

(12) STANDARD PATENT
(19) AUSTRALIAN PATENT OFFICE

(11) Application No. **AU 2013254754 B2**

(54) Title
Topical spray composition and system for delivering the same

(51) International Patent Classification(s)
A61Q 19/00 (2006.01) **A61K 8/39** (2006.01)
A61K 8/04 (2006.01) **A61K 8/86** (2006.01)
A61K 8/06 (2006.01) **B65D 83/62** (2006.01)
A61K 8/37 (2006.01)

(21) Application No: **2013254754** (22) Date of Filing: **2013.04.24**

(87) WIPO No: **WO13/160338**

(30) Priority Data

(31)	Number	(32) Date	(33) Country
	13/457,767	2012.04.27	US

(43) Publication Date: **2013.10.31**

(44) Accepted Journal Date: **2016.01.28**

(71) Applicant(s)
Unilever PLC

(72) Inventor(s)
Morikis, Thomas Nikolaos; Melo, Kathleen Lynn; Ng, Gee-Young

(74) Agent / Attorney
Davies Collison Cave, GPO Box 3876, SYDNEY, NSW, 2001

(56) Related Art
WO 2004/030641 A1 (BEIERSDORF AG) 15 April 2004 & English language translation provided by Google Patents
WO 2004/030641 A1 (BEIERSDORF AG) 15 April 2004 & English language translation provided by Google Patents
GB 2113706 A (COLGATE-PALMOLIVE COMPANY), 10 August 1983
DE 10063659 A1 (BEIERSDORF AG) 04 July 2002 & English language translation provided by Google Patents
US 5,989,529 A (KAPLAN) 23 November 1999
US 2005/0163812 A1 (HOATH et al.) 28 July 2005
US 2004/0253187 A1 (KUX et al.) 16 December 2004



(51) International Patent Classification:

A61Q 19/00 (2006.01) *A61K 8/39* (2006.01)
A61K 8/04 (2006.01) *A61K 8/86* (2006.01)
A61K 8/06 (2006.01) *B65D 83/62* (2006.01)
A61K 8/37 (2006.01)

(21) International Application Number:

PCT/EP2013/058466

(22) International Filing Date:

24 April 2013 (24.04.2013)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

13/457,767 27 April 2012 (27.04.2012) US

(71) Applicant (for AE, AG, AU, BB, BH, BN, BW, BZ, CA, CY, EG, GB, GD, GH, GM, IE, IL, IN, KE, KN, LC, LK,

LS, MT, MW, MY, NA, NG, NZ, OM, PG, QA, RW, SC, SD, SG, SL, SZ, TT, TZ, UG, VC, ZA, ZM, ZW only): **UNILEVER PLC** [GB/GB]; Unilever House, 100 Victoria Embankment, London, Greater London EC4Y 0DY (GB).

(71) Applicant (for all designated States except AE, AG, AU, BB, BH, BN, BW, BZ, CA, CY, EG, GB, GD, GH, GM, IE, IL, IN, KE, KN, LC, LK, LS, MT, MW, MY, NA, NG, NZ, OM, PG, QA, RW, SC, SD, SG, SL, SZ, TT, TZ, UG, US, VC, ZA, ZM, ZW): **UNILEVER N.V.** [NL/NL]; Weena 455, NL-3013 AL Rotterdam (NL).

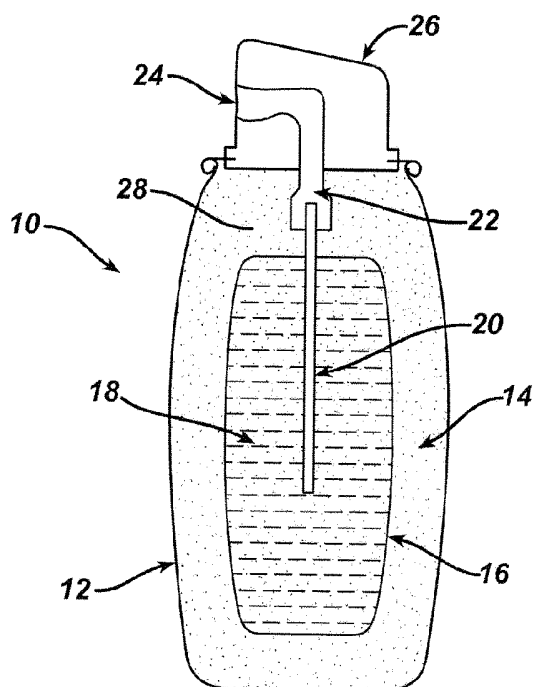
(71) Applicant (for US only): **CONOPCO, INC., D/B/A UNILEVER** [US/US]; 800 Sylvan Avenue, AG West, S. Wing, Englewood Cliffs, New Jersey 07632 (US).

(72) Inventors: **MORIKIS, Thomas, Nikolaos**; Conopco, Inc., d/b/a UNILEVER, 40 Merritt Boulevard, Trumbull, Connecticut 06611 (US). **MALACARNE, Kathleen, Lynn**; Conopco, Inc., d/b/a UNILEVER, 40 Merritt Boulevard,

[Continued on next page]

(54) Title: TOPICAL SPRAY COMPOSITION AND SYSTEM FOR DELIVERING THE SAME

FIG. 1



(57) Abstract: A topical spray composition and a system for containing and applying the composition is described. The composition has liquid emulsifiers that unexpectedly result in a superior product suitable to be applied homogeneously.



Trumbull, Connecticut 06611 (US). **NG, Gee-Young;** Conopco, Inc., d/b/a UNILEVER, 45 Commerce Drive, Trumbull, Connecticut 06611 (US).

(74) Agent: CORSTEN, Michael, Allan; Unilever PLC, Unilever Patent Group, Colworth House, Sharnbrook, Bedford, Bedfordshire MK44 1LQ (GB).

(81) Designated States (*unless otherwise indicated, for every kind of national protection available*): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States (*unless otherwise indicated, for every kind of regional protection available*): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report (Art. 21(3))
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))

(88) Date of publication of the international search report:

24 July 2014

TOPICAL SPRAY COMPOSITION AND SYSTEM FOR DELIVERING THE SAME

Field of the Invention

The present invention is directed to a topical spray composition for delivering benefit
5 agents to skin. More particularly, the invention is directed to a topical spray
composition that comprises a substantially all liquid emulsification system that has a
HLB from 3.0 to 7.0. The spray composition is surprisingly stable and capable of
being applied homogeneously (i.e., not blotchy or patchy) to skin. Moreover, the
system for delivering the spray composition is one which not only ensures
10 homogenous application with a desirable spray pattern but also unexpectedly allows
for product application in the absence of sputtering and mess.

Background of the Invention

The human skin is man's largest organ. The prominent roles of skin are to protect the
15 body and guide the body as its main sensory organ. The condition of our skin greatly
affects how we look and feel. Caring for one's skin is, therefore, a relevant consumer
concern.

Topical compositions have long been used to deliver benefits to consumers. Such
20 benefits can be pharmaceutical and/or cosmetic in nature.

Ointments, for example, have served as emollients and mainly for medicinal purposes
by acting as carriers for pharmaceuticals, drugs and the like. Ointments deliver such
components to the body after being topically applied.

25

Personal care products such as creams, lotions, pastes and gels are also commonly
employed to deliver benefit agents to skin of consumers. Via topical application, the
same are applied to skin to yield benefits such as skin lightening, sun protection and
moisturization.

30

While ointments, lotions and creams, for example, are known and widely accepted
vehicles for delivering skin benefit agents, these vehicles can be difficult (and time
consuming) to apply. In fact, many consumers avoid caring for their skin for the sole

reason that they refuse to take the time to apply a composition, like a lotion, to the body.

There is an increasing interest to develop an easy to apply topical composition that is
5 consumer friendly and not time consuming to apply. Moreover, there is an increasing
interest to develop an easy to apply composition that is stable and suitable to be
delivered in a desirable spray pattern in order to provide results that are beneficial to
skin. This invention, therefore, is directed to a superior topical spray composition for
delivering such results. The topical spray composition of this invention comprises a
10 substantially all liquid emulsification system that has an HLB from 3.0 to 7.0. The
spray composition is surprisingly stable, notwithstanding the low HLB emulsification
system employed, and capable of being applied homogeneously to skin. Moreover,
the system for delivering the spray composition yields a desirable and continuous
spray pattern in the absence of sputtering as well as a composition suitable to be
15 quickly absorbed into skin.

Additional Information

Efforts for making topical compositions have been disclosed. In U.S. Patent
Application Nos. 2004/105873 A1, 2005/208003 A1 and 2007/276033 A1, topical
20 formulations with water and oil soluble ingredients are disclosed.

Other efforts have been disclosed for making topical compositions. In U.S. Patent No.
6,620,420 B2, gel creams, in the form of emulsions containing ammonium
acryloyldimethyltaurate/vinylpyrrolidone copolymers are described.

25

Even other efforts have been disclosed for making topical skin compositions. In U.S.
Patent No. 5,753,244, skin treatments and ointments are described.

Still further, additional efforts have been disclosed for making topical compositions. In
30 U.S. Patent Application No. 2006/0210497 A1, compositions with novel resorcinol
derivatives are described.

None of the additional information above describes a topical spray composition as well as a spray system for delivering the same as claimed in this invention.

Summary of the Invention

- 5 According to a first aspect the present invention provides an oil-in-water composition comprising:
- a) liquid emulsifier, the liquid emulsifier having an HLB from 3.0 to 7.0; and
 - b) skin benefit agent
- wherein the composition is sprayable, has a viscosity from 500 to 4200 cps
- 10 and a surface tension from 22 to 33 mN/m, and wherein the composition is substantially free of non-liquid emulsifier.

According to a second aspect the present invention provides a system comprising:

- 15 a) a package with a headspace of 30 to 55% based on volume of the package and capable of being pressurized to 5.2 to 10.7 bar (75 to 155 psi);
- b) an exit insert, the exit insert having at least one channel, a swirl chamber, and an orifice; and
- c) a composition comprising:
- 20 i) a liquid emulsifier, the liquid emulsifier having an HLB from 3.0 to 7.0; and
- ii) a skin benefit agent,
- the composition is sprayable, has a viscosity from 500 to 4200 cps and a surface tension from 22 to 33 mN/m
- 25 wherein the swirl chamber has a diameter D from 0.5 mm to 2.0 mm, the orifice has a diameter d from 0.15 mm to 0.4 mm and the channel has a length from 3.0 to 9 times larger than the orifice diameter and a width from 0.7 to 5 times longer than the orifice diameter and further wherein the ratio of the orifice diameter to the swirl chamber diameter (d/D) is less than 0.45.

According to an aspect the present invention provides an aspect, the present invention is directed to a composition comprising:

- 5 a) liquid emulsifier, the liquid emulsifier having an HLB from 3.0 to 7.0; and
 b) skin benefit agent
- wherein the composition is sprayable, has a viscosity from 500 to 4200 cps and a surface tension from about 22 to about 33 mN/m.

In an aspect, the present invention is directed to a system comprising:

- 10 a) a package with a headspace of 30 to 55% and capable of being pressurized to 5.2 to 10.7 bar (75 to 155 psi);
- b) an exit insert, the exit insert having at least one channel, swirl chamber and orifice; and
- c) the composition of the first aspect of this invention
- 15 wherein the swirl chamber has a diameter from 0.5 mm to 2.0 mm, the orifice has a diameter from 0.15mm to 0.4mm and the channel has a length from 3 to 9 times larger than the orifice diameter and a width from 0.7 to 5 times longer than the orifice diameter and further wherein the orifice diameter to swirl chamber diameter (d/D) is less than 0.45.

20

All other aspects of the present invention will more readily become apparent upon considering the detailed description and examples which follow.

BRIEF DESCRIPTION OF THE DRAWINGS

- 25 Figure 1 shows a sectional view of an illustrative bag on valve package suitable for use in this invention.

Figure 2 shows a front view of an illustrative exit insert suitable for use in this invention.

- Topical, as used herein, means external to the body. Skin, as used herein, is meant to include skin on the face, neck, chest, back, arms (including underarms), hands, legs, feet, buttocks and scalp. Air, as used herein, means a gas like, for example, nitrogen, atmospheric gas, inert gas such as argon, or a gas having at least oxygen in combination with carbon dioxide, water vapor and/or nitrogen. Skin benefit agent means an agent applied topically and suitable to be formulated in a sprayable composition, the skin benefit agent being one that, for example, diverts UVA and/or UVB sunlight, moisturizes, artificially colors, lightens and/or reduces wrinkles on skin.
- 10 Substantially free of means less than 0.5%, and preferably, from 0.001 to 0.3% by weight in the composition and based on total weight of the composition. In an especially preferred embodiment, the composition of this invention is substantially free of non-liquid emulsifier. In a most especially preferred embodiment, no (0.0% by weight) non-liquid emulsifier will be used in the composition of this invention.
- 15 Environmentally friendly means being at least substantially free of non-liquid emulsifier, as well as organic propellants.

- Stable, as used herein, means suitable for homogeneous spraying for no less than three months when stored at room temperature. The composition of this invention can be leave-on or wash-off but is preferably a leave-on composition. Viscosity is taken on a Brookfield Viscometer (speed at 20 rpm, spindle 5, helipath off, and for one (1) minute at ambient temperature). Surface tension is measured on a commercially available instrument such as those sold by Krüss USA. The method used for determining surface tension is one typically called the Ring Method. Continuous
- 20 spray means spraying with one (1) actuator button depression and not via a pump.

- Comprising, as used herein, is meant to include consisting essentially of and consisting of. For the avoidance of doubt and by way of illustration, the composition of this invention can consist essentially of liquid emulsifier, skin benefit agent, air, and minors, or the composition of this invention can consist of the same. Minors, as used
- 30 herein, means typical ingredients for perfecting topical compositions such as perfecting the same for end use without having an impact on intended benefit. Minors can include, for example, preservatives, fragrances, colorants (like iron oxides), pH

buffers, visual additives like speckles and/or the like. Emulsion includes a composition with water and oil, and preferably, a water-in-oil or oil-in-water emulsion. In a most preferred embodiment, the emulsion of this invention is oil-in-water. All ranges identified herein are meant to include all ranges subsumed therein if, for example,
5 reference to the same is not explicitly made.

Detailed Description of the Invention

The only limitations with respect to the liquid emulsifiers that may be used in this invention are that the emulsifiers have an HLB from 3.0 to 7.0 and are suitable for use
10 on compositions topically applied to humans.

Illustrative examples of the types of liquid emulsifiers suitable for use herein include those generally classified as non-polymeric, polyhydroxylated fatty acid esters, polymeric, polyhydroxylated fatty acid esters or mixtures thereof.

15

Illustrative yet non-limiting examples of the types of non-polymeric, polyhydroxylated fatty acid esters suitable for use in this invention include sorbitan isostearate, sorbitan monooleate, glycerol isostearate, methylglucoside sesquisteate, sorbitan diisostearate, sorbitan sesquioleate, mixtures thereof or the like. With respect to the
20 polymeric, polyhydroxylated fatty acid esters suitable for use, illustrative examples include polyglyceryl-3-diisostearate, polyglyceryl-3-polycrinoleate, polyethylene glycol-4 dilaurate, polyethylene glycol-4 dioleate, polyethylene glycol-30 dipolyhydroxystearate, mixtures thereof or the like.

25 In an especially preferred embodiment, both non-polymeric, polyhydroxylated fatty acid esters and polymeric, polyhydroxylated fatty acid esters are used in the liquid emulsifier system wherein from 2 to 8, and preferably, from 3 to 8, and most preferably, from 5 to 7 times more of the nonpolymeric emulsifier is used than the polymeric emulsifier, based on total weight of total emulsifier in the composition, and
30 including all ranges subsumed therein. In a most especially preferred embodiment, the nonpolymeric, polyhydroxylated fatty acid emulsifier used in this invention is sorbitan isostearate and the polymeric, polyhydroxylated fatty acid emulsifier is polyglyceryl-3-diisostearate.

With respect total amount of liquid emulsifier used in the compositions of this invention, typically from 1.5 to 6, and preferably, from 2 to 5, and most preferably, from 2.75 to 4 percent by weight liquid emulsifier is used, including all ranges
5 subsumed therein.

The HLB of the liquid emulsification system in this invention is often, from 3 to 7, and preferably, from 3.5 to 6.5, and most preferably, from 3.5 to 5.5, including all ranges subsumed therein.

10

The topical spray compositions of the present invention will typically include cosmetically acceptable carriers. Water is the most preferred carrier. Amounts of water may range from 45 to 99%, and preferably, from 70 to 98%, and most preferably, from 75 to 96% and optimally from 77 to 90% by weight, based on total
15 weight of the spray composition and including all ranges subsumed therein. Ordinarily, the compositions will be water and oil emulsions. As previously mentioned, most preferably, are the oil-in-water type emulsions.

Other cosmetically acceptable carriers suitable for use in the spray compositions of this invention may include mineral oils, silicone oils, synthetic or natural esters, fatty
20 acids and alcohols. Amounts of these materials may range from 0.5 to 12%, and preferably, from 0.5 to 10%, and most preferably, from 1 to 8% by weight of the spray composition, including all ranges subsumed therein.

Silicone oils may be divided into the volatile and non-volatile variety. The term "volatile" as used herein refers to those materials which have a measurable vapor
25 pressure at ambient temperature. Volatile silicone oils are preferably chosen from cyclic or linear polydimethylsiloxanes containing from 3 to 9, and preferably, from 4 to 5 silicon atoms.

Linear volatile silicone materials generally have viscosities of less than 5 centistokes at 25°C while cyclic materials typically have viscosities of less than 10 centistokes.

Nonvolatile silicone oils useful as carrier material include polyalkyl siloxanes, polyalkylaryl siloxanes and polyether siloxane copolymers. The essentially non-volatile polyalkyl siloxanes useful herein include, for example, polydimethylsiloxanes (like dimethicone) with viscosities of from 5 to 100,000 centi-
5 stokes at 25°C.

An often preferred silicone source is a cyclopentasiloxane and dimethiconol solution.

Among suitable esters are:

(1) Alkenyl or alkyl esters of fatty acids having 10 to 20 carbon atoms like isopropyl palmitate, isopropyl isostearate, isopropyl myristate, isononyl isononanoate,
10 oleyl myristate, oleyl stearate, and oleyl oleate;

(2) Ether-esters such as fatty acid esters of ethoxylated fatty alcohols;

(3) Polyhydric alcohol esters such as ethylene glycol mono- and di-fatty acid esters, diethylene glycol mono- and di-fatty acid esters, polyethylene glycol (200-6000) mono- and di-fatty acid esters, propylene glycol mono- and di-fatty acid esters,
15 polypropylene glycol 2000 monooleate, polypropylene glycol 2000 monostearate, ethoxylated propylene glycol monostearate, glyceryl mono- and di-fatty acid esters, polyglycerol poly-fatty esters, ethoxylated glyceryl monostearate, 1,3-butylene glycol monostearate, 1,3-butylene glycol distearate, polyoxyethylene polyol fatty acid ester, sorbitan fatty acid esters, and polyoxyethylene sorbitan fatty acid esters;

20 (4) Wax esters such as beeswax, spermaceti, myristyl myristate, stearyl stearate; and

(5) Sterol esters, of which soya sterol and cholesterol fatty acid esters are examples thereof.

Fatty acids having from 10 to 30 carbon atoms may be included in the spray
25 compositions of this invention. Illustrative of this category are pelargonic, lauric,

myristic, palmitic, stearic, isostearic, hydroxystearic, oleic, linoleic, ricinoleic, arachidic, behenic and erucic acids.

Optionally, surfactant may be used in the spray compositions of the present invention.

These include glyceryl stearate, glycol stearate, stearamide AMP, PEG-100 stearate,

5 cetyl alcohol as well as emulsifying/thickening additives like hydroxyethylacrylate/sodium acryloyldimethyl taurates copolymer/squalane and mixtures thereof. When used, surfactant typically makes up less than 0.45% by weight of the spray composition. Surfactant, if used, more typically makes up from 0.001 to 0.4% by weight of the spray composition.

10 Preservatives can desirably be incorporated into the spray compositions comprising the liquid emulsification system of this invention to protect against the growth of potentially harmful microorganisms. Suitable traditional preservatives for the spray compositions of this invention are alkyl esters of para-hydroxybenzoic acid. Other preservatives which have more recently come into use include hydantoin derivatives,

15 propionate salts, and a variety of quaternary ammonium compounds. Cosmetic chemists are familiar with appropriate preservatives and routinely choose them to satisfy the preservative challenge test and to provide product stability. Particularly preferred preservatives are iodopropynyl butyl carbamate, phenoxyethanol, methyl paraben, propyl paraben, imidazolidinyl urea, sodium dehydroacetate and benzyl

20 alcohol. The preservatives should be selected having regard for the use of the composition and possible incompatibilities between the preservatives and other ingredients in the spray compositions. Preservatives are preferably employed in amounts ranging from 0.01% to 2% by weight of the spray composition, including all ranges subsumed therein.

25 Thickening agents may be included in the spray compositions of the present invention. Particularly useful are the polysaccharides. Examples include starches, natural/synthetic gums and cellulosics. Representative of the starches are chemically modified starches such as sodium hydroxypropyl starch phosphate and aluminum starch octenylsuccinate. Tapioca starch is often preferred. Suitable gums include

30 xanthan, sclerotium, pectin, karaya, arabic, agar, guar, carrageenan, alginate and

combinations thereof. Suitable cellulose include hydroxypropyl cellulose, hydroxypropyl methylcellulose, ethylcellulose and sodium carboxy methylcellulose. Synthetic polymers are yet another class of effective thickening agent. This category includes crosslinked polyacrylates such as the Carbomers such as Carbopol Ultrez®
5 10, polyacrylamides such as Sepigel® 305 and taurate copolymers such as Simulgel EG® and Aristoflex® AVC, the copolymers being identified by respective INCI nomenclature as Sodium Acrylate/Sodium Acryloyldimethyl Taurate and Acryloyl Dimethyltaurate/Vinyl Pyrrolidone Copolymer. Another preferred synthetic polymer suitable for thickening is an acrylate-based polymer made commercially available by
10 Seppic and sold under the name Simulgel INS100.

Amounts of the thickener may range from 0.001 to 3.5%, and preferably, from 0.01 to 2%, and most preferably, from 0.1 to 0.7% by weight of the composition including all ranges subsumed therein.

Often preferred minors suitable for use include aloe vera (leaf juice powder) cocoa
15 butter, oat/straw extract, colorants and/or fragrances. These may optionally be included either alone or in mixtures in the spray composition of this invention. Each of these substances may range from 0.001 to 4%, preferably they collectively make up between 0.01 to 3% by weight of the total weight of the spray composition, including all ranges subsumed therein.

20 To enhance skin moisturization, cationic ammonium compounds may optionally be used in the spray compositions of this invention. Such compounds include salts of hydroxypropyltri (C₁-C₃ alkyl) ammonium mono-substituted-saccharide, salts of hydroxypropyltri (C₁-C₃ alkyl) ammonium mono-substituted polyols, dihydroxypropyltri (C₁-C₃ alkyl) ammonium salts, dihydroxypropyldi (C₁-C₃ alkyl) mono(hydroxyethyl)
25 ammonium salts, guar hydroxypropyl trimonium salts, 2,3-dihydroxypropyl tri(C₁-C₃ alkyl or hydroxalkyl) ammonium salts or mixtures thereof. In a most preferred embodiment and when desired, the cationic ammonium compound employed in this invention is the quaternary ammonium compound 1,2-dihydroxypropyltrimonium chloride. If used, such compounds typically make up from 0.001 to 15%, and

preferably, from 0.01 to 5%, and most preferably, from 0.01 to 2% by weight of the composition.

When cationic ammonium compounds are used, preferred additives for use with the same are moisturizing agents such as substituted ureas like hydroxymethyl urea, hydroxyethyl urea, hydroxypropyl urea; bis(hydroxymethyl) urea; bis(hydroxyethyl) urea; bis(hydroxypropyl) urea; N,N'-dihydroxymethyl urea; N,N'-di-hydroxyethyl urea; N,N'-di-hydroxypropyl urea; N,N,N'-tri-hydroxyethyl urea; tetra(hydroxymethyl) urea; tetra(hydroxyethyl) urea; tetra(hydroxypropyl) urea; N-methyl-N'-hydroxyethyl urea; N-ethyl-N,N'-hydroxyethyl urea; N-hydroxypropyl-N'-hydroxyethyl urea and N,N'-dimethyl-N-hydroxyethyl urea or mixtures thereof. Where the term hydroxypropyl appears, the meaning is generic for either 3-hydroxy-n-propyl, 2-hydroxy-n-propyl, 3-hydroxy-i-propyl or 2-hydroxy-i-propyl radicals. Most preferred is hydroxyethyl urea. The latter is available as a 50% aqueous liquid from the National Starch & Chemical Division of ICI under the trademark Hydrovance.

Amounts of substituted urea, when used, in the composition of this invention range from 0.001 to 10%, and preferably, from 0.01 to 5%, and most preferably, from 0.01 to 1.0%, based on total weight of the spray composition and including all ranges subsumed therein.

Conventional humectants may be employed in the present invention. These are generally polyhydric alcohol-type materials. Typical polyhydric alcohols include glycerol (i.e., glycerine or glycerin), propylene glycol, dipropylene glycol, polypropylene glycol, polyethylene glycol, sorbitol, hydroxypropyl sorbitol, hexylene glycol, 1,3-butylene glycol, isoprene glycol, 1,2,6-hexanetriol, ethoxylated glycerol, propoxylated glycerol and mixtures thereof. Most preferred is glycerin, propylene glycol or a mixture thereof. The amount of humectant employed may range anywhere from 0.5 to 20%, preferably between 1 and 7%, and most preferably, from 1 to 5% by weight of the composition.

When cationic ammonium compound is used, in a most especially preferred embodiment at least from 1 to 12% by weight glycerin is used, based on total weight of the spray composition and including all ranges subsumed therein.

- As illustrative skin benefit agents, the topical spray compositions of the present invention may include vitamins. Illustrative vitamins are Vitamin A (retinol), retinol esters (like retinol palmitate and/or retinol propionate, Vitamin B₂, Vitamin B₃ (niacinamide), Vitamin B₆, Vitamin C, Vitamin E, Folic Acid and Biotin. Derivatives of the vitamins may also be employed. For instance, Vitamin C derivatives include ascorbyl tetraispalmitate, magnesium ascorbyl phosphate and ascorbyl glycoside.
- 10 Derivatives of Vitamin E include tocopheryl acetate, tocopheryl palmitate and tocopheryl linoleate. DL-panthenol and derivatives may also be employed. Total amount of vitamins when present in compositions according to the present invention may range from 0.001 to 5%, preferably from 0.01% to 2%, optimally from 0.1 to 1% by weight of the spray composition.
- 15 Other illustrative skin benefit agents include octadecendioic acid, azelaic acid, ubiquinone, dihydroxyacetone (sunless tanning agent), mixtures thereof or the like. These agents typically make up from 0.5 to 4% by weight of the total weight of the spray composition when they are used.

- Even other skin benefit agents suitable for use include resveratrol, resorcinols like 4-ethyl resorcinol, 4-hexyl resorcinol, 4-phenylethyl resorcinol, dimethoxytoluyl propyl resorcinol, 4-cyclopentyl resorcinol, 4-cyclohexylresorcinol, alpha-an/or beta-hydroxyacids, petroselinic acid, conjugated linoleic acid, octadecanoic acid, phenylethyl resorcinol (Symwhite 377 from Symrise), undecylenol phenylalanine (Seppi White from Seppic) mixtures thereof or the like. Such agents, when used,
- 25 collectively make up from 0.001 to 8% by weight of the spray composition.

Desquamation promoters may be present. Illustrative are the alpha-hydroxycarboxylic acids and beta-hydroxycarboxylic acids. The term "acid" is meant to include not only the free acid but also salts and C₁-C₃₀ alkyl or aryl esters thereof and lactones generated from removal of water to form cyclic or linear lactone

structures. Representative acids are glycolic, lactic and malic acids. Salicylic acid is representative of the beta-hydroxycarboxylic acids. Amounts of these materials, when optionally present, may range from 0.01 to 5% by weight of the composition.

A variety of extracts may optionally be included in compositions of this invention in addition to previously described oat/straw extracts. Additional illustrative extracts suitable for use include those from green tea, yarrow, chamomile, licorice, aloe vera, grape seed, citrus unshui, willow bark, sage, thyme and rosemary.

Also optionally suitable for use include materials like sunscreens as well as lipoic acid, retinoytrimethylsilane (available from Clariant Corp. under the Silcare 1M-75 trademark), dehydroepiandrosterone (DHEA) and combinations thereof. Ceramides (including Ceramide 1, Ceramide 3, Ceramide 3B and Ceramide 6) as well as pseudoceramides may also be useful. Amounts of these materials may range from 0.000001 to 5%, preferably from 0.0001 to 1.5% by weight of the spray composition.

When used, often preferred sunscreens (i.e., skin benefit agents) include phenylbenzimidazole sulfonic acid (Ensulizole), ethylhexyl p-methoxycinnamate, available as Parsol MCX®, Avobenzene, available as Parsol 1789® and benzophenone-3, also known as Oxybenzone. Inorganic sunscreen actives may be employed such as microfine titanium dioxide, zinc oxide, polyethylene and various other polymers. Also suitable for use is octocrylene.

Conventional buffers/pH modifiers may be used. These include commonly employed additives like sodium hydroxide, hydrochloric acid, citric acid and citrate/citric acid buffers. In an especially preferred embodiment, the pH of the composition of this invention is from 3 to 8.5, and preferably, from 4.0 to 8.0, and most preferably, from 4.5 to 7.0, including all ranges subsumed therein.

Opacifiers and chelators (like tetrasodium EDTA) may also be included in the compositions of the present invention. Each of these substances may range from 0.01 to 5%, preferably between 0.01 and 2% by weight of the topical spray composition when they are used.

The preparation of the topical spray composition of this invention is typically achieved by combining and mixing the preferred ingredients under conditions of atmospheric pressure, temperature at ambient to 80°C and moderate shear in a conventional mixing vessel.

- 5 In a preferred embodiment, the viscosity of the spray composition of this invention is from 600 to 4000 cps, and most preferably, from 1200 to 3500 cps, including all ranges subsumed therein.

The surface tension of the spray composition is preferably from 25 to 32 MN/m, and most preferably, from 28 to 32 MN/m, including all ranges subsumed therein.

- 10 Turning to the figures, Figure 1 depicts a cross section of a bag on valve package **10** preferred for use with the topical spray composition used in the system of this invention. The container **12** is internally pressurized with air **14** preferably from 6.2 to 9.6 bar (90 to 140 psi), and most preferably, from 6.9 to 9.3 bar (100 to 135 psi), including all ranges subsumed therein. Bag **16** contains or holds topical spray
15 composition of this invention **18** for elimination and use through tube **20** and tube connector **22** through exit insert **24** housed in actuator cap **26** that operative allows for composition **18** to exit the exit insert **24** upon pressing button (not shown) in actuator cap **26** to engage conventional bag on valve package mechanics (not shown).

- The package **10**, preferably has a headspace **28** that accounts for from 35 to 50%,
20 and preferably, from 37 to 45% by volume of the package **10**.

- Turning to Figure 2, shown is a rear elevated view of exit insert **24** having an orifice **30** surrounded by swirl chamber **32** operatively connected to channels **34 a-c** (preferably, 2 to 4, and most preferably, 2 to 3 channels are desired for this invention) for feeding topical spray composition **18** from tube connector **22** to swirl chamber **32**
25 and out through orifice **30** generally centrally position in exit insert **24**.

In a preferred embodiment, the swirl chamber **32** has a diameter, D, that is from 0.6 to 1.7 mm, and preferably, from 0.8 to 1.2 mm, including all ranges subsumed therein.

The orifice preferably has a diameter, d , from 0.2 to 0.35mm, and most preferably, from 0.25 to 0.30mm, including all ranges subsumed therein.

The channels **34 a-c** preferably have a length, L , that is 3.5 to 8, and most preferably, from 3.8 to 7 times longer than the orifice diameter, d . The width, W , of the channels
5 **34 a-c** is preferably from 0.7 to 4, and most preferably, from 1.2 to 3 times longer than the orifice diameter, d . It is within the scope of this invention for the width, W , of the channels **34 a-c** to be uniform as shown or somewhat tapered (not shown).

In a preferred embodiment, d/D is from 0.25 to 0.4, and preferably, from 0.27 to 0.39, including all ranges subsumed therein.

- 10 Component parts of the packaging **10**, including can or container and exit insert, described herein, are made commercially available. Suppliers like Calmar or Mead West Vaco, Aptar Group, Inc., and Lindal NA, Inc. are often preferred sources. The packaging **10** is typically a metal or metal alloy, preferably one prepared from recycled materials.
- 15 Surprisingly, it has been discovered that when applying (the method of using) the topical spray composition from the system of this invention, a superior and homogeneous spray pattern is achieved such that when applying product from 10 to 15 cm from a substrate (e.g., hands, legs, arms) a continuous product application pattern of 4 to 8 cm in width and from 2.5 to 10 cm, and preferably, from 2.5 to 9 cm,
20 and most preferably, from 3.5 to 8 cm in length is generated. Such a pattern of spray composition requires little composition rubbing from the consumer for excellent absorption. Moreover, such a pattern is controlled, reliable and does not yield a mess upon application. Such a product application pattern makes the method of using the system of this invention very desirable for a consumer, especially one with little time.

25

The system of this invention not only results in a superior product application pattern, the same results in a spray rate of 0.8 to 2g, preferably, from 1 to 1.6g of product release or application per second of spraying from package **10**. Such a product

results in excellent skin benefits to consumers typically not willing to use conventional lotions that often are messy and time consuming to apply.

The following examples are provided to facilitate an understanding of the present invention. The examples are not intended to limit the scope of the claims.

5 Examples

Example 1

The ingredients below were combined and mixed with moderate shear in a conventional mixing chamber operating under conditions of atmospheric pressure and
10 at a temperature of about 75°C. Produced were three (3) variants of topical spray composition consistent with this invention.

Ingredient	Composition 1 % w/w	Composition 1 % w/w	Composition 1 % w/w
Glycerin	3.50	3.50	3.50
Isopropyl Myristate	7.00	7.00	7.00
Disodium EDTA	0.05	0.05	0.05
Preservative	0.7	0.7	0.7
Deionized Water	Balance	Balance	Balance
Stearic Acid	0.10	0.10	0.10
Dihydroxypropyltrimonium Chloride	0.10	0.10	0.10
Sodium Hydroxide	0.05	0.05	0.05
Sorbitan Isostearate	3.00	3.00	3.00
Polyglyceryl 3- diisostearate	0.50	0.50	0.50
Dimethicone	3.00	3.00	3.00
Thickener	0.57	0.57	0.57
Fragrance	0.15	0.15	0.15
(OAT) Straw Extract	0.01	---	---

16

Theobroma cacao (cocoa) seed butter	---	---	0.01
Aloe extract	---	0.01	---
	100.00	100.00	100.00

Example 2

The compositions of Example 1 were filled into commercially available bag on valve packages as described in this invention. The packages were filled and pressurized to about 8.3 bar (120 psi). Skilled panelists applied the product (about two (2) seconds of spraying, three (3) grams of product) to their forearms from about a 10 cm distance from their arms. All panelists unanimously concluded that the system of this invention generated an excellent and homogeneous product in a desirable pattern. The panelists also concluded that the product delivered in this invention and from the inventive system was faster and easier to apply than a conventional lotion, wherein the composition absorbed into their skin easily with limited amount of rubbing.

Example 3

The compositions in the inventive systems prepared in Example 1 were sprayed onto different areas of a vertical substrate from a distance of about 10 cm (about three (3) grams of product as described in Example 2). The compositions were compared to commercially sold spray moisturizer (comprising solid emulsifier) also applied in the same manner to the vertical substrate. All panelists concluded that the spray compositions applied via the system of this invention were more even and controlled and did not display any product running after about thirty (30) minutes from application. The commercially sold product, control with solid emulsifier, did run significantly on application.

Throughout this specification and the claims which follow, unless the context requires otherwise, the word "comprise", and variations such as "comprises" or "comprising", will be understood to imply the inclusion of a stated integer or step or group of integers or steps but not the exclusion of any other integer or step or group of integers or steps.

The reference in this specification to any prior publication (or information derived from it), or to any matter which is known, is not, and should not be taken as, an acknowledgement or admission or any form of suggestion that that prior publication (or information derived from it) or known matter forms part of the common general knowledge in the field of endeavour to which this specification relates.

The claims defining the invention are as follows:

1. An oil-in-water composition comprising:

- a) liquid emulsifier, the liquid emulsifier having an HLB from 3.0 to 7.0; and
- b) skin benefit agent

wherein the composition is sprayable, has a viscosity from 500 to 4200 cps and a surface tension from 22 to 33 mN/m, and wherein the composition is substantially free of non-liquid emulsifier.

2. The composition according to claim 1 wherein the liquid emulsification system has an HLB from 3.5 to 6.5.

3. The composition according to claim 1 or 2 wherein the composition is sprayable and capable of being applied from a bag on valve package.

4. The composition according to any one of claims 1 to 3 wherein the skin benefit is a sunscreen, skin lightening agent, anti-aging agent, moisturizing agent, sunless tanning agent or a mixture thereof.

5. The composition according to any one of claims 1 to 4 wherein the emulsifier in the composition consists essentially of liquid emulsifier.

6. The composition according to any one of claims 1 to 4 wherein the emulsifier in the composition consists of liquid emulsifier.

7. A system comprising:

- a) a package with a headspace of 30 to 55% and capable of being pressurized to 5.2 to 10.7 bar (75 to 155 psi);
- b) an exit insert, the exit insert having at least one channel, swirl chamber and orifice; and
- c) the composition according to any one of claims 1 to 6

wherein the swirl chamber has a diameter D from 0.5 mm to 2.0 mm, the orifice has a diameter d from 0.15mm to 0.4mm and the channel has a length from 3.0 to 9 times larger than the orifice diameter and a width from 0.7 to 5 times longer than the orifice diameter and further wherein the orifice diameter to swirl chamber diameter (d/D) is less than 0.45.

8. A system comprising:
- a) a package with a headspace of 30 to 55% based on volume of the package and capable of being pressurized to 5.2 to 10.7 bar (75 to 155 psi);
 - b) an exit insert, the exit insert having at least one channel, a swirl chamber, and an orifice; and
 - c) a composition comprising:
 - i) a liquid emulsifier, the liquid emulsifier having an HLB from 3.0 to 7.0;
- and
- ii) a skin benefit agent,

the composition is sprayable, has a viscosity from 500 to 4200 cps and a surface tension from 22 to 33 mN/m

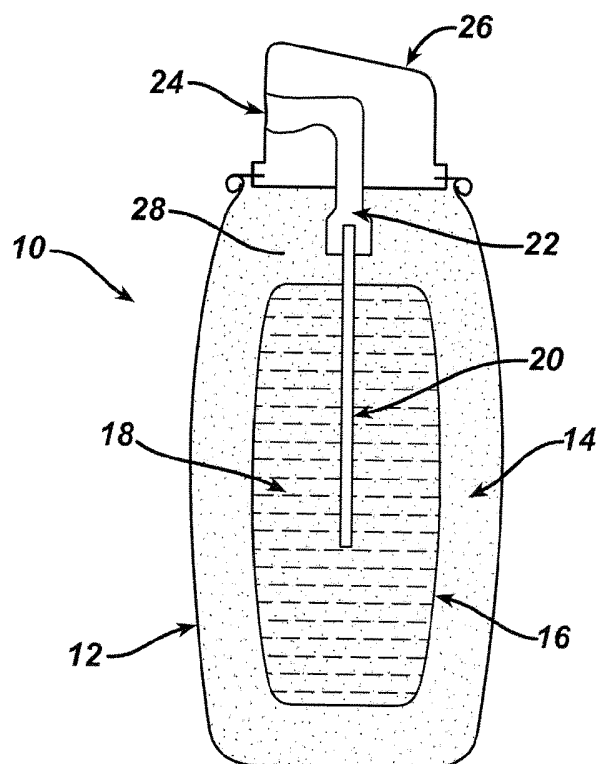
wherein the swirl chamber has a diameter D from 0.5 mm to 2.0 mm, the orifice has a diameter d from 0.15 mm to 0.4 mm and the channel has a length from 3.0 to 9 times larger than the orifice diameter and a width from 0.7 to 5 times longer than the orifice diameter and further wherein the ratio of the orifice diameter to the swirl chamber diameter (d/D) is less than 0.45.

9. The system according to claim 7 or 8 wherein the liquid emulsifier comprises a non-polymeric, polyhydroxylated fatty acid, a polymeric, polyhydroxylated fatty acid, or both.

10. The system according to any one of claims 7 to 9 wherein the orifice has a diameter, d , and the swirl chamber has a diameter, D , where (d/D) is from 0.25 to 0.4.
11. The system according to any one of claims 7 to 10 wherein the composition is
5 a moisturizing composition.
12. The system according to any one of claims 7 to 11 wherein the composition further comprises a fragrance.
- 10 13. The system according to any one of claims 7 to 12 wherein the orifice has a diameter from about 0.2 to about 0.35 mm.
14. The system according to any one of claims 7 to 13 wherein the swirl chamber has a diameter D that is from about 0.6 to about 1.7 mm.
15
15. The system according to any one of claims 7 to 14 wherein the liquid emulsifier has an HLB from 3.5 to 6.5.
16. The system according to any one of claims 7 to 15 wherein an emulsifier in the
20 composition consists essentially of the liquid emulsifier.
17. The system according to any one of claims 7 to 16 wherein the liquid emulsifier has an HLB from about 3.5 to about 5.5.
- 25 18. The system according to any one of claims 7 to 17 wherein the composition is an oil-in-water emulsion comprising from about 70% to about 98% water.
19. The system according to any one of claims 7 to 18 wherein the composition comprises from about 0.5% to about 12% by weight oil.
30
20. The system according to any one of claims 7 to 19 wherein the composition comprises less than 0.5% by weight non-liquid emulsifier.

21. The system according to any one of claims 7 to 20 the composition comprises less than 0.5% organic propellant.
- 5 22. The system according to any one of claims 7 to 21 wherein the composition is suitable for homogeneous spraying for no less than three months when stored at room temperature.
23. The system according to any one of claims 7 to 22 wherein the composition
10 comprises cross-linked polyacrylate.
24. The system according to any one of claims 7 to 23 wherein the composition comprises less than 0.45% by weight surfactant.
- 15 25. The system according to any one of claims 7 to 24 wherein the liquid emulsifier comprises both non-polymeric, polyhydroxylated fatty acid ester and polymeric polyhydroxylated fatty acid ester and polymeric polyhydroxylated fatty acid ester and preservative.
- 20 26. The system according to any one of claims 7 to 25 wherein the liquid emulsifier comprises from about 2 to about 8 times more non-polymeric emulsifier than polymeric emulsifier.
27. The system according to any one of claims 7 to 26 wherein the composition
25 comprises from about 1.5% to about 6% by weight liquid emulsifier.
28. The system according to any one of claims 7 to 27 wherein the composition comprises a substituted urea.
- 30 29. The system according to any one of claims 7 to 28 wherein the composition has a viscosity from about 600 to about 4,000 cps.

30. The system according to any one of claims 7 to 28 wherein the composition has a viscosity from about 1,200 to about 3,500 cps.
31. The system according to any one of claims 7 to 30 wherein the composition
5 has a surface tension from about 25 to about 32 mN/m.
32. The system according to any one of claims 7 to 30 wherein the composition has a surface tension from about 28 to about 32 mN/m.
- 10 33. The system according to claim 19 wherein the composition comprises polyglyceryl-3-diisostearate, isopropyl myristate, sorbitan isostearate, stearic acid or a mixture thereof.

FIG. 1**FIG. 2**