

Nail salon

Cosmetic product checklist

Trading Standards information

www.southwark.gov.uk




1. Introduction

Regulation EC 1223/2009 on cosmetic products applies to any substances or mixtures that are intended for contact with the skin or nails for the purpose of protecting them, cleaning them or changing their appearance.

The rules apply in the UK to any product that is “made available on the market”. This includes the supply to professionals for use in a salon environment and direct sales to consumers.

The rules apply to both the person who first imported cosmetics into the UK and any ‘distributors’ in the supply chain thereafter. The term ‘distributors’ includes wholesalers, retailers, and salon operators who supply products to individuals who “rent a chair” etc.

2. Main safety and traceability checks – labelling – all should be YES

Legal requirements – container and any outer packaging	Yes	No
A name and an UK based address of the person who first imported it / placed on market		
A country of origin if not an UK manufactured product		
A quantity marking of volume or weight if product greater than 5ml or 5g		
The function of the product unless this is obvious by way of presentation		
A batch number or reference number to identify the product		
The words “ Best used before end of ” or the hour glass symbol must be used with a month and year indication or day month and year indication OR		
For products with over 30 months shelf life an indication of how many months or years after opening it can be used provided the period after opening symbol is used with that information		
Particular precautions to be observed in use and any special information for professional use products – for small product containers this can be on a separate enclosed or attached leaflet etc. provided this reference symbol is used on the container or packaging		

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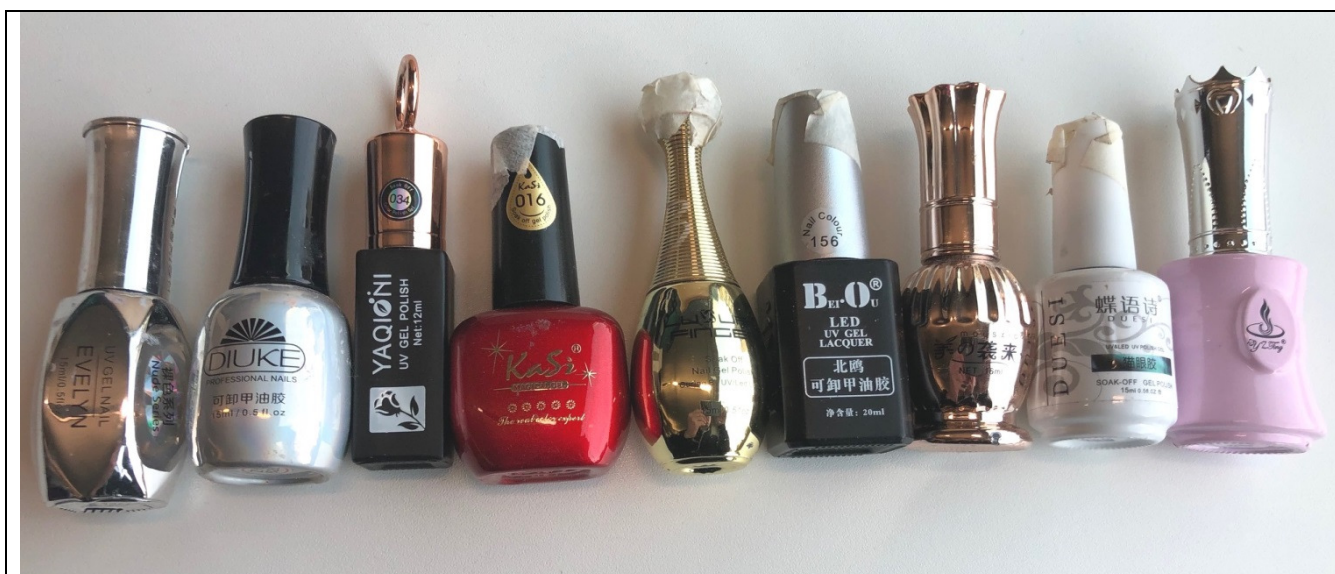
Legal requirements – container OR outer packaging	Yes	No
Ingredients list headed “Ingredients” – this can be on the packaging only though and in some cases can be on separate leaflet provided the reference symbol is used		
No banned ingredients listed? e.g. Formaldehyde , Dibutyl phthalate		
Legal requirements – information provision by distributors	Yes	No
Distributor must be able to identify where they obtained the cosmetic product from and these records must be kept for 3 years from when they were supplied with it		

3. Things to be aware of

- Some salons appear to have compliant stock on display but keep non-compliant daily use stock hidden in boxes or cupboards within the premises out of sight
- Sometimes products are supplied with labels stuck on the container caps or on stickers that are then removed or fall off with use so they may have been compliant when first supplied
- All cosmetic products must be registered on an UK notification portal by importers into the UK trading standards can search this portal by product name or manufacturer if needed

4. What happens if these requirements are not complied with?

Failure to comply could result in goods being seized and prosecution. These requirements are implemented in the UK by the Cosmetic Products Enforcement Regulations 2013. On conviction in the Crown Courts a fine of up to £20,000 and/or up to 12 months imprisonment may be imposed.



Example of non compliant products with no UK address or other safety labelling

PLEASE NOTE that only the Courts can interpret statutory legislation with authority and this leaflet is subject to revision or amendment without notice. (Ref: NSCL/1.1 2022)