

PM+: Cosmetics animal testing ban under threat

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Opinion Plus

The EU must ensure that cosmetic ingredients made in Europe are never tested on animals, argues Dr Julia Baines of PETA.



There was widespread celebration across Europe in 2013 when the EU's ban on cosmetic animal testing came into force.

But a statement released by the European commission and the European Chemicals Agency (ECHA) last October has destroyed the party atmosphere with a policy that flies in the face of the ban.

Under the guise of the REACH chemicals regulation (the world's largest animal testing programme), tests on animals are permitted for chemicals used exclusively in cosmetics where there is a possibility of workforce exposure during the manufacturing processes.

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For cosmetic ingredients used in other types of products, tests on animals are permitted regardless of any workforce exposure risk, inferring that the REACH regulation overrides the animal testing ban enshrined within the cosmetics regulation.

The position taken by ECHA and the commission means that experimenters may inject guinea pigs with lipstick ingredients to check for painful skin reactions; rats can be force-fed shampoo ingredients for weeks or months, causing sickness, convulsions, weight loss and death; and pregnant rabbits may be dosed with face cream ingredients to see whether their newborns will be deformed.

Shockingly, such tested ingredients can be used in products sold in Europe without violating the animal testing and marketing bans.

ECHA's and the commission's interpretation of the law is fundamentally flawed and undermines the ethical values of the cosmetics regulation.

One of the principle objectives of the cosmetics regulation is the protection of human health and it is clear from the legislative text that this is intended to be safeguarded in all situations, including in the workplace and in the home, without tests on animals.

Yet despite the fact that the only named exceptions to the ban are tests for assessing environmental risks, ECHA and the commission mistakenly claim that the cosmetics regulation excludes the protection of workforce health.

Their opinion is also inconsistent with the conclusions from a cosmetics-related legal case in 2005, in which the advocate-general of the European court of justice concluded that the ban on animal tests "applies equally to tests performed for the purpose of complying with other legislation".

Likewise, a 2013 commission report stated that testing carried out on ingredients used exclusively in cosmetic products would always be assumed to be conducted to meet the requirements of the cosmetics regulation.

This means that testing these particular ingredients on animals under REACH would violate the cosmetics testing ban.

Both ECHA and the commission have shredded the cruelty-free policies adopted by many compassionate companies leaving consumers unable to make an informed choice about purchasing cruelty free cosmetics.

The commission once explained that the criteria for manufacturers to claim that no animal tests had been conducted would require that the finished product and ingredients have not been tested on animals, including for purposes outside the scope of the cosmetic products legislation.

The commission must stick to its principles and allow 'cruelty-free' to truly mean that no animals have suffered and died for the product.

It is inexcusable that animals be subjected to experiments for cosmetic ingredients when there is

already a saturated marketplace and especially when most Europeans oppose using animals this way and are entirely unaware that the cosmetics testing ban has been betrayed.

Policymakers must uphold both the spirit and purpose of the cosmetics regulation by ensuring that cosmetic ingredients manufactured and marketed in Europe are never tested on animals under any circumstance, anywhere in the world.

About the author

Dr Julia Baines is the science policy advisor at People for the Ethical Treatment of Animals Foundation (PETA)

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