

Call for evidence information note

Background information on the types of substances that will be covered in HSE's analysis of hazardous substances that may be present in tattoo inks and permanent make-up

The composition of tattoo inks and permanent make-up (PMU) raises numerous concerns for public health. Currently there are no specific regulations that control which substances can be used in tattoo inks and PMU. This means that potentially harmful substances could be present in tattoo inks and PMU. To decide if it is necessary to introduce measures in Great Britain (GB) to manage this concern, HSE is assessing the hazards and risks arising from the use of specific substances in tattoo inks and PMU as part of a wider assessment that will also consider socioeconomic aspects.

Substances that are in scope of HSE's assessment of hazards and risks include:

- 1) Substances that are listed in the GB Mandatory Classification and Labelling (MCL) list with the following classifications:
 - Carcinogenic or mutagenic substances (Category 1A, 1B or 2)
 - Substances that are toxic to reproduction (Category 1A, 1B or 2)
 - Skin sensitisers (Category 1, 1A or 1B)
 - Skin corrosive or irritant substances (Category 1A, 1B, 1C or 2)
 - Substances that cause serious eye damage/eye irritant substances (Category 1 or 2)

- 2) Substances that are prohibited for use in cosmetic products under the Cosmetic Products Regulation (EUR 2009/1223). HSE will include in the assessment:
 - substances that are listed in Annex II (substances prohibited in cosmetics); and,
 - substances that are listed in Annex IV. Annex IV lists permitted colourants and the conditions under which these colourants can be used in cosmetics (for example, the product type and body parts). It also places limitations on the types of products in which the substance can be used. The limitation could relate to the types of products in which the substance could be used e.g., substances that are not permitted in products intended to come into contact with mucous membranes and/or the maximum concentration that is allowed, or to a maximum permitted level of a specified impurity.

You can use the European Commission's cosmetic ingredient database (CosIng) to find out if substances in your product are included in either of these lists. The database is available here:

https://ec.europa.eu/growth/sectors/cosmetics/cosing_en

- 3) Substances not already captured under points 1 or 2 that are listed in resolution ResAP(2008)1 of the Council of Europe. This resolution describes requirements and criteria for the safety of tattoos and PMU. You can read the specifications of this Council of Europe resolution here:

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d3dc4.

CTL® GmbH Bielefeld is a German analytical laboratory that provides a free-to-use database of tattoo and PMU products that comply with ResAP(2008)1. The database can be accessed here: <https://ctl-tattoo.net/index.php?lang=en>. Please note that although your product may comply with the requirements of ResAP(2008)1, substances in the product could still fall within scope of HSE's assessment if they meet one or more of the criteria described in points 1 and 2.

If evidence emerges during HSE's assessment to show that substances that are used in tattoo inks and/or PMU but do not meet any of these criteria are creating an unacceptable risk to health as a result of this use, HSE will also include these substances in its assessment.