



# *‘Cannabis and Hemp derived ingredient in cosmetic products: state of play’*

Joint CDG-GREX Group on hemp

*Virtual conference 14 March 2022*

Unit F2 – Bioeconomy, Chemicals, Cosmetics  
DG GROW, European Commission

# Cosmetic products



Cosmetics range from **hygiene products** such as soap, shampoo, deodorant, and toothpaste to **luxury beauty items** including perfumes and makeup

The average consumer in the EU uses anywhere from **10-15 cosmetic products** on a **daily basis**



# Cosmetics sector in the EU...*in numbers*



Europe is the **global flagship** producer and consumer market of cosmetics and personal care products:

**Valued at €76,7 billion**  
(retail sales price in 2020)



## Businesses

**More than 6,000 SMEs**  
involved in the manufacturing  
of cosmetics



## Employment

**Around 2 million jobs,**  
including 32,000 scientists

# Overview of the Cosmetic Products Regulation



## Objectives



- A high level of protection of **human health**
- **Internal market** for cosmetic products

## Key Principles



- Central **notification** at European Commission level prior to placing on the market (special pre-notification regime for nanomaterials)
- **No pre-market** registration or certification of cosmetics
- Adequate and **non-misleading** information must be given to consumers
- Carcinogenic, mutagenic or toxic for reproduction substances (CMRs) are banned with strict exemptions
- **Post-market controls** of compliance by Member States competent authorities


# Annexes to the Cosmetics Regulation:

## ***‘Negative lists’***

- *Annex II: Prohibited substances*
- *Annex III: Restricted substances*

## ***‘Positive lists’***

- *Annex IV: Colorants*
- *Annex V: Preservatives*
- *Annex VI: UV-Filters*



*Entry 306 of Annex II refers to:  
**‘Narcotics, natural and synthetic:  
All substances listed in Tables I  
and II of the Single Convention on  
narcotic drugs of 1961’***

# ...the European Commission database for information on cosmetic substances and ingredients

## Cannabis and hemp derived ingredients:

	INCI name (as it appears in CosIng)
1	BEHENYL CANNABIS SEEDATE
2	CANNABIDIOL - DERIVED FROM EXTRACT OR TINCTURE OR RESIN OF CANNABIS
3	CANNABIDIOL - SYNTHETICALLY PRODUCED
4	CANNABIDIOL TRISILOXANE
5	CANNABINOIDS
6	CANNABINOL
7	Cannabis and Cannabis resin; Cannabis sativa, ext.
8	CANNABIS SATIVA CALLUS CULTURE LYSATE EXTRACT
9	CANNABIS SATIVA CALLUS EXTRACT
10	CANNABIS SATIVA CALLUS LYSATE
11	CANNABIS SATIVA EXTRACT
12	CANNABIS SATIVA FLOWER EXTRACT
13	CANNABIS SATIVA FLOWER/LEAF EXTRACT
14	CANNABIS SATIVA FLOWER/LEAF/STEM EXTRACT
15	CANNABIS SATIVA FLOWER/LEAF/STEM OIL
16	CANNABIS SATIVA FLOWER/LEAF/STEM WATER
17	CANNABIS SATIVA LEAF EXTRACT
18	CANNABIS SATIVA LEAF/STEM
19	CANNABIS SATIVA LEAF/STEM WATER
20	CANNABIS SATIVA ROOT EXTRACT
21	CANNABIS SATIVA SEED EXTRACT
22	CANNABIS SATIVA SEED OIL
23	CANNABIS SATIVA SEED OIL ETHYL GLYCINATE AMIDES
24	CANNABIS SATIVA SEED OIL GLYCERETH-8 ESTERS
25	CANNABIS SATIVA SEED OIL PEG-8 ESTERS
26	CANNABIS SATIVA SEED OLEOSOMES
27	CANNABIS SATIVA SEED WATER
28	CANNABIS SATIVA SEED/STEM OIL
29	CANNABIS SATIVA SEEDCAKE
30	CANNABIS SATIVA SEEDCAKE POWDER
31	CANNABIS SATIVA SPROUT
32	CANNABIS SATIVA SPROUT EXTRACT
33	CANNABIS SATIVA STEM EXTRACT
34	CANNABIS SATIVA STEM POWDER
35	CANNABIS SEED OIL DIMER DILINOLEYL ESTERS/DIMER DILINOLEATE COPOLYMER
36	CANNABISAMIDOPROPYL DIMETHYLAMINE
37	CANNABISAMIDOPROPYL HYDROXYSLTAINE
38	CAPRYL CANNABIS SEEDATE
39	CETYLDIMETHYLAMINE HYDROLYZED HEMPSEEDATE
40	DECYL HEMPSEEDATE
41	DIOSCOREA BATATAS BULB/LIGUSTRUM JAPONICUM FRUIT/(ANGELICA GIGAS/GASTRODIA ELATA ROOT)/(CANNABIS SATIVA/IMPATIENS BALSAMINA/PAULOWNIA TOMENTOSA/PLATYCLADUS ORIENTALIS SEED)/GLEDITSIA SINENSIS THORN/CORUS GRAMINEUS/ECLUPTA PROSTRATA/MENTHA HAPLOCALYX/WOLFIPORIA EXTENSUS EXTRACT
42	ETHYL CANNABIS SEEDATE
43	HYDROGENATED CANNABIS SATIVA SEED OIL
44	HYDROGENATED HEMP SEED OIL
45	HYDROLYZED CANNABIS SATIVA SEED EXTRACT
46	HYDROLYZED HEMP SEED EXTRACT
47	HYDROLYZED HEMP SEED PROTEIN
48	HYDROLYZED HEMP SEED PROTEIN HYDROXYPROPYLTRIMONIUM CHLORIDE
49	ISOSTEARYL CANNABIS SEEDATE
50	POLY(DIMER HEMPSEED OIL)
51	POLYGLYCERYL-4 HEMP SEEDATE
52	POLYGLYCERYL-4 POLYCASTORATE/HEMPSEEDATE
53	POTASSIUM HEMPSEEDATE
54	STEARYL CANNABIS SEEDATE
55	SODIUM HEMPSEEDAMPHOACETATE

## Strict interpretation of the Single Convention of 1961:

*‘**ONLY** ingredients derived from cannabis to the extent that they fall **within** the scope of the 1961 Convention **should be prohibited** in cosmetic products based on entry 306 of Annex II to the Cosmetics Regulation’.*

In November 2020, the **judgment in Case C-663/18** gave origin to a number of questions from different stakeholders as regards the implications of its conclusions for the cosmetics sector.



# Judgment in Case C-663/18 and implications on cosmetic substances and ingredients

The CJEU concluded that CBD (*at stake in the main proceedings*), **should not be considered as a drug** under the UN Single Convention on Narcotic Drugs, even in cases where CBD is a cannabis extract, since CBD, according to the CJEU, ‘*does **not appear** to have any **recognised psychoactive effects** in the current state of scientific knowledge*’



**Horizontal exercise initiated**



## **Cosmetics:**

Re-examination of ingredients used and evaluation of whether the prohibition under entry 306 is still applicable.



**Draft Non-paper** presented in the WG of Cosmetic Products  
(01 March 2022)

# State of Play: cannabis and hemp derived ingredient

## Draft Non-paper covered:

### Specific substances

- a. Cannabidiol (CBD)
- b. Tetrahydrocannabinol (THC), as a contaminant
- c. Non-psychoactive cannabinoids other than CBD (e.g. Cannabigerol (CBG), Cannabichromene (CBC), Cannabidivarin (CBDV), etc.)

### Different parts of the cannabis/hemp plant

- a. Seeds (not accompanied by the tops)
- b. Leaves (not accompanied by the tops)
- c. Flowers (and leaves accompanied by the tops)
- d. Root and Stem
- e. Calluses and Sprouts

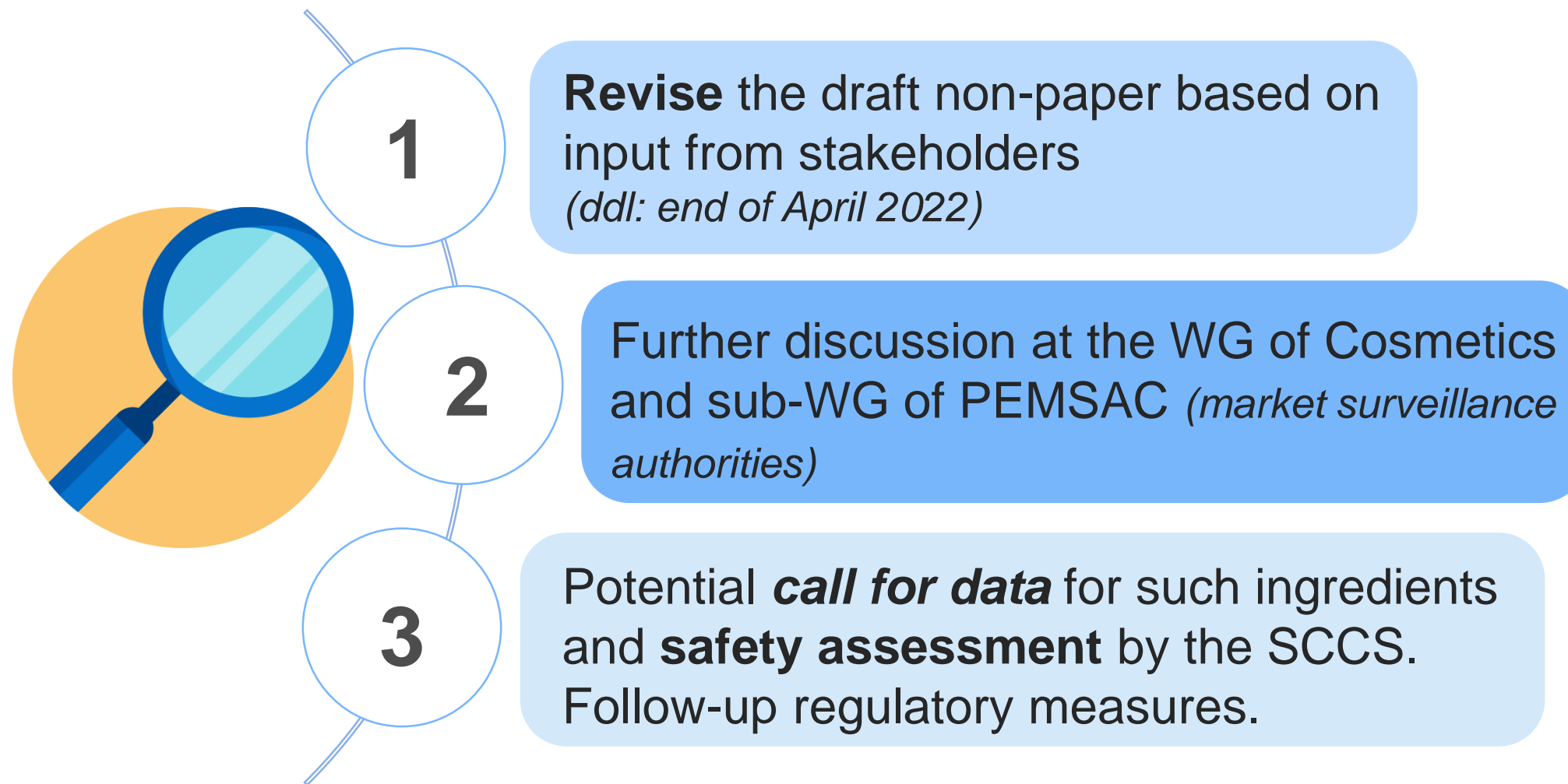
**Other cannabis/hemp-derived products** (e.g. hemp oil, hemp juice, etc.)

### Synopsis:

The **preliminary** analysis showed that most of the cannabis/hemp derived ingredients **should not** be prohibited *a priori* in cosmetic products based on entry 306 of Annex II, provided that the conditions of Article 3 on **safety** are also met.



# Next steps for cosmetics...



# Joint CDG-GREX Group on hemp

Virtual meeting 14 March 2022

# Thank you !!!

Unit F2 – Bioeconomy, Chemicals, Cosmetics  
DG GROW, European Commission

## Keep in touch



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