

FRENCH REPUBLIC

Ministry of [...]

DRAFT ORDINANCE No

**organising the certification process of good manufacturing practices for cosmetic products
and the authorisation of control officers**

NOR:

THE PRESIDENT OF THE REPUBLIC,

On the report of the Prime Minister, the Minister for Health and Prevention;

Having regard to the Constitution, in particular Article 38 thereof;

Having regard to Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products;

Having regard to Article 205 of Finance Act No 2022-1726 of 30 December 2022 for 2023;

Having heard the Council of State (social division);

Having heard the Council of Ministers,

ORDERS:

Article 1

I – Title V of Book I of Part I of the Public Health Code is amended as follows:

1. After Chapter II ‘Administrative penalties’, a Chapter III ‘Other authorised persons’ is inserted.

2. In Chapter III ‘Other authorised persons’, Article L. 1153-1 is inserted as follows: ‘The officers mentioned in Article L. 511-3 of the Consumer Code are authorised to investigate and establish infringements and breaches of Article L. 1151-2. To that end, they have the powers provided for in Article L. 511-15 of the Consumer Code.’.

II - Chapter I of Title III of Book I of Part V of the Public Health Code is amended as follows:

1. Article L. 5131-7 is inserted as follows: ‘Establishments manufacturing and packaging cosmetic products referred to in Article L. 5131-2, where they meet the conditions laid down by order of the Minister responsible for consumption, shall have their manufacturing and packaging practices certified by a certification body previously accredited by a body signatory to the Multilateral European Agreement entered into within the context of the European coordination of accreditation bodies.’

2. Article L. 5131-8 is amended as follows:

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a) in point 1, after the words ‘the arrangements’, the words ‘for dematerialised management’ are inserted;

b) after point 3, the following subparagraph is inserted:

‘4. The arrangements for implementing the certification system provided for in Article L. 5131-7.’

Article 2

The Prime Minister, the Minister for the Economy, Finance and Industrial and Digital Sovereignty and the Minister for Health and Prevention are each responsible, insofar as they are concerned, for the application of this Ordinance, which shall be published in the *Official Journal* of the French Republic.

Done on

Emmanuel Macron

By the President of the Republic:

The Prime Minister,
Élisabeth Borne

The Minister for the Economy, Finance and Industrial and Digital Sovereignty,
Bruno Le Maire

The Minister for Health and Prevention,
Aurélien Rousseau