

Cosmetic Products Regulation: European Regulatory Modules with Worldwide Implications – The Animal Testing Ban

By Dr. Bhavika Patel, Toxicologist, CONUSBAT Regulatory Services

In 1993, the European Union implemented the first provisions for a marketing ban on cosmetic products tested on animals and took the lead in a world-wide process of phasing out animal testing for cosmetics. The 7th amendment to the EU's Cosmetics Directive, published in 2003, brought the prohibitions on performance of animal tests on finished products and on ingredients and combinations of ingredients, as well as on the sale of cosmetics products when the products or the ingredients have been tested on animals. The provisions are known as the 'testing ban' and the 'marketing ban'. The legal requirements entered into force in four stages between 2004 and 2013 and apply irrespectively of the availability of an alternative test.

The bans caused controversies, mainly because alternative tests were not fully available and are not even in 2018. Yet, five years after its full implementation the EU ban has demonstrated not only that animal-testing is unnecessary for a functioning cosmetics market but it has also been a chauffeur for business and innovation. Because of the ban, many cosmetics companies and scientists have stepped up their efforts to develop humane alternative tests. The results provided for an immense pool of new knowledge and skills and can be used not only to check the safety of cosmetics without forcing animals to suffer but also to extend the creativity options. Since the ban on animal-testing, the European cosmetics market has grown by eight percent and cosmetics companies have continued to refresh 20 percent of their product lines every year; a figure which has not been negatively affected by the ban.

Many countries around the world followed the EU by also ending the use of animals for cosmetics' testing and putting in place progressive, compassionate new rules. The second country to act was Israel. Between 2007 and 2014, Israel implemented bans on importation, marketing and sale of cosmetic products where the manufacturing process involved experimentation on animals.

In Asia-Pacific, India was the first nation to completely ban animal testing for cosmetics. Since 2014, in order to assure compliance with the new regulations, available non-animal tests were made mandatory. New Zealand amended its animal welfare legislation in 2015. The legislators reacted to international pressure and national campaigning and made it illegal to use animals for testing of finished cosmetic products or of ingredients that are intended for being used exclusively in cosmetics. South Korea implemented a five-year plan for animal welfare, including a ban on all animal testing for cosmetics and marketing of such products. As of 2018, it will mandate the use of non-animal tests for cosmetics where available. The Australian government will implement a national ban on cosmetics animal testing as a part of 2017-18 budgets.

In Turkey, the animal testing ban is effective since January 2015. Many other countries or states have made plans to either completely ban or to limit and regulate animal testing, as such Canada, Brazil, Argentina and California. It also includes China, where it is still mandatory to test imported beauty products on animals; yet in 2014, these requirements were removed for domestically produced cosmetic products.

Yet, many countries globally still allow animal testing for cosmetics and the marketing of products tested on animals. More than 500,000 animals worldwide are estimated to be used in cruel and unnecessary cosmetics testing each year. Not only would a global ban on animal testing of cosmetics



products and ingredients help to protect animals around the world, it would also support innovation and increase of knowledge for the beauty industry. By banning cosmetics testing on animals in 2013, Europe offered leadership. It was not only about protecting rabbits and rats from unnecessary suffering, but Europe reacted to a global obligation to reinforce humanity and empathy. A global ban would guarantee that no animal will unnecessarily suffer or die in questionable product testing ever again.