



From: [REDACTED] (GROW-EXT)
To: [REDACTED] (GROW)
Cc:
Subject: Ares(2018)5246968 - RE: CBD (cannabidio) in Cosmetics
Date: mardi 16 octobre 2018 10:20:39
Attachments: [image001.jpg](#)
[image002.jpg](#)

Dear Mrs. [REDACTED],

Thank you for your query.

We would like to inform you that the CosIng database is an inventory of cosmetic substances and ingredients, employed for labelling cosmetic products throughout the EU. Please note that ingredient assigned with an INCI name that appears in the inventory section of CosIng does not mean it is to be used in cosmetic products nor approved for such use.

Entry 306 of Annex II to the Cosmetics Regulation 1223/2009 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1493906428740&uri=CELEX:32009R1223>) refers to "Narcotics, natural and synthetic: All substances listed in Tables I and II of the single Convention on narcotic drugs signed in New York on 30 March 1961".

Schedules I and II of the Convention are lists of drugs. According to Art. 1 "definitions" of the convention, "Drug" means any of the substances in Schedules I and II, whether natural or synthetic.

The list of drugs in Schedule I (Schedules as at 16 May 2018: <http://undocs.org/ST/CND/1/Add.1/Rev.4>) includes: CANNABIS and CANNABIS RESIN and EXTRACTS and TINCTURES OF CANNABIS.

Article 1 of the convention defines these terms as follows:

- (b) "Cannabis" means the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted, by whatever name they may be designated.
- (c) "Cannabis plant" means any plant of the genus Cannabis,
- (d) "Cannabis resin" means the separated resin, whether crude or purified, obtained from the cannabis plant.

We would also like to remind you that regarding the safety of cosmetic ingredients, all cosmetic products placed on the EU market must be safe for human health. It is the responsibility of the manufacturer (or the importer) as "responsible person" defined in Article 4 of the Cosmetics Regulation to ensure the safety of the product. To this end, a product information file which contains the information required under Article 11 of the Cosmetics Regulation must be kept readily available to the competent authorities of the EU member state concerned.

The Member States are responsible for monitoring compliance with the rules laid down in the Cosmetics Regulation via in-market controls of the cosmetic products made available on the market (Art. 22 of the Cosmetic Regulation No 1223/2009). These controls are based on appropriate checks of cosmetic products and checks on the economic operators on an adequate scale, through the product information file and, where appropriate, physical and laboratory checks on the basis of adequate samples.

Therefore, it is for national authorities to verify whether the cosmetic products in question comply with the rules on safety.

Please note that the views expressed in this email are not legally binding; only the Court of Justice of the EU can give an authoritative interpretation of Union law.

We hope you will find this information useful.

Best regards,

[REDACTED] PhD

From: [REDACTED] [REDACTED]@freyherr.com>
Sent: Friday, October 12, 2018 12:32 PM
To: GROW D4 <GROW-D4@ec.europa.eu>
Cc: [REDACTED], [REDACTED]@freyherr.com>
Subject: CBD (cannabidio) in Cosmetics
Importance: High

Dear Customer Service,

With reference to the information from the CosIng database, **Cannabidiol substance, CAS No. 13956-29-1**, Cosmetic restriction is mentioned, therefore I would wish to double-check, if that means absolute restriction of the Usage of CBD in Cosmetic products, regardless of the CBD concentration used.

Thank you for considering my request.

I will greatly appreciate it if you can respond at your earliest convenience.

Kind regards,

[Redacted signature]

+ [Redacted contact info]

www.freyherr.com

