

## Statutory order on restriction on import, sale and use of certain parabens in cosmetic products for children under 3 years<sup>1</sup>

In pursuance of sections 30(1), 45(1), 59(4), and 60 of Act on Chemical Substances and Products, cf. Consolidated Act no. 878 of June 26, 2010, as last amended by Act no. 294 of April 11, 2011, Act no. 161 of February 28 2012, Act no. 277 of March 19 2013 and Act no. 489 of May 21, 2013, the following provisions are laid down:

### *Scope*

1. This statutory order applies to the use of certain parabens in cosmetic products for children under 3 years and import and sale of cosmetic products intended for children under 3 years containing certain parabens.

### *Restriction on import, sale and use*

2(1). Propylparaben, butylparaben, isopropylparaben, isobutylparaben and salts thereof shall not be used in cosmetic products intended for children under 3 years.

(2) Cosmetic products intended for children under 3 years containing propylparaben, butylparaben, isopropylparaben, isobutylparaben and salts thereof, shall not be imported or sold.

### *Administrative provisions*

3(1) Supervision and control with the compliance of the provisions of this statutory order are in the hands of the Danish Environmental Protection Agency; cf. the Act on Chemical Substances and Products.

(2) Complaints against the decisions of the Danish Environmental Protection Agency under subsection (1) above cannot be made to other administrative authorities.

### *Penalty and entry into force*

4(1) Unless more severe penalty is due under other legislation, persons shall be punished by fine, if they

1) use propylparaben, butylparaben, isopropylparaben, isobutylparaben and their salts in cosmetic products intended for children under 3 years infringing section 2(1), or

2) import or sell cosmetic products intended for children under 3 years containing propylparaben, butylparaben, isopropylparaben, isobutylparaben and their salts, infringing section 2(2).

(2) Penalties may increase to imprisonment of up to two years, if a violation is committed intentionally or through gross negligence, and if a violation results in:

1) damage to the life or health of humans or risk of danger thereto, or

2) damage to the environment or risk of danger thereto, or

3) actual or intentional economic advantage for the person in question or for others, including by the saving of costs.

(3) Companies etc. (legal persons) may incur criminal liability under the rules of Part 5 of the Penal Code.

**§ 5.** This statutory order enters into force on 25 October 2013.

*Ministry of the Environment, 11. October 2013*

Ida Auken

/ Michel Schilling

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<sup>1</sup> The restriction has been notified to the European Commission and the EU's Member States in accordance with Article 12 of Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products.