

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Ares20221195325 - RE: Thank you + EIHA contribution
Date: mercredi 6 avril 2022 18:02:32
Attachments: [image009.png](#)
[image010.png](#)
[image004.png](#)
[image006.png](#)
[image008.png](#)

Dear [REDACTED]
Thank you for your email and the information therein.
Apologies for the late reply, but our team is heavily preoccupied with the targeted revision of the EU Cosmetics Regulation in order to incorporate the aims of the Chemicals Strategy for Sustainability.
As regards our draft non-paper, please note that it does not constitute a legal interpretation, nor has any legal value. As with any other non-paper, this document was drafted in order to trigger the necessary discussions within the Cosmetics WG, following the recent Court ruling. We anticipate the reaction of all stakeholders and we hope we can continue a constructive dialogue.
Thank you for your understanding.

Kind regards,

[REDACTED]
[REDACTED]

European Commission
DG for Internal Market, Industry, Entrepreneurship and SMEs
Unit F2 – Bioeconomy, Chemicals, Cosmetics

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From: [REDACTED]
Sent: Wednesday, March 16, 2022 5:31 PM
To: [REDACTED]
Subject: Thank you + EIHA contribution

Dear [REDACTED]
I would like to warmly thank you on behalf of EIHA for the clear presentation you gave at the CDG. We truly appreciated how it smoothly rolled out the meeting and we hope that the experts from the Member States found it insightful.

We truly believe that such occasions of exchange are an incredible chance to start a transparent and constructive dialogue between the sector and the public authorities.

We have read with great interest the DRAFT non paper from DG GROW and we are particularly pleased to read the following paragraph (3.4.3 / page 8-9):

Cosmetics: *flowers (and leaves with tops) for which the resin has been extracted clearly do not qualify as ‘drugs’. However, flowers (and leaves with tops) for which the resin has not been extracted, they qualify as ‘drugs’, except if they are coming from cannabis plant varieties with low levels of psychotropic substances and are legally cultivated in the Union.*
Therefore, as far as they do not qualify as ‘drugs’, they are not covered by entry 306 of Annex II to the CPR and they should not be prohibited a priori in cosmetic products, provided that the conditions of Article 3 of the CPR are also met.

However, flowers (and leaves **with tops**) for which the resin **has not** been extracted, they qualify as ‘drugs’, **except** if they are coming from cannabis plant varieties with low levels of psychotropic substances and are legally cultivated in the Union.

So, when it comes to cosmetics, even **flowers** do not qualify as drugs if they are coming from cannabis plant varieties with low levels of psychotropic substances and are legally cultivated in the Union.

This is a very good interpretation for the sector which is in line with the INTERNATIONAL position submitted to all 4 commission services last year.

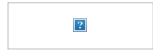
Please find it enclosed (ENG/FR and SPA version).

I enclosed to this email as well the paper from [REDACTED] which might be relevant for the discussion and EIHA position on Cosing.

Would it be possible to share our positions with member states representatives?

Thanks,

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