

Subject: Minutes meeting with L'Oréal on REACH revision

Meeting with L'Oréal on REACH revision and Chemical Strategy for Sustainability

21 September 2022 10:00, Teams meeting.

Participants

GROW F1:

L'Oréal:

- L'Oréal met with GROW F2 on Cosmetics Products Regulation and CLP on 12 September 2022
- **L'Oréal made a general presentation:** highlighting their sustainability efforts and future goals to e.g. use more bio-based materials and reduce water consumptions by consumers. New innovation paradigm (green sciences) to use green extraction, fermentation, and sustainable cultivation. Sustainability programme to be applied in the whole process i.e. raw materials, production, packaging, production and end of life
- **On economic costs:** L'Oréal highlighted the importance of a regulatory framework that fosters innovation but also that ensures viable businesses. The regulatory framework is key to a level the playing field.
- **Reformulate products:** L'Oréal explained that cosmetics are very complex products and reformulation is difficult in particular when you touch specific categories, e.g. preservatives, sunscreen. Decades to reformulate if there are no substitutes on the market. A new product can take 12-24 month to reach the market as there are rigorous testing and long term stability, packaging, safety testing etc. Timeline is difficult but the challenge sometimes is really to find different solutions giving the same outcome (example: hair dye).
- **Mixture Assessment Factor (MAF):** L'Oréal asked what is the Commission's approach on MAF. L'Oréal urged the Commission to consider a MAF based on scientific evidence and not use a blanket approach as the impacts will be very severe (especially preservatives). E.g. MAF of 10 will disrupt 70% of the preservatives. Repackaging will generate lot of waste and is also not always preferable. GROW agree that there is a concern on the impacts for industry related to the value of the MAF. A comprehensive impact assessment is carried out looking at impacts. GROW informed that the MAF is currently under discussion and it is not yet in a position to disclose detailed information on what the Commission may propose.
- **Environmental impacts (revisions of REACH and CPR):** L'Oréal has concern on the environmental impacts and how that is regulated, as it is not falling under CPR. Derogations only for essential uses (if related to environmental concerns) is potentially a major problem as they assume cosmetics will never be considered essential (submission was made in the public consultation). Persistence is the main concern and will target e.g. preservatives, sunscreens, perfumes, surfactants. L'Oréal's concern is that a generic approach is not based on risk and this will impact many products and ultimately the consumer. Don't want to trade off performance as consumers will not accept a lower performance of the products. Examples where cosmetics also serve important purposes for consumers are for instance sunscreens (protection from cancer), or lotions (protection from eczema and rashes).

- **Generic Risk Approach:** GROW explained that GRA will not be applied at once but it will take some years before EIF and it will be subject to a decision-making process and related consultations of stakeholders.
- **Derogations from GRA:** L'Oréal explained that Article 15 in the CPR is not an exemption but a derogation supported by data on the lack of alternatives and safe use. GROW explained that an equivalent procedure to Article 15 will not be possible under GRA. The "safe use" derogations (in general) is being discussed but no decision yet on whether it will be possible or under which conditions, and if both for human health and environmental impacts.
- **Next:** L'Oréal is meeting Csr Breton on 15 October