



Council of the European Union  
General Secretariat

**Brussels, 15 January 2026**

**WK 651/2026 INIT**

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## **WORKING DOCUMENT**

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**From:** General Secretariat of the Council  
**To:** Delegations

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**N° prev. doc.:** WK 17205/2025 REV 1  
**N° Cion doc.:** D 110957/1

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**Subject:** Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use of Benzyl Salicylate, Triphenyl Phosphate, Ammonium Silver Zinc Aluminium Silicate, Aluminium, water-soluble zinc salts, Acetylated Vetiver Oil, Citral, HC Blue No. 18, HC Red No. 18, HC Yellow No. 16, Hydroxypropyl-p-phenylenediamine and its dihydrochloride salt, and DHHB in cosmetic products

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Delegations are informed that on 15 January 2026, document ST 5405/26 + ADD 1 was circulated in all languages through the Delegates Portal:

**Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use of Benzyl Salicylate, Triphenyl Phosphate, Ammonium Silver Zinc Aluminium Silicate, Aluminium, water-soluble zinc salts, Acetylated Vetiver Oil, Citral, HC Blue No. 18, HC Red No. 18, HC Yellow No. 16, Hydroxypropyl-p-phenylenediamine and its dihydrochloride salt, and DHHB in cosmetic products**

This document and its ANNEX were wrongly sent to the Council after the agreed Winter recess date in December 2025, and were withdrawn by the Commission. Now the document is sent again with a new deadline, as it is indicated below.

Under the procedure in Article 5a(3a) of Council Decision 1999/468/EC, such draft measures, before being formally adopted by the Commission, are submitted to the European Parliament and to the Council for scrutiny.

Acting by a qualified majority, **within three months** from the date of referral to it, the Council may oppose the adoption of the draft measure by the Commission, if the measures:

- exceed the implementing powers provided for in the basic instrument;
- are not compatible with the aim or content of the basic instrument; or
- do not comply with the principles of subsidiarity and proportionality.

The above draft measure is in accordance with the opinion of the relevant Committee which on 21 November 2025 approved the draft measure with 26 votes ‘yes’ and 1 vote ‘no’.

Should any delegation consider that there are reasons to oppose the draft measure as described above, they are kindly requested to inform the Council Secretariat ([chemicals@consilium.europa.eu](mailto:chemicals@consilium.europa.eu)) **by 24 February 2026, cob**. In case of opposition, the matter may be brought for discussion at the next feasible Working Party meeting.

In case of no opposition, it will be deemed that the Council has no reason to oppose the draft measure, thus allowing the Commission to formally adopt it after the three-month deadline which expires on **13 April 2026**.

Possible linguistic remarks should be addressed at the Commission services directly to:

[GROW-COSMETICS-AND-MEDICAL-DEVICES@ec.europa.eu](mailto:GROW-COSMETICS-AND-MEDICAL-DEVICES@ec.europa.eu).

COMPET 1, Technical Harmonisation and Chemicals Secretariat  
chemicals@consilium.europa.eu

