
The testing of cosmetics using animals: An RSPCA information paper

The use of animals to test cosmetics or their ingredients is now banned in the European Union.

By 2013, it will also be illegal to sell in the EU any cosmetics tested on animals elsewhere in the world.

The RSPCA is opposed to the use of animals for testing cosmetics products and ingredients, and campaigned vigorously for both the testing and sales bans. The Society will continue to campaign for the rigorous enforcement of these bans.



Facts and figures

➤ What is a cosmetic?

The definition of a cosmetic product as used in UK law, and throughout the European Union is wider than many people expect. As well as decorative make-up, it includes products designed to “clean, perfume and protect the body”. This definition incorporates soaps, bath and shower preparations (salts, foams, oils, gels), deodorants and antiperspirants, hair care products (shampoos, conditioners, sprays and colourants), shaving creams, foams and lotions, toothpaste and mouthwash, sun creams, anti-wrinkle products, face packs and hand lotions, as well as after-shaves and perfumes.

➤ What is 'cosmetics testing' and why is it done?

Over 5 billion cosmetic products are sold every year to some 380 million consumers in the European Union¹. EU laws require that all cosmetics are safe for people to use. Substances that go to make up these products are tested to see whether they are likely to harm people, or damage the environment when they are disposed of. Many of the tests that have traditionally been used involve animals. For example, rabbits and rats were used to assess whether a substance will cause irritation to the skin or eyes,

¹ Figures provided on the COLIPA (the European trade association representing the interests of the cosmetic, toiletry and perfumery industry) website - 'Cosmetic products: Caring and Protecting' section <http://www.colipa.com/site/index.cfm?SID=15588&LO=15596&OBJ=12428> (accessed 15/02/2006)

or cause illness if swallowed. Different tests were used to look at both short and long term effects, and in some cases whether substances cause cancer or birth defects.

Once an ingredient or product has been tested, it does not usually have to be tested again unless new concerns are raised regarding its safety. It is the development and demand for 'new and improved' (and safe) cosmetics that results in a continued requirement for testing.

➤ Can testing be done without using animals?

Some animal tests have been replaced in recent years by non-animal alternatives. For example, the irritant effects of chemicals can now be detected using reconstituted human skin instead of live rabbits. But many different tests are done on animals and non-animal methods for detecting some effects have not yet been perfected.

Before an alternative test can be widely used for safety testing, a standard way of doing the test must be agreed, and the new method must be shown to provide reliable and correct information about a wide range of chemicals. This process is called test *validation*.

Even when alternatives have been developed and validated, it can take years for them to be accepted as replacements for animals by the regulatory bodies. The RSPCA believes that ending animal testing of cosmetics should not have to wait until alternative test methods are available - we do not need more and more cosmetics. This position has now been adopted in EU law.

➤ The banning of cosmetics testing on animals

The RSPCA has campaigned long and hard to end the use of animals in cosmetics testing. In the UK, we welcomed the government's announcement in 1997 of a ban on the use of animals to test cosmetic *products*, and on cosmetics *ingredients* in 1998.

The legislation that governs cosmetics testing throughout the EU is the 1976 Cosmetics Directive (76/768/EEC).

Following vigorous campaigning over a number of years by the RSPCA and other animal protection organisations, a number of very important amendments to the Cosmetics Directive were adopted in 2003. These amendments instructed all EU member states to:

- ban the testing of cosmetic *products* on animals, with immediate effect;
- ban the testing of cosmetics *ingredients* on animals where an alternative, non-animal test could be used instead, and from March 2009 to ban the testing of cosmetics ingredients regardless of the availability of alternatives;
- ban the sale of any cosmetic where the product or its ingredients have been tested

² Data obtained from the COLIPA website - 'Questions and Answers' section http://www.colipa.com/site/index.cfm?SID=15588&OBJ=15757#cell_11497 (accessed 15/02/2006)

on animals after March 2009, or in the case of certain tests after 2013, regardless of where the testing was done.

This means that from March 2009, there should be no animal testing of cosmetics products or ingredients anywhere in the EU. In addition, companies are no longer allowed to test on animals outside the EU and then market the products inside the EU. However, there are exceptions for some types of test, where the sales ban does not apply until 2013.

➤ Is cosmetics testing on animals a thing of the past?

We need to be cautious. European directives have to be implemented by Member States of the EU, through their own national laws. In the case of the cosmetics bans this has been done by the UK, but it is not yet clear that all Member States have complied. To enforce the bans on cosmetics testing, each needs to have an effective system of licencing animal experiments, so that the use of animals in cosmetics testing can be prohibited.

Enforcing the sales ban may also be a problem. In the UK, this will be the responsibility of local Trading Standards Departments. It is not clear whether they will have access to all the information on testing, or if they will have the resources to check whether all cosmetics products and ingredients have not been tested on animals.

In addition, there may be difficulties in deciding whether an ingredient has been tested on animals purely so that it can be used in cosmetics. If it has other possible uses, it may be claimed that animal testing was necessary to satisfy other laws, such as the general chemicals law (see 'REACH - an RSPCA information paper').

The RSPCA will be monitoring the situation carefully and doing all it can to ensure that the bans on the use of animal testing for cosmetics are put into practice.

What you can do

Until it is clear that the bans on animal testing have been fully implemented, and are completely effective, (not possible before 2013 in the case of the sales ban) the RSPCA recommends that consumers only use products supplied by companies operating a '*cruelty-free policy*'.

The Society defines a '*cruelty-free policy*' as one where:

- The company manufacturing the cosmetic product does not originate, endorse or finance any form of testing on animals. This includes testing by the company themselves or through contractors at any stage of product development, production or marketing.



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- Their cosmetics must not contain ingredients tested on animals by or on behalf of the cosmetics industry, after a fixed cut-off date. This means the company uses only established ingredients which need no further animal testing, and no ingredients or products have been tested on animals for the purpose of developing the cosmetic after the stated cut-off date.
 - The policy includes a commitment to take whatever steps are morally necessary and legally or financially possible to achieve a reduction in, and eventual ending of animal use in industry. Funding research into humane alternatives to animals testing could be one way to help achieve this.
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