

4

EU ACTIONS TO ENSURE THE SAFETY OF TATTOOS AND THE PROTECTION OF CONSUMERS

Ana Maria Blass Rico¹

¹The European Commission; (Brussels, Belgium)

In the EU, only safe products are allowed on the market¹. In the case of tattoo inks this requirement is the responsibility of the producers but also of the artist who offers tattoo inks to the public in the course of the tattooing service.

Market surveillance authorities of Member States have taken action (e.g. withdrawal from the market, import rejection) against tattoo inks that pose serious risks to the health and safety of consumers and notified them to the European Commission through the Rapid Alert System for non-food dangerous products (RAPEX)². The Council of Europe Resolution (ResAp 2008)¹ is the benchmark used in the absence of EU specific rules. As the ResAp (2008)¹ is not legally binding, some Member States have adopted national measures based on it. The approaches adopted by Member States to deal with the same risk differ and this potentially could result in internal market problems. Furthermore, consumers are not enjoying the same level of protection in the whole EU. With the aim of comprehensively addressing all safety issues related to tattoos and their removal, the European Commission has launched an 18-months project with the participation of consumer safety experts, scientists, consumer associations, tattoo inks producers and tattoo artists. The project should provide and compare possible options and suggest elements to be addressed by future EU action on tattoo safety.

¹ General Product Service Safety Directive: Directive 2001/95/EC of the European Parliament and of Council, 3 December 2001, general product safety. Official Journal L 11, 15.1.2002, 4

² RAPEX: The Rapid Alert System for non-food dangerous products managed by the European Commission. <http://ec.europa.eu/rapex>