

## STANDARD TERMS and CONDITIONS of BUSINESS

### Cosmetic safety assessments and other cosmetics regulatory consultancy services

- a) EF Chemical Consulting Ltd undertakes to produce cosmetic product safety reports (also called CPSRs or safety assessments) on the requested products in accordance with Part A and Part B of Annex I of EC Regulation 1223/2009.
- b) Under our interpretation of the EC Regulation 1223/2009, the Cosmetic Product Safety Report is not complete unless it is filed in the Product Information File (PIF) together with the Sales Specification for each ingredient (or a Certificate of Analysis of a single batch) and a (Material) Safety Data Sheet for each ingredient. These documents are available from the ingredient suppliers and we do not provide them. A footnote to our cosmetic safety reports states that it is not complete in the absence of such documentation.
- c) We confirm that all customer's recipes, manufacturing procedures, raw material sources and sales and marketing plans remain confidential to EF Chemical Consulting Ltd and their employees and contractors, and will not be made use of or given out to third parties.
- d) EF Chemical Consulting Ltd are legally obliged to retain indefinitely all the recipes and other confidential information that has been provided to them for the purpose of compiling safety assessments or other regulatory advice.
- e) Any prices quoted for safety assessments do not include a summary of information required to go on the labels (including sensitiser calculations), unless explicitly stated. Please enquire if you are interested in this additional service. The prices quoted also do not include compiling the PIF file or notification to the CPNP. We do not provide these services but we can give general guidance on them - please ask.
- f) Our liability in respect of labelling information and ingredients lists is limited to the price paid for providing this service.
- g) All safety assessments / safety reports will be the responsibility of and signed by Dr Edmund Fowles, who is a chartered chemist of the Royal Society of Chemistry (CChem, MRSC) with toxicological experience and training, and has many years' experience of chemicals safety and cosmetic ingredient and finished product formulation. He is suitably qualified to carry out the safety assessments according to regulation EC1223/2009.
- h) Completed safety assessments will be returned electronically in PDF format. We do not normally provide hard copies.
- i) Ingredient lists and label checks, where requested, will be returned electronically in PDF or Microsoft Word format. We do not generate a bar code. We do not provide a claims substantiation service but we will point out claims that require substantiation.
- j) If we find we are unable to approve a product due to safety reasons we will advise why, and suggest adjustments to the formulation that will be acceptable to us. If the formulation is adjusted to our satisfaction we will then issue the safety assessment for no extra charge.
- k) If the entire package of work cannot be completed for technical reasons we try to charge only for the work that is done. However, we reserve the right to charge for products that cannot be passed due to safety reasons if we have spent time assessing them.
- l) Safety assessments and ingredient lists will be based on the products and recipes that you have sent us and that we have quoted for. If there are late changes to recipes then extra charges may apply.
- m) Customers having their products assessed for the first time must provide their recipes using EF Chemical Consulting Ltd's Excel or Word template or use another equivalent electronic format (e.g. Open Office Calc) acceptable to us. We cannot accept PDF format. If the customer makes any late alterations they should update the template and re-send it, otherwise the revisions may not be carried out.
- n) If a recipe is subsequently changed then a completely new safety assessments will be required. Previous assessments cannot normally be modified.
- o) EF Chemical Consulting Ltd will rectify any mistakes that we have made in copying over the customer's recipes, as long as we are informed within 2 weeks of sending over the completed assessments.
- p) Any estimated times given for completion of work are given in good faith by EF Chemical Consulting Ltd and we will not be liable for loss or damage of any kind due to delays. Work will not be booked in until all the

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#### EF Chemical Consulting Ltd

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Company registered in England and Wales - Registered Number 7348632

recipes and other documentation are received. Once we've seen the recipes we may ask for extra information such as an MSDS sheet or Toxicity Summaries on a particular ingredient in order to be able to complete the work. If this information is not sent through promptly then the job may be removed from our booking-in schedule.

- q) Payment terms will be advised and will depend on status. Where payment has been requested in advance then work will not start until all monies have cleared through our bank. We send out our invoices by email at the same time as the completed safety assessments. Payment for the balance due upon completion of the work is required in full within 10 days and can be by Sterling cheque or bank transfer. Payment can also be by PayPal upon request, but the customer must pay PayPal's fees (4.0%).
- r) For customers based outside the UK we normally ask for full payment in advance before work can be started. Payment must include any bank charges incurred at the destination bank.
- s) Late payment for work completed will incur interest charges at 8% above Bank of England base rate in line with current legislation.
- t) Any invoice outstanding will be referred to Daniels Silverman Limited and will be subject to a surcharge of 15% plus vat to cover the collection costs incurred. This surcharge together with all other charges and legal fees incurred will be the responsibility of the customer and will be legally enforceable.
- u) This contract shall be governed by the laws of England and Wales.
- v) EF Chemical Consulting Ltd is VAT registered, registration number GB120 8948 56

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