

# Cosmetics Industry view on proposed EU legislation on green claims & packaging and packaging waste

23rd Environmental Business Day, Bled -  
04/06/2024

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# Cosmetics Europe Membership

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### ACTIVE ASSOCIATION MEMBERS (AAM)

1. Austria: FCIO
2. Belgium & Luxembourg: DETIC
3. Bulgaria: BNAEOPC
4. Croatia: Detergents and Cosmetics Affiliation of the Croatian Chamber of Economy
5. Czech Republic: CSZV
6. Denmark: K&H
7. Estonia: ECIA
8. Finland: Kosmetiikka- ja hygieniaoollisuus ry
9. France: FEBEA
10. Germany: IKW
11. Greece: PSVAK
12. Hungary: KOZMOS
13. Ireland: ICDA
14. Italy: Cosmetica Italia – Associazione Nazionale Imprese Cosmetiche
15. Latvia: LAKIFA
16. Lithuania: LIKOCHEMA
17. The Netherland: NCV
18. Norway: KLF
19. Poland: PACDI
20. Poland: Kosmetyczni.pl
21. Portugal: AIC
22. Romania: RUCODEM
23. Slovakia: SZZV
24. Slovenia: KPC
25. Spain: STANPA
26. Sweden: KoHF
27. Switzerland: SKW
28. United Kingdom: CTPA

### SUPPORTING ASSOCIATION MEMBERS (SAM)

- Serbia:** Association of Detergents and Cosmetics Producers and Importers of Serbia - KOZMODET
- South Africa:** Cosmetic Toiletry & Fragrance Association of South Africa – CTFA
- Turkey:** Turkish Cosmetics & Cleaning Products Industry Association – KTSUD
- Ukraine:** Association of perfumery and Cosmetics of Ukraine – APCU

### CORRESPONDENT MEMEBERS

- Combe  
EDANA  
Givaudan  
Intercos Group  
Manufacturers Association of Israel



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## ACTIVE CORPORATE MEMBERS (ACM)

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Beiersdorf



COTY  
SINCE 1904

ESTÉE  
LAUDER  
COMPANIES

HALEON



Kanebo (KAO Group)

Kenvue

L'ORÉAL

LVMH



P&G

PUIG

natura & co



SHISEIDO



WELLA  
COMPANY

## SUPPORTING CORPORATE MEMBERS (SCM)

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Amway



Edgewell  
PERSONAL CARE



KOSÉ



NAOS

ORIFLAME  
SWEDEN

reckitt

sisley  
PARIS



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# Green Claims Directive

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# The Green Claims proposal is part of the Green Deal

The Green Deal proposed by the European Commission in 2020 significantly changes the regulatory philosophy of cosmetic products in the EU:

- Chemicals and their formulations
- Consumer Information
- Packaging and packaging waste

For chemicals:

- Opens the door to hazard-based prohibitions in the Cosmetics Regulation for a wide range of substances (Endocrine disruptors, respiratory sensitizers & others)
- Greatly simplifies and speeds up the ban/restriction process of the "most harmful substances"
- Brings more substances into the scope of REACH
- Strengthens security requirements to deal with "combined effects"



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# Context and objectives of the Directive

## Growing consumer interest in the environmental performance of the products :

- Studies in France, Germany, Sweden and Denmark: 50% of consumers stopped using brands for sustainability reasons in 2020, 90% in 2022! ([Source Kantar](#))
- Ingredient safety is the main concern
- Then there are the packaging problems

## Brands invest in more sustainable production including :

- Formulation safety
- Sustainable packaging
- Sustainable sourcing of ingredients
- Support for social and environmental causes

## What are the objectives of the Directive ?

- Improve information to help consumers make circular and ecological choices
- Fight against 'greenwashing'
- Fight against the proliferation of environmental labels

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# Green Claims Directive

## How should it be achieved ?

- Require environmental claims to be backed by **scientific evidence (Life cycle analysis)**
- **Third party verification** of Green Claims prior to marketing;
- **Approval of sustainability labelling schemes**
- Potential ban on environmental claims if a **product contains any hazardous substance** (irrespective of relevance for actual safety of the product)

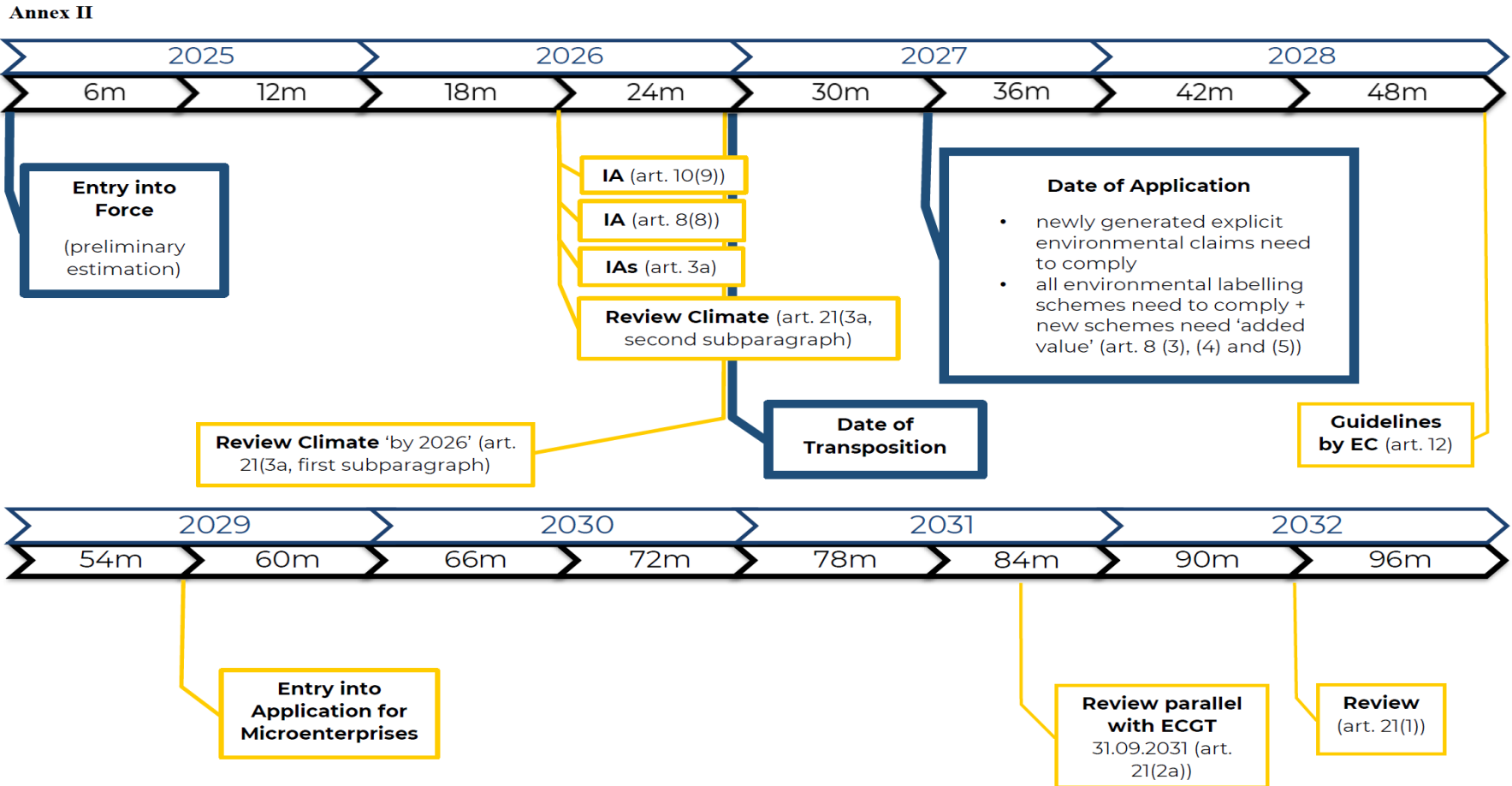
## Consequences for Cosmetics - Our main concerns ?

- Establishment of an ex ante verification and certification system (Article 10)
  - ⇒ Overly restrictive approach to environmental claims may disincentivise innovation
  - ⇒ Disproportionate administrative burden on industry and especially SMEs
- **Potential general ban on environmental claims for products containing substances classified as dangerous to humans**
  - ⇒ **Impossibility to communicate to the consumers more sustainable options for a certain number of products categories** (Cosmetics containing fragrances, essential oils etc)
- The prohibition of **new aggregated scorings schemes established by private operators** in the Member States, until a Union law is adopted.
  - ⇒ Possible loss of added-value and honest certification schemes (e.g. Eco-Beauty score)





# Need for a clear timeline & a workable system to substantiate claims



➤ Any delay in the publication of the Implemented Acts will generate delays in application of the Directive

# Packaging & Packaging Waste Regulation

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# Revision of the Packaging & Packaging Waste Directive

## What seems to be the objective ?

- Promote reuse and recycling, increasing recycled content in packaging, tackling excessive packaging and reducing packaging waste.

# Revision of the Packaging & Packaging Waste Directive

## How should it be achieved ?

- All packaging to be **recyclable by 2030**
- **Definition (degree of) recyclability** via future secondary legislation
- Targets for recycled content, milder targets for contact sensitive packaging, including cosmetics;
- Fees under **Extended Producer Responsibility** linked to recyclability and recycled content (for plastic packaging)
- Obligation for manufacturers to **minimise packaging**
- **Reuse targets** (do not yet apply to cosmetics)
- Restrictions on the use of certain packaging formats (single-use hotel miniature packaging)



*Note: Shift from a Directive to a Regulation → Opportunity for more harmonisation*

# Revision of the Packaging & Packaging Waste Directive

## Consequences for cosmetics - Our main concerns ?

- Ability to meet targets in lack of high-quality recyclates
- Criteria for **packaging minimisation** can lead to 'packaging standardization' – loss of brand identity
- **Criteria for recyclability** need to consider state of the art of recycling technology
- Costs incurred from the change of manufacturing lines, processes, etc - burdensome administrative work to demonstrate compliance
- Impact on **product safety assessment**



# Key provisions adopted

- **Minimum recycled plastic content (PCR) in packaging (Art.7)**  
30% for contact sensitive packaging made of PET as major component, 10% for other than PET
- **Packaging minimisation (Art.9)**  
Obligation to reduce packaging weight and volume, taking into account shape and material of the packaging
- **Labelling of packaging (Art.11)**
  - Obligation to provide pictograms on material composition + voluntary digital information on other sorting instructions
  - Voluntary labelling of minimum PCR content
  - Obligation to mark packaging when subject to deposit and return system
  - Obligation to label reusable packaging to state its reusability
- **Excessive packaging and empty space ration (Art.21)**
  - For grouped, transport and e-commerce packaging: max 50% empty space ratio – except for reusable packaging
  - For sales packaging: obligation to reduce ratio to minimum necessary to ensure packaging functionality
- **Prohibition to use single-use cosmetics product packaging in hotel and accommodation sector (Art.22 + Annex V)**



# When could it become a reality ?

**Certain targets dates for recyclability / recycled content are fixed (between 2030 and 2040)**

## Entry into force of priority provisions:

- End 2027: obligation to minimise empty space in sales packaging
- End 2028: labelling obligations on material composition
- End 2028: labelling obligation for reusable packaging
- 1 January 2030: minimum recycled plastic content in packaging obligation
- 1 January 2030: packaging minimisation requirements
- 1 January 2030: prohibition to use single-use cosmetics products in hotels

## Relevant secondary legislation still to be developed

- Minimum PCR: methodology to calculate percentage PCR content (end 2026)
- Packaging minimisation: CEN mandate to develop minimum weight/volume limits for most common packaging types and formats (end 2026)
- Excessive packaging: methodology to calculate empty space ratio (end 2027)
- Labelling: labelling specifications on material composition, minimum PCR, other labelling obligations (end 2026)

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# Thank you

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