



Annel

GPSR VS. COSMETICS
EU 2024

GENERAL PRODUCT SAFETY REGULATION (GPSR)

In force from 13 December 2024.

General Product Safety Directive lays down essential rules on the safety of consumer products placed or made available on the market. Its objective is to improve the functioning of the internal market while providing for a high level of consumer protection

HOW GPSR AND CPR WORK TOGETHER

Not all rules in the General Product Safety Regulation (GPSR) apply to cosmetic products. This is because cosmetics are already regulated under the Cosmetic Products Regulation (CPR), which has its own strict safety requirements.

The GPSR only covers areas or risks that are not addressed by the CPR.

However, Article 19 of the GPSR, which focuses on **information for online and distance sales**, does apply to cosmetics. It complements the CPR's rules, especially those in its Article 19, which set the guidelines for on-pack labeling of cosmetic products.

GPSR, ARTICLE 19

“...where economic operators make products available on the market online or through other means of distance sales, the offer of those products shall clearly and visibly indicate at least the following information:

(a) name, registered trade name or registered trademark of the manufacturer, as well as the postal and electronic address at which they can be contacted;

(b) where the manufacturer is not established in the Union, the name, postal and electronic address of the responsible person within the meaning of Article 16(1) of this Regulation or Article 4(1) of Regulation (EU) 2019/1020;

(c) information allowing the identification of the product, including a picture of it, its type and any other product identifier; and

(d) any warning or safety information to be affixed to the product or to the packaging or included in an accompanying document in accordance with this Regulation or the applicable Union harmonisation legislation in a language which can be easily understood by consumers, as determined by the Member State in which the product is made available on the market...”

REQUIREMENTS

Article 19, GPSR identifies four types of information, listed from a) to d), to be clearly and visibly indicated at online / distance points of sales.

(a) name, registered trade name or registered trademark of the manufacturer, as well as the postal and electronic address at which they can be contacted;

Manufacturer details: For cosmetic products, the manufacturer is referred to as the "responsible person." If the product is made within the EU and not re-exported and imported back, the manufacturer in the EU acts as the responsible person.

Postal address: The postal address can be shortened as long as it allows the responsible person and their address to be identified. This should be consistent with the rules under the Cosmetic Products Regulation (CPR).

Electronic address: This can be an email address or a website.

Note: If this information is already visible in the product's image (e.g., a photo of the packaging), it does not need to be repeated.

(b) where the manufacturer is not established in the Union, the name, postal and electronic address of the responsible person within the meaning of Article 16(1) of this Regulation or Article 4(1) of Regulation (EU) 2019/1020

Responsible Person: For imported cosmetics, the CPR states that each importer becomes the "responsible person" for the specific products they place on the market.

Contact Details: The postal and electronic address of the responsible person should be provided, following the same rules as for the manufacturer (see the previous section).

Note: If this information is already visible in the product's image (e.g., a photo of the packaging), it does not need to be listed separately.

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(c) information allowing the identification of the product, including a picture of it, its type and any other product identifier;

Picture: A clear and readable image of the product is required.

For product ranges (e.g., shades in multiple colours) or products sold in different sizes, one image is enough as long as all options (colours, sizes) are clearly listed near the image on the same webpage.

Type: The type of the product refers to its function (e.g., shampoo, lotion) and should be provided unless it's obvious from the product's appearance or description.

Other Identifiers: This can include the product name, brand, product line, or specific name as shown on the product. This information is not needed if it's already clear in the product image.

Note: Batch numbers are not required for online sales as they are dynamic and always printed on the product packaging.

(d) any warning or safety information to be affixed to the product or to the packaging or included in an accompanying document in accordance with this Regulation or the applicable Union harmonisation legislation in a language which can be easily understood by consumers, as determined by the Member State in which the product is made available on the market

Warnings and Precautions: The CPR (Article 19.1(d)) requires labeling specific precautions for safe use. These include:

- Precautions listed in Annexes III to VI of the Cosmetic Regulation
- Additional warnings recommended by the product's safety assessor (Annex I, Part B of the CPSR).

Note: If the required warnings are visible in the product image (e.g., packaging photo), they do not need to be repeated separately. General instructions for use that are unrelated to safety are not required.

WHO IS RESPONSIBLE FOR WHAT IN ONLINE COSMETIC SALES?

If the seller (e.g., retailer) is not the "responsible person" as defined by the CPR, the responsibilities under Article 19 of the GPSR are shared as follows:

Responsible Person: This is the manufacturer or importer designated under the CPR. They are responsible for:

- Providing all the required information.
- Keeping the information accurate and up to date.

Retailer: The retailer must ensure that the information provided by the responsible person is displayed clearly and correctly on the online or distance sales platform.

To ensure smooth collaboration, it is recommended that the responsible person and the retailer agree on their shared responsibilities through a formal contractual arrangement.

Need More Information? Contact Us!

If you have any questions or need further clarification about these guidelines, feel free to reach out. We're here to help ensure compliance and make the transition to the new requirements as easy as possible.

 **Email: info@annelltd.com**

Stay informed and confident in meeting the new standards!