



Trading Standards in the Midlands investigate dangerous imported cosmetics.

Trading Standards in the West Midlands have just completed an investigation into the safety and compliance of imported ethnic cosmetics.

The group of 14 known as the Central England Trading Standards Authorities, or CEnTSA, originally conducted an investigation in 2008 – when, alarmingly, more than half failed the Cosmetic Products Safety Regulations in varying degrees. A number of the products found previously were specifically aimed at the Asian community and included things such as skin lightening creams and eye lining products.

The current investigation had 3 objectives:

- to identify suppliers of imported cosmetics - importers, wholesalers, retailers and to ensure compliance with the regulations in relation to labelling and safety
- to provide advice and information to businesses and consumers, and
- to take a strong enforcement approach to breaches of the law with regard to labelling and safety.

Businesses selling imported products in the West Midlands were initially visited and advised. Comprehensive information leaflets were produced with details of products known to contain banned substances. All products found to be labelled incorrectly were removed from sale. Products suspected of containing banned substances were seized.

Certain targeted products were then sampled and tested by laboratories for compliance, in particular:

- soaps,
- mehndi,
- henna,
- nail henna
- skin lightening creams
- eyeliners and
- kajal.

Overall 72% of the samples failed to be labelled correctly and 29% contained banned substances – requiring a range of enforcement action - from removal of the product to prosecution of the importer concerned. One such prosecution is that of Tahir Mahmood.

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Tahir Mahmood prosecution.

On 28th May 2010 Tahir Mahmood, owner of Amsons Islamic Stores in Coventry Road Small Heath, was sentenced at Birmingham Magistrates Court for offences relating to the supply of unsafe cosmetics.

Officers from Trading Standards at Birmingham City Council initially conducted undercover test purchases of 'Hashmi' branded cosmetics. The shop was subsequently inspected and banned cosmetics containing lead, mercury and hydroquinone were seized, together with incorrectly labelled cosmetics and an unbranded kohl product.

The business had already been advised by Trading Standards not to deal in such products, but was found to be continuing to sell these lead based cosmetics and illegal skin lighteners when further test purchases were made.

Mr. Mahmood was given a 12 month Community Order with 100 hrs of unpaid work. He was ordered to pay full prosecution costs of £3,210.00 and all goods were forfeited.

Alex Rankin, Principal Trading Standards Officer advises:

- buy from reputable outlets and make sure you have sufficient information about the product to be able to use it safely
- if the product is not labelled in English then it will not comply with the labelling requirements and probably has not been assessed for safety
- all cosmetic products brought into the UK should have been assessed for safety by a registered pharmacist, a registered medical practitioner, a chartered biologist or a chartered chemist. Products produced for non EU countries may well not comply with these safety laws.
- retailers must take care to buy from reputable wholesalers and importers and must seek advice as to how to comply with the law.

Notes

Research has shown that the average consumer uses around 10 cosmetics or personal care products each day. On any given day a consumer might rub, spray, pour or dab some combination of sunscreen, shampoo, body lotion, deodorant, perfume, toothpaste, hair gel or moisturiser onto their bodies. Consumers assume that every cosmetic product is safe to buy and use or it would not be able to be supplied into the UK.

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The Law

Cosmetic products are subject to strict safety regulations and it is a criminal offence to supply cosmetic products which do not comply with the Cosmetic Products (Safety) Regulations 2008. The Regulations provide a list of products that can not be used in the manufacture of cosmetics.

The Regulations are made under the Consumer Protection Act 1987. On conviction the courts may impose a fine of up to £5,000 or up to 6 months imprisonment or both.

Trading Standards officers have the power to suspend or seize goods that they suspect breach the safety regulations.

Labelling requirements

All information must be clear and permanently marked and should be in English when sold in the UK. In general they apply to the product container and the outer packaging. They should include the following:

- a list of ingredients
- the name and address of the manufacturer or supplier - this must be one based within the EEC.
- a 'batch number' etc, from which the date and place of manufacture can be identified
- relevant precautions and instructions for use
- a 'best before' date if the life expectancy of the product is less than 30 months, and
- the function of the product, unless it is clear from its presentation

CEnTSA.

CEnTSA (Central England Trading Standards Authorities) is a partnership of the Trading Standards Services in the West Midlands who work together to deliver improved services for consumers and businesses.

The partners are the Trading Standards Services of:

Birmingham, Coventry, Dudley, Herefordshire, Sandwell, Shropshire, Solihull, Staffordshire, Stoke-on-Trent, Telford & Wrekin, Walsall, Warwickshire, Wolverhampton and Worcestershire.

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