

WORLD TRADE ORGANIZATION

G/TBT/N/EEC/17

5 August 2002

(02-4303)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>EUROPEAN COMMUNITIES</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: European Commission Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EC-TBT Enquiry Point, Fax: 0032 2 299 57 25, E-mail: ec-tbt@cec.eu.int
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Cosmetic products
5.	Title, number of pages and language(s) of the notified document: Common position adopted on 14 February 2002 by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending for the seventh time Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products. (18 pages, in English)
6.	Description of content: The proposed measure foresees mainly: (1) a prohibition to perform tests on animals in the EU, which shall be implemented immediately for finished cosmetic products and progressively for cosmetic ingredients according to the availability of scientifically validated alternative testing methods, including those which reduce the number of animals used or diminish their suffering. (2) A marketing ban on cosmetic products when the final product or its ingredients have been subject to animal testing using a method other than an alternative method after the validation, acceptance and publication of such method by the Organisation for Economic Cooperation and Development (OECD). In addition, the Common Position foresees additional provisions aiming at improving health and consumer protection, among others through improvement of labelling requirements.
7.	Objective and rationale, including the nature of urgent problems where applicable: The main objective of the proposal for a seventh amendment to Directive 76/768/EEC relating to cosmetic products was to settle definitively the question of animal testing in the cosmetic sector. The current legislative provisions providing the prohibition on the marketing of cosmetic products containing ingredients or combinations of ingredients tested on animals after 30 June 2002 should be amended so as to make them legally and practically enforceable, thereby offering a genuine protection to animal health and welfare and also inform the consumers accordingly.

8.	Relevant documents: Council Directive 93/35/EEC of 14 June 1993; Commission Directive 97/18/EC of 14 April 1997; Commission Directive 2000/41/EC of 20 June 2000; Commission proposal COM(2000)189 final of 5 April 2000; Resolution of the European Parliament of 3 April 2001; Commission amended proposal COM(2001)697 final of 22 November 2001; Resolution/recommendations of the European Parliament of 11 June 2002 English version: http://register.consilium.eu.int/pdf/en/01/st15/15073-r1en1.pdf French version: http://register.consilium.eu.int/pdf/fr/01/st15/15073-r1f1.pdf
9.	Proposed date of adoption: November 2002 Proposed date of entry into force: April 2004
10.	Final date for comments: 90 days from date of notification
11.	Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body: European Commission, EC-TBT Enquiry Point, Fax: 0032 2 299 57 25, E-mail: ec-tbt@cec.eu.int