

Questions New definition of Nanos under CPR

31.01.2025

Dear Sylwia and Rizos-Georgios,

According to the Nano Questions ICADA has the following answers,

1. Do you agree that the definition of nanomaterials in the EU KVO should be aligned with the definition in the Commission Recommendation of 2022 on the definition of nanomaterials?

ICADA member companies agree that the definition of nanomaterials in the EU Cosmetics Regulation should be aligned with the Commission Recommendation of 2022.

2. Do you think that additional guidelines/recommendations/technical specifications are needed to ensure that the definition is understood in the same way and applied consistently? If so, which elements of the definition should be further developed?

The member companies of ICADA believe that there should definitely be a guidance document on the method to be used for determining nanomaterials in cosmetic products. This is necessary because there are a many different forms of cosmetic products, such as oil-in-water emulsions, water-in-oil emulsions, gels, sprays, powders, oils and waxes, making analysis considerably more difficult. The guideline methods should also include sample preparation, since it is possible that the sample preparation changes the structure of particles/aggregates/agglomerates. This inevitably leads to different results and interpretations. Furthermore, the quantitative determination should be limited to one measurement method (SEM/TEM/SP-ICP-MS etc) for one form of cosmetic product, as otherwise the determination of nanoparticles in cosmetic products could lead to significant costs for small and medium-sized companies.

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3. Do you agree that the new definition should apply to notifications under Article 16 for new products intended to be placed on the EU market and not for products that are already on the market or that have been notified under Article 16 of CPR?

ICADA member companies agree. In addition, there should be an appropriate transition period for the new definition, as it is to be expected that more raw materials will fall under the new definition.

4. Do you agree that the new definition should not impact substances identified as nanomaterials and listed in Annexes III to VI of the CPR?

The member companies of ICADA agree.

Kind regards,

Beate

A handwritten signature in blue ink, appearing to read "Dr. B. Pfundstein".

Dr. Beate Pfundstein

ICADA e.V.