

The Consumer Voice in Europe


LABELLING FRAGRANCE ALLERGENS

BEUC feedback to Commission inception impact assessment



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Summary

BEUC, The European Consumer Organisation welcomes the European Commission's intention to take forward the implementation of the 2012 opinion of the Scientific Committee on Consumer Safety on fragrance allergens in cosmetic products (SCCS/1459/11). Perfume allergies are a significant, growing health concern which affects millions of consumers across the EU; as such, further delay in improving the protection of consumers against fragrance ingredients of concern is unacceptable.

Clear and readily available information on the presence of fragrance allergens is a crucial tool to allow allergic consumers to adopt a preventive approach. As an initial measure, **BEUC therefore insists that the additional 62 fragrance allergens identified in the 2012 SCCS opinion must be labelled according to the present rules of the Cosmetics Regulation**, that is, either declared on product labels or through leaflets, tags, etc. (OPTION 2 - 'on-pack' labelling). BEUC strongly disagrees with the industry proposal to introduce e-labelling as it would fail to improve consumer protection (OPTION 3).

Greater transparency about fragrance allergens in cosmetic products would allow consumers to make informed choices on how to protect their health. We nonetheless emphasise that improved transparency under no circumstance should shift responsibility to the consumer for avoiding exposure. The EU urgently needs to develop a strategy on how to minimise consumer exposure to fragrance allergens and other sensitizers in consumer products, such as detergents, toys, or textiles.

Why it matters to consumers

Fragrance ingredients are known to sometimes cause skin irritations or allergic reactions. Once an allergy has developed, it is a life-long, irreversible condition with potentially disabling effects. Cosmetics manufacturers must indicate the presence of fragrances on their product using the term 'perfum' or 'aroma'. A fragrance can however be a mix of up to 100 different chemicals, with more than 2,500 ingredients **used** today in perfumes and other scented cosmetic products. Nonetheless, only 26 specific substances – or less than one per cent – need to be identified on products. Consequently, a consumer suffering an allergic reaction can in most situations not identify which fragrance ingredient may have caused it. The consumer can only identify 'fragrance' as the problem.

Greater transparency about fragrance allergens through on-pack labels is urgent

In line with the 2012 SCCS opinion, BEUC insists on the need for greater transparency about the presence of fragrance allergens in cosmetic products. As observed in the Commission's inception impact assessment, the delay in implementing the recommendations of SCCS potentially harms the health of sensitized consumers and deprives *all* consumers of their right to know about cosmetics ingredients of concern. Further delay – or a failure to implement the SCCS opinion (OPTION 1) is thus clearly unacceptable.

BEUC insists that the additional 62 fragrance allergens identified in the 2012 SCCS opinion must be labelled according to the present rules of the Cosmetics Regulation, that is, either declared on product labels or through leaflets, tags, etc. (OPTION 2 - 'on-pack' labelling).

'On-pack' labelling will ensure that consumers have access to information at the point of sale, without the use of additional devices or internet connectivity. This would allow consumers to avoid ingredients they are allergic to or do not wish to purchase. A different color within the ingredient list should be used to highlight the presence of fragrance allergens in a cosmetic product.

As correctly observed by the Commission, 'on-pack' labeling can moreover be implemented through a simple, expedient amendment to Annex III of the Cosmetics Regulation. Given the protracted delay in implementing the 2012 SCCS opinion, **BEUC therefore insists that the Commission urgently proceeds to include the additional fragrance allergens to this Annex with an obligation for cosmetics manufacturers to declare their presence in the final product.**

New labelling obligations should however not be limited to the 62 additional substances identified in the 2012 SCCS opinion (table 13-1). Thus, the SCCS also recommends to improve transparency about the substances in table 13-2 (contact allergens in animals) and 13-3 (likely contact allergens). As the most relevant ingredients of concern will differ for each person, this information is crucial to allow sensitized consumers to avoid ingredients they are allergic to. More information on the use in cosmetic products of these substances will enable targeted testing of patients with contact dermatitis and better diagnosis of fragrance allergies. In line with the 2012 SCCS opinion, we finally encourage the Commission to consider new regulatory measures to limit consumer exposure to the fragrance allergens listed in table 13-5 ('Established fragrance contact allergens of special concern').

A flawed approach: e-labelling hampers the consumer's right to know

BEUC strongly disagrees with the industry proposal that information on fragrance allergens could be provided, not on the label, but rather online via the use of QR codes, web links or bar codes (OPTION 3).

Consumers make their purchasing decisions in a matter of seconds: it is therefore unfair and unrealistic to expect busy shoppers to spend the extra time and effort to access information via QR codes, web links or bar codes for each cosmetic product they consider buying. It is likewise unclear how e-labelling can ensure that all consumers, including in particular those without connected devices or internet connectivity, have access to reliable information at the point of sale information.

'On-pack' labelling allows consumers to easily compare several products on the shelf. Providing ingredients listings via QR codes or web links would on the contrary, even if scanned, only permit consumers to access information for each product one at a time. This would not only be more time-consuming for consumers but would also restrict their ability to make simple comparisons between products.

We therefore urge the Commission to abandon this flawed approach and instead urgently proceed to establish 'on-pack' labelling obligations for the additional 62 fragrance allergens identified by the SCCS. This would also be consistent with the approach proposed by the Commission in the context of the Toy Safety Directive which would require manufacturers to label on toys information on the presence of the 62

fragrance allergens on an affixed label, on the packaging or on an accompanying leaflet (cf. Commission document: EXP/2018/012).

Need for an EU strategy to protect consumers against sensitizers

Skin sensitization is a severe and growing concern for consumer health which results in significant impairment of quality of life and adverse consequences for fitness for work. An estimated 27 per cent of the EU population is thus sensitised to one or more allergens. Annual costs to society and the economy is projected to be as high as EUR 240bn in the EU.¹

The EU urgently needs to develop a strategy of prevention across different regulatory areas and product sectors. This strategy must target both primary prevention (avoiding sensitisation) and secondary prevention (avoiding relapses of allergic contact dermatitis in those already sensitised), as well as set clear priorities for identifying relevant sensitizers and exposures.

Product labels inform pre-sensitised consumers about elicitation risks and full reliable ingredient labelling is therefore needed. The EU likewise needs to establish better surveillance systems in order to identify risk management measures and subgroups at particular risk.

ENDS

¹ See outcome of Commission workshop on regulatory options for skin sensitizers:
https://ec.europa.eu/growth/content/workshop-regulatory-options-skin-sensitisers_en



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