responsible Person details for that product. In recognition of the impact of this change for products in the supply chain, there will be a transition period of two years from the date of Exit for products on the market to adopt the new labelling requirements, as long as the EU labelling requirements (to have the name and address of the EU Responsible Person) have been met.

## **Key Message:**

Cosmetic products are required to be labelled with the name and address of a UK Responsible Person. There will be a two year transition period from exit to make the change in labelling to contain the name and address of a UK Responsible Person.

Hopefully the transition from the EU CPNP to the UK CPNP will be as smooth as they are predicting. As of the time of writing this checklist, it is unsure what statutory body will be set up to ensure that all people selling home-made products from their practice or website comply with these guidelines. It is rumored that hefty fines may be given if you sell your products, without notification to the government, to a member of the public you have not treated within your practice so beware!