

# 2022 schedule of regulatory obligations

<b>01 Jan. 2022</b>	<b>AGEC Act</b>	<b>Implementation of the measures</b> Sorting information, non-destruction of unsold goods, requirement for information on environmental characteristics, SVHC and PE, ban on the use of 'biodegradable' and other terms, ban on the use of mineral oils <a href="#">More info</a>
<b>01 Jan. 2022</b>	<b>Inspections</b>	<b>Themes of the DGCCRF 2022 controls</b> Claims (with, hypoallergenic, ...), regulated substances, professional products <a href="#">More info</a>
<b>26 Jan. 2022</b>	<b>Dihydroxyacetone</b>	<b>Concentration limitation</b> Entry into force of Regulation (EU) No 2021/1099 of 5 July 2021 <a href="#">More info</a>
<b>01 March 2022</b>	<b>Omnibus IV</b>	<b>Ban on 23 substances including Lilial, Zinc Pyrithione</b> Entry into force of Regulation (EU) No 2021/190 of 3 November 2021 <a href="#">More info</a>
<del>30 Apr. 2022</del> <b>31 May * 2022</b>	<b>R-nano</b>	<b>Declaration of quantities 2021</b> French declaration of substances in the nanoparticulate state produced, imported and/or distributed in France Article L. 523-1 of the Environmental Code *reporting of the closing date of the declaration for all actors <a href="#">More info</a>
<b>10 May 2022</b>	<b>IFRA 49</b>	<b>Deadline for existing compounds 10 Jan 2021</b> Deadline applying to fragrance compounds existing at the time of publication, i.e. 10 January 2021 <a href="#">More info</a>
<b>01 June 2022</b>	<b>Toxicovigilance</b>	<b>Registration on the Poison Center Notification</b> Concerns mixtures intended for consumers or professionals classified as hazardous due to their physical effects according to the CLP Regulation Regulation (EU) No 2017/542 <a href="#">More info</a>
<b>03 June 2022</b>	<b>Hair dyes containing them</b>	<b>Withdrawal from the market of products</b> 3 dyes have been banned: 1,2,4-trihydroxybenzene, 2-[(4-amino-2-nitrophenyl)amino]benzoic acid and 4-amino-3-hydroxytoluene Regulation (EU) No 2020/1683 of 12 November 2020 <a href="#">More info</a>

<b>01 Jul. 2022</b>	<b>Samples</b>	<b>End of sample distribution</b> Climate and resilience law n° 2021-1104 of 22 August 2021 <a href="#">More info</a>
<b>04 Jul. 2022</b>	<b>Wipes</b>	<b>Marking "product containing plastic".</b> In the case of pre-soaked wipes containing wholly or partly plastic, this statement is no longer permitted in the form of a sticker Implementing Regulation 2020/2151 <a href="#">More info</a>
<b>30 Jul. 2022</b>	<b>IFRA 50</b>	<b>Expiry date for existing compounds 30 June 2021</b> Deadline applying to fragrance compounds existing at the time of publication, i.e. 30 June 2021 <a href="#">More info</a>
<b>21 Aug. 2022</b>	<b>Methyl-N-methylantranililate</b>	<b>Restriction of use</b> Entry into force of Regulation (EU) No. 2022/135 of 31 January 2022 for the placing on the market <a href="#">More info</a>
<b>09 Sep. 2022</b>	<b>Info Sort</b>	<b>End of deadline for products without info-sorting</b> Except for packaging manufactured or imported before 9 September 2022 for which an additional 6 months is allowed <a href="#">More info</a>
<b>21 Nov. 2022</b>	<b>Methyl-N-methylantranililate</b>	<b>Restriction of use</b> Entry into force of Regulation (EU) No. 2022/135 of January 31, 2022 for the withdrawal of non-compliant products from the market <a href="#">More info</a>
<b>17 Dec. 2022</b>	<b>CLP</b>	<b>Entry into force of the 17<sup>ème</sup> ATP</b> Regulation (EU) No. 2021/849 of 11 March 2021 which concerns in particular methyl salicylate classified as CMR2 <a href="#">More info</a>

## Other provisions expected in 2022:

Assessment of EPs, chemical strategy, labelling of allergens, Omnibus nano, changes regulations on octocrylene and benzophenone-3, formaldehyde releasers

[More info](#)

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JANUARY 2022

## 1<sup>er</sup> January: Entry into force of numerous obligations arising from the AGECE Law n°2020-105 of 10 February 2020 against waste and for a circular economy

**Obligation to display the info-sort (Triman + sorting methods)** - Art.17 AGECE Act - Application Decree n° 2021-835 of 29 June 2021



NB: Marketers have until 9 September 2022 to change their packaging. For packaging manufactured or imported before 9 September 2022 and not bearing the sorting information, an additional 6 months is granted. Further information: [COSMED - Info-Tri Memento](#)

**Obligation to donate unsold basic necessities. For other products, destruction is also prohibited with an obligation to reuse, re-cycle or recycle** - Art.35 AGECE Law - Application Decree n°2020-1724 of 28 December 2020

**Obligation to provide information on environmental qualities/characteristics**

+ Additional requirements for the display of "compostable" and "recycled" and for the incorporation of recycled raw materials

+ Requirement to provide information on the presence of "hazardous substances and substances of concern" in consumer products

+ Prohibition of the use of the terms "biodegradable", "environmentally friendly" or any other equivalent term

Art. 13-I AGECE Law - Decree in preparation \_ [Draft decree available on Cosmed Veille](#)

**Obligation to make available information allowing the identification of known or suspected EPs in the product** Art. 13-II AGECE Act - Implementation Decree n°2021-1110 of 23 August 2021

This information is made available in a dematerialised format: either on a dedicated page or by means of an application designated by order. For certain categories of products presenting a particular risk of exposure (designated by order in progress), this obligation will also apply to suspected EPs (electronic display only envisaged to date)

A decree is currently being prepared which will set out the list of EP substances concerned.

[Draft order available on Cosmed Veille](#)

NB: deadline given to date: 6 months after publication of the lists



NB: While waiting for the official lists and in order to study the impact of this obligation, Cosmed has defined lists according to the information already transmitted by the authorities, see : [FR - AGECE Law n° 2020-105](#)

**Ban on the use of mineral oils on packaging** - Art. 112 AGECE Act

This ban will be extended to printed advertising material from 1 January 2023 and to all printed material intended for the public from 1 January 2025

**Obligation for producers to register with ADEME. /No action is required on your part at this time.** Indeed, if you are a producer of household packaging, the regulations stipulate that it is the eco-organisation to which you belong that declares the Register for you. If you have any questions about the administrative data on placing on the market to be declared, we invite you to contact your eco-organisation directly. Please note that as of 1 January 2023, the unique identifier resulting from this registration must appear in the GTCs or, if the producer does not have one, on any other contractual document communicated to the buyer.

■ **From 1 January 2022: Market control.** For 2022 the DGCCRF indicates to focus the controls on the following themes: Claims "WITH", "HYPOALLERGENIC", "SENSITIVE SKINS" and ENVIRONMENTAL CLAIMS; Operation "clean market" CMR and other REGULATED SUBSTANCES; NANOMATERIALS; SO-CALLED "PROFESSIONAL" COSMETIC products. [More info](#)

## ■ 26 January: Limited authorisation of dihydroxyacetone

Regulation (EU) No 2021/1099 of 5 July 2021: from 26 January 2022, hair dye products and self-tanning products that contain dihydroxyacetone and do not comply with the restrictions (maximum concentration of 6.25% and 10% respectively) may no longer be placed on the market in the Union. An additional 3 months period allows products already in the distribution chain to be sold. Thus, from 22 April 2022, products containing dihydroxyacetone that do not comply with the restrictions may no longer be made available to consumers on the EU market (this implies a withdrawal from the market).

# 2022 schedule of regulatory obligations

## MARCH 2022

### 1<sup>er</sup> March: Ban on 23 Omnibus IV substances including Lilial (Butylphenyl methylpropional) and Zinc Pyrithione

OMNIBUS IV Regulation (EU Regulation 2021/190) of 3 November 2021 aimed at banning substances classified as CMR by ATP 15 (CLP Regulation) of 19 May 2020, which introduced the CMR1B classification of Lilial and Zinc Pyrithione. This implies that by 1 March 2022 all products containing, among others, lilial will have to be removed from the shelves (all Omnibuses work on the same pattern, the entry into force of the bans concerning the placing on the market AND the making available on the market).

NB: As with the ban on Lyril, the authorities will pay close attention to compliance with this new regulation. Any breach will be sanctioned by injunctions, financial penalties and Sanitary Police Decisions (DPS).

Further information: [EU - Regulation \(EU\) No 2021/1902 - OMNIBUS IV](#)

## MAY 2022

### 10 May: Entry into force of IFRA 49 for fragrance compounds existing at the time of its publication

Published on 10 January 2020, the 49th amendment to IFRA applied from 10 May 2021 for new fragrance compositions, while existing fragrance compounds were given an additional year, with a compliance date of 10 May 2022.

NB: IFRA standards are self-restrictions put in place by fragrance manufacturers to ensure the safety of fragrance compositions used in cosmetic products. These restrictions/prohibitions are intended only for the raw materials used in the fragrance compositions. The IFRA time limits do not apply to finished products.

### by 31 May (at the latest): Declaration on R-Nano of the quantities of nanoparticulate substances used, imported, distributed over the year 2021

Persons who manufacture, import or distribute on the French market substances in the nanoparticulate state, as such or contained in mixtures without being linked to them, or materials intended to release such substances under normal or reasonably foreseeable conditions of use, shall periodically declare on the [R-Nano](#) portal, for the purposes of traceability and public information, the identity, quantities and uses of these substances, as well as the identity of the professional users to whom they have transferred them in return for payment or without charge.

Further information: [Annual declaration of substances in the nanoparticulate state](#)

## JUNE 2022:

### 1<sup>er</sup> June: Products classified as dangerous only because of their physical effects must also be declared on the European Poison Center Notification Portal (PCNP)

Regulation (EU) n°2017/542. Mixtures intended for consumers or professionals classified as dangerous according to the CLP Regulation must be notified within 30 days of being placed on the market on the CPNP (European portal which replaces national notifications, including the French portal SYNAPSE, since 1 January 2021). NB: This declaration does not concern finished cosmetic products already covered by the CPNP declaration. Biocides must be notified regardless of their classification: health hazard, physical hazard, and environmental hazard.

### 3 June: End of the deadline for the disposal of stocks of products containing one of the dyes banned by Regulation (EU) No 2020/1683 of 12 November 2020

Specifically, 1,2,4-trihydroxybenzene, 2-[(4-amino-2-nitrophenyl)amino]benzoic acid and 4-amino-3-hydroxytoluene are to be completely banned in hair dye products and eyelash dye products, which means that these products will be withdrawn from the market by this date at the latest.

As a reminder, these bans are part of the overall strategy to evaluate substances used in hair dyes.

# 2022 schedule of regulatory obligations

## JULY 2022

- **1 July (at the latest): End of sample distribution**

The Climate and Resilience Act n° 2021-1104 of 22 August 2021 prohibits the distribution of a product sample to the consumer, without his/her request, as part of a commercial approach (except for press releases when this presence is indicated or visible).

- **4 July: End of the "product containing plastic" sticker for pre-moistened wipes containing wholly or partly plastic**

From this date onwards, it is no longer permitted to display the marking in the form of stickers, which must be integrated into the BATs of the packaging. Mandatory marking from 1<sup>er</sup> July 2021 in accordance with Directive 2019/904/EC and its implementing regulation 2020/2151



- **30 July: Entry into force of IFRA 50 for fragrance compounds existing at the time of its publication**

Published on 30 June 2021, IFRA's 50th amendment applied from 30 August 2021 for new fragrance compositions, while existing fragrance compounds were given an additional period of time, with a compliance date of 30 July. NB: this 50th amendment concerns only one standard, mintlactone.

## AUGUST 2022

- **21 August : Restricted use of Methyl-N-methylantranilate (M-N-MA)**

Regulation (EU) No. 2022/135 of 31 January 2022. From 21 August 2022, M-N-MA is allowed only in the following product categories: 0.1% leave-on products and 0.2% rinse-off products AND subject to compliance with the conditions cited in Annex III, Order No. 323.

Further information: [EU - Regulation concerning the use of Methyl-N-Methylantranilate in cosmetics of 31 January 2022](#)

## NOVEMBER 2022

- **21 november : Withdrawal of Methyl-N-methylantranilate restricted products from the market**

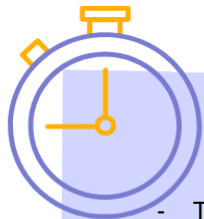
Regulation (EU) No. 2022/135 of 31 January 2022. As of 21 November 2022, all products that do not comply with the restrictions on M-N-MA must be withdrawn from the market.

## DECEMBER 2022

- **17 December: Entry into force of the 17<sup>ème</sup> Adaptation to Technical Progress (ATP) of the CLP Regulation**

This is Regulation (EU) 2021/849 of 11 March 2021, which concerns in particular the CMR2 classification of methyl salicylate. In accordance with Article 15 of the Cosmetics Regulation, the assessment of this substance has been requested from the SCCS, defining maximum concentrations according to product categories. This substance will then be introduced to the OMNIBUS V, which should be voted in February 2022 for a publication planned around June 2022 for an entry into force on 17 December 2022.

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## EXPECTED IN 2022:

- The assessment of potential PE substances including **butyl paraben**.
- Measures of the European Chemical Strategy including the automatic ban of "hazardous" substances (CMR, PBT, vPvB, PE, etc.) unless essential use. Definitions of dangerousness and essentiality
- Allergen labelling requirements
- Omnibus Nano Regulation banning nanos with inconclusive SCCS opinions (applicability in 2023)
- Octocrylene and Benzophenone-3 Regulation (applicable in 2022-2023)
- New requirements for formaldehyde releasers.

NB: Draft texts already available on [COSMED Watch](#)



Chemical strategy, allergens, nano, ... all subjects that will be discussed at the [Cosmed Regulatory Meetings on March 22nd 2022](#)



# 2022 schedule of environmental obligations

<b>01 Jan. 2022</b>	<b>Green taxonomy</b>	<b>Reporting of financial indicators for sustainable activities</b> Companies subject to the Extra Financial Performance Statement (EFPS) must meet the reporting requirements of the Green Taxonomy. Delegated Act of Art. 8 Green Taxonomy Regulation <a href="#">More info</a>
<b>01 Jan. 2022</b>	<b>Agec Act</b>	<b>Traceability of hazardous waste</b> Declaration of hazardous waste information on the TrackWaste platform. Art. 115 and 117 AGECE Act and Decree n°2021-321 of 25 March 2021 <a href="#">More info</a>
<b>01 Jan. 2022</b>	<b>Agec Act</b>	<b>Storage of non-hazardous waste</b> Prohibition of landfilling of contents consisting of more than 30% metal, plastic, glass, wood or inert mineral fraction (concrete, bricks, tiles, ceramics and stones) and 50% paper, plaster or bio-waste. Art. 6 and 10 AGECE Act and Decree n°2021-1199 of 16 September 2021 <a href="#">More info</a>
<b>01 Jul. 2022</b>	<b>Climate &amp; Resilience Law</b>	<b>Reporting of GHG emissions from transport</b> Obligation to publish greenhouse gas (GHG) emissions from transport for companies subject to the Extra-Financial Performance Declaration (EFPD). Art. 138 Climate & Resilience Act <a href="#">More info</a>

<b>01 Jul. 2022</b>	<b>ENE Act</b>	<b>GHG Statement</b> Companies subject to the obligation to report a GHG balance sheet - Scopes 1 & 2, every 4 years (companies with more than 500 employees) must also publish their Scope 3 GHG emissions. Art. 75 ENE Law and forthcoming Decree <a href="#">More info</a>
<b>01 Jul. 2022</b>	<b>ER 2020</b>	<b>Energy and environmental performance of new buildings.</b> Entry into force of the BR 2020 requirements for office, primary and secondary education buildings or parts thereof; <a href="#">More info</a>
<b>30 Sept. 2022</b>	<b>Tertiary Eco Energy</b>	<b>Building data and energy consumption 2020 and 2021</b> End of the deadline for owners and occupants of tertiary buildings to declare their energy consumption on ADEME's Operat platform. Decree No. 2021-1271 of 29 September 2021 and Order of 29 September 2021 <a href="#">More info</a>
<b>31 Dec. 2022</b>	<b>Finance Act 2021</b>	<b>Publication of the simplified GHG report</b> End of the deadline for publication of the simplified GES balance sheet for companies employing between 251 and 500 employees and having benefited from aid under the Recovery Plan. Art. 244 Finance Act 2021 and Decree No. 2021-1784 of 24 December 2021 <a href="#">More info</a>

# 2022 schedule of environmental obligations

## JANUARY 2022

### ▪ From 1<sup>er</sup> January :

#### **Obligation to meet the requirements of the Green Taxonomy for companies subject to the Extra-Financial Performance Declaration (EFPD)**

Art. 8 [Green Taxonomy Regulation](#) - [Delegated Act](#) - Companies subject to the EFPD must publish the share of their turnover from products or services associated with aligned (so-called "sustainable") activities, eligible and not eligible for the Taxonomy, as well as the share of their capital expenditure (CAPEX) and operational expenditure (OPEX) related to assets or processes associated with aligned (so-called "sustainable") activities, eligible and not eligible for the Taxonomy. This reporting obligation applies from January 2022 for the first two environmental objectives (mitigation and adaptation to climate change) on eligible and non-eligible activities. The obligation will apply from January 2023 on the aligned activities (called "sustainable"), eligible and not eligible to the Taxonomy on these 2 environmental objectives, as well as on the 4 others (sustainable use and protection of aquatic and marine resources; transition to a circular economy; prevention and reduction of pollution; protection and restoration of biodiversity and ecosystems).

NB: The [CSRD](#) (future European EFPD) provides for the extension of reporting obligations to smaller companies: from the 2023 financial year to companies with more than 250 employees (currently 500) and from the 2026 financial year to listed SMEs.

#### **Obligation of dematerialisation of the traceability of hazardous waste for waste producers (including companies)**

[Art. 115 and 117 AGEC Law](#) - [Decree n° 2021-321 of 25 March 2021](#) - Waste producers (and more broadly all actors involved in waste management and present on the waste tracking slips) must provide information on the [Trackdéchets platform](#) (quantity, nature, origin, treatment method, etc.) concerning hazardous waste (solvents, reaction residues, washing water, packaging containing residues of hazardous products, etc.), asbestos waste, infectious waste (DASRI), etc.) concerning hazardous **waste** (solvents, reaction residues, washing water, packaging containing residues of hazardous products, etc.), asbestos waste, infectious waste (DASRI) and **refrigerants** as of 1<sup>er</sup> January 2022. The Hazardous Waste Tracking Form (HWTS) in electronic format will be mandatory as of 1<sup>er</sup> January 2022, with a 6-month tolerance period (1<sup>er</sup> July 2022). The provisional date of the obligation to use the electronic format of the Refrigerant Fluid Slips (FFSS) is 1<sup>er</sup> July 2022, with a tolerance period of 6 months (1<sup>er</sup> January 2023).

#### **Ban on storage of non-hazardous non-inert recoverable waste for waste producers (including companies)**

[Art. 6 and 10 AGEC Act](#) - [Decree No. 2021-1199 of 16 September 2021](#) - From January 2022, waste producers are prohibited from landfilling the contents of skips made up, by mass, of more than 30% of one of these five materials: metal, plastic, glass, wood or inert mineral fraction (concrete, bricks, tiles, ceramics and stones). Similarly, skips sent to landfill should not contain more than 50% by mass of any of the following three materials: paper, plaster or bio-waste.

# 2022 schedule of environmental obligations

## JULY 2022

### ▪ From 1<sup>er</sup> July :

#### **Obligation to publish greenhouse gas (GHG) emissions from transport for companies subject to the Extra-Financial Performance Declaration (EFPD)**

[Art. 138 Climate & Resilience Law](#) - Companies subject to the EFPD must publish in their EFPD the direct (i.e. emitted during the transport phase) and indirect (i.e. emitted during the upstream phase of production of energy sources) GHG emissions related to the transport activities of their business (upstream and downstream), as well as the implementation of an action plan aimed at reducing these emissions (in particular through the use of rail and river modes, biofuels and electric vehicles, etc.).

#### **Extension of the obligation to publish a GHG report to Scope 3 emissions for companies with more than 500 employees**

[Art. 75 ENE Law](#) - *Decree to come* - Companies subject to the obligation to report a GHG balance sheet - Scopes 1 & 2, every 4 years (companies with more than 500 employees under their SIREN number) must from 1<sup>er</sup> July 2022 also publish their Scope 3 GHG emissions.

#### **Entry into force of the BR 2020 requirements for office, primary and secondary education buildings or parts thereof**

The [ER 2020](#) sets requirements on the energy and environmental characteristics and performance of new buildings and building extensions in mainland France, following 5 requirements in particular: optimisation of energy design, limitation of energy consumption, limitation of the impact of energy consumption on climate change, limitation of the impact of building components on climate change, limitation of discomfort situations in the building during the summer period.

## SEPTEMBER 2022

### ▪ **30 September: End of the deadline for the declaration of energy consumption for owners and occupiers of tertiary buildings**

Éco Energie Tertiaire: [Decree No. 2021-1271 of 29 September 2021](#) and [Order of 29 September 2021](#) - Owners and occupants of private tertiary buildings of 1,000 m<sup>2</sup> or more have until 30 September 2022 to enter their building data and energy consumption for 2020 and 2021 on ADEME's [Operat platform](#)

## DECEMBER 2022

### ▪ **31 December: End of the deadline for publishing the simplified GHG balance sheet for companies with between 251 and 500 employees that have benefited from the Recovery Plan**

[Art. 244 Finance Act 2021](#) - [Decree No. 2021-1784 of 24 December 2021](#) - Companies with more than 50 employees not subject to the reporting obligation of the ENE Act (companies with more than 500 employees) and which benefit from credits opened under the "Recovery Plan" mission must report their direct GHG emissions, i.e. those emitted during the combustion of fossil fuels from mobile sources (vehicles, forklifts, etc.) and stationary sources (boilers, power generators, etc.) Reporting must be done on the [ADEME platform](#) every 3 years on the basis of the company's energy consumption. The platform will list the "Recovery Plan" measures concerned by this decree. This simplified GHG report must be drawn up by 31 December 2022 for companies with more than 250 employees, and by 31 December 2023 for those with between 51 and 250 employees.