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Local councils



REACH restriction of hazardous substances in tattoo inks and permanent make-up

Information leaflet for:

- manufacturers
- suppliers
- users

Q. Do you work with tattoo inks or permanent make-up? Are you a tattoo artist, permanent make-up artist, ink supplier or importer in Northern Ireland?

A. Then the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation update on tattoo ink and permanent make-up affects you!

What is the restriction?

Tattoo ink and permanent make-up are mixtures made up of pigments, carriers and other additives such as preservatives. All of these ingredients are chemical substances and are therefore covered by the REACH Regulation.

The European Commission (EC) from 4 January 2022 have restricted the use of over 4,000 substances in tattoo ink and permanent make-up following assessment by the European Chemicals Agency (ECHA). This means that only inks meeting the new criteria can be used.

Under the terms of the United Kingdom's EU Exit agreement, Northern Ireland remains under the European Framework for legislation associated with chemicals including the EU REACH Regulation. As a result, the changes associated with the restriction on hazardous substances in tattooing products applies in Northern Ireland.

This restriction puts responsibility on each actor throughout the supply chain. Manufacturers and suppliers are restricted from selling non-compliant ink whereas artists are restricted from using non-compliant ink for tattooing purposes.

What is restricted?

There is no list of “safe” or “recommended” inks. Instead, the restricted substances are classified depending on properties they possess. To check the classification of a substance, you can visit echa.europa.eu and enter the name of the substance you wish to search. The concentration of each substance will be shown in the safety data sheet (SDS) for each ink.

Substance classification	Concentration limit (w/w)*
Carcinogen	0.00005%
Reprotoxic	0.001%
Skin sensitiser	0.001%
Skin corrosive, irritant or serious eye damaging, irritant	0.01% (0.1% if substance is only a pH regulator)
In Annex II of the Cosmetics product regulation (CPR)**	0.00005%
In Annex IV of the CPR, subject to listed conditions**	0.00005%
Any substances listed in Appendix 13 of the restriction on tattoo and permanent make-up inks	individual concentration limits

**(w/w) simply means ‘weight per weight’ e.g. the weight of the restricted substance divided by the overall weight of the mixture.*

***Chemical substances can be added to the Annexes (additional information) in the Cosmetic Products Regulation (CPR) (EC) 1223/2009 and then will also fall within scope of the restriction.*

*HSENI wish to acknowledge the European Chemicals Agency (ECHA) for the source material in this publication.

Labelling requirements

If you have any doubts that your ink is compliant, you should always ask your supplier/manufacturer first. Included in the restriction are new labelling requirements which can help to identify compliant inks immediately.

Each label **MUST** include:

- The phrase “Mixture for use in tattoos or permanent make-up”
- A unique, batch reference number
- A list of ingredients in decreasing order of concentration
- Additional safety phrases when relevant such as “Contains Nickel or Chromium VI” or if “pH regulators” are present

The information must be clearly visible, easily readable and marked in a way that is indelible. If the packaging is too small to display the information, it must be included in the instructions for use instead.

If your inks/pigments do not contain the above information, they are not compliant.



What do I tell customers? (as an artist)

Before using any ink, each tattoo/permanent make-up artist must inform the customer of the information included on the package or in the instructions for use. This includes notifying the customer that the ink is compliant.

FAQs

Why has this restriction come into force now?

Increasing research and understanding into how inks/pigments containing hazardous substances interact with the body following injection under the skin has suggested a potential risk to health. The main goal of REACH is to protect human health and therefore the restriction was introduced to do so.

Why are England, Scotland and Wales not included in the restriction?

UK REACH policy is applicable in England, Scotland and Wales. A similar restriction is currently being considered and an announcement will be made in due course.

What is going to happen to Pigments Blue 15:3 and Green 7 in January 2023?

Much like this initial restriction (given a 1 year grace period from January 2021), those pigments are allowed to be used until 5 January 2023. Beyond this date, the pigments are restricted to be present in inks (up to 0.00005% w/w) to fall in-line with the current restriction.



Essential information

This information booklet is offered as guidance for the current restriction but should only be used alongside the official Regulation. Amendments to the Regulation could occur at any stage and so it is recommended you check the following link for regular updates:

- echa.europa.eu/hot-topics/tattoo-inks

The ECHA website provides further valuable information, such as the official restriction itself and extensive discussion on how the restriction was put together. Please ensure you visit this page and familiarise yourself with the legislation as your legal duty under REACH holds you accountable should you not comply with your responsibilities.

You can also find an online information session on YouTube, produced by ECHA, which was posted in March 2022. The webinar is directed at all actors throughout the supply chain (manufacturers, suppliers, duty holders etc.) and it has printable slides for further discussion of the restriction and an extended Q&A section:

- www.youtube.com/watch?v=j181bw-D8Tc

Thank you for reading this information leaflet which, along with the further information links provided, clarifies your responsibilities regarding this restriction.

**REMEMBER,
THINK ABOUT THE INK!**

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