

Legal Alert

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Changes in cosmetic law – banning TPO!

TPO (Trimethylbenzoyl Diphenylphosphine Oxide) is a substance commonly used in cosmetics intended for nail modelling and styling, previously used by professionals. As a UV photoinitiator, it was primarily used to accelerate the curing of gels under UV light.

Due to its classification as a substance toxic to reproduction, **the European Union has decided to ban the use of TPO in cosmetic products.**

Important: no transitional provisions have been provided for this change. This means that cosmetic products containing TPO in their formulation **may no longer be placed on the market or made available after 1 September 2025** (as confirmed by the Chief Sanitary Inspector's [official statement](#)). The time for adjustment is therefore short!

Regulatory background

All products placed on the market must be safe. This principle, for obvious reasons, also applies to cosmetic products. EU authorities introduce changes to dedicated regulations based on safety assessments – in the case of cosmetics, for example, the safety of individual substances.

Regulation (EC) No 1223/2009¹ on cosmetic products defines, among others:

- i. a list of substances that may be used in cosmetics under certain restrictions (Annex III), and
- ii. a list of substances that are prohibited in cosmetic products (Annex II)

– depending on a substance's safety assessment.

What was the situation until now?

According to Annex III of Regulation 1223/2009, TPO could be used in cosmetics under specific conditions, including:

- i. only in preparations for artificial nails,
- ii. a maximum concentration of 5% in a ready-to-use product, and
- iii. for professional use only.

What will change on 1 September 2025?

Due to the classification of TPO as a Category 1B CMR substance (toxic to reproduction), the EU has decided – under Regulation (EU) 2025/877² – to move TPO from Annex III to Annex II of Regulation 1223/2009, i.e. **to the list of substances prohibited in cosmetic products.**

¹ Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products

² Commission Regulation (EU) 2025/877 of 12 May 2025 amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use in cosmetic products of certain substances classified as carcinogenic, mutagenic or toxic for reproduction

Contact us!



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