

# 'FREE FROM' & HYPOALLERGENIC COSMETICS CLAIMS

From 1 July 2019, new guidelines apply to 'free from' and hypoallergenic claims on cosmetics in the EU.

All cosmetics are required to comply with Annex I of EC Regulation 655/2013. Annex III and IV of EC Regulation 655/2013 now provide additional guidance on:

- the prohibition on implying a product has characteristics or functions it does not have (under Article 20 of EC Regulation 1223/2009); and
- the application and interpretation of the 6 common criteria in Annex I that all cosmetics products in the EU must already comply with.



## ANNEX III - 'FREE FROM' CLAIMS.

'Free from' claims are generally still permitted, provided they comply with the common criteria and do not mislead. For example, a children's mouthwash can claim 'free from alcohol' as it allows parents to make an informed purchasing decision about the product (1 of the criterion in the common criteria).

## ANNEX IV - HYPOALLERGENIC CLAIMS.

Hypoallergenic claims may only be made if the product has been formulated to reduce its allergenic potential. Even if this is met, take care to ensure the claim does not give the impression that the product has no risk of allergic reaction at all.

# TYPES OF RESTRICTED 'FREE FROM' CLAIMS.

TYPE	EXAMPLE
'Free from' an ingredient that must not be used in cosmetics in the EU	<b>Free from corticosteroids</b> when corticosteroids are prohibited in cosmetics
'Free from' claim that denigrates particular ingredients despite the ingredients being permitted for use in cosmetics in the EU	<b>Free from parabens</b> when some parabens are legally permitted and safe for use in cosmetics
'Free from' an ingredient where the product contain another ingredient that releases that absent ingredient	<b>Free from formaldehyde methylene glycol</b> if the product contains an ingredient that releases formaldehyde
'Free from' an ingredient that is typically not used in the particular type of cosmetics	<b>Free from preservatives</b> for a fragrance when fragrances often do not contain preservatives due to their high alcohol content
'Free from' claim that implies a guaranteed property of the product based on the absence of an ingredient	<b>Free from allergenic substances,</b> since you cannot guarantee the consumer will have no allergic reaction to the product
'Free from' a functional group of ingredients where the product contains another ingredient or combination of ingredients that has the same function	<b>Free from fragrances</b> when the product contains an ingredient that has a secondary perfuming function <b>Free from preservatives</b> when the product contains an ingredient with antimicrobial properties



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