



HUMANE SOCIETY
INTERNATIONAL
UNITED KINGDOM

HOUSEHOLD PRODUCT TESTING

Humane Society International/UK Response to the Home Office Targeted Consultation

30th December 2011

HSI/UK welcomes the opportunity to comment on issues relating to the delivery of the coalition agreement commitment to end the testing of household products on animals. We recognise that under the Animals (Scientific Procedures) Act 1986 (ASPAs), the Secretary of State has wide discretion with regard to the granting of authority to carry out regulated procedures on animals and that the ASPA provides powers to amend existing licences and impose new conditions. We also understand that transposition of Directive 2010/63 EU on the protection of animals used for scientific purposes provides the UK Competent Authority with opportunities to develop additional policy options with regard to prohibiting the use of animals in regulatory testing when the purpose to which the product being tested may be put does not justify the use of animals.

Licence condition

In the Home Office targeted consultation (paragraph 5) it is proposed that a condition be added to relevant project licences stipulating that testing of finished household products is not permitted. However, earlier statements indicated that the coalition commitment would be met through prohibiting testing of both household products and their ingredients. In March 2011, the Lynne Featherstone provided a Parliamentary Answer (Citation HC Deb, 28 March 2011, c79W) stating that the prohibition “will apply to both finished household products and their ingredients, although in practice mainly the latter are tested”.

HSI/UK strongly supports the commitment to prohibit household product ingredient testing, and would be extremely disappointed to see the coalition policy weakened as proposed in the targeted consultation. Indeed, the proposal only to prohibit finished product testing would equate, in our view, to an attempt to mislead the public and abandon the original commitment.

As paragraph 6 of the consultation proposes exemptions from the already limited scope of the ban on finished product testing, the extent to which this policy could be seen as meaningless ‘window dressing’ is compounded. Finished product testing is most likely to occur when there is a chance that a product may cause adverse reactions in humans, so

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adding an exemption for this category of testing would in fact negate the proposed prohibition entirely.

Questions 1 and 2 – definition of ‘household product’

The working definition of a household product should include examples such as those given in the statement of 28th March 2011, which foresees explicit inclusion of “all products that are primarily intended for use in the home, including detergents and other laundry products, household cleaners, air-fresheners, toilet blocks, polishes, paper products such as infant nappies, paints, glues (and removers), other furnishing and DIY products and household pesticides”. It should also be made clear that both finished products and ingredients are included in the definition of substances subject to the animal testing prohibition.

Concluding comments

HSI/UK believes that in order to meet the coalition commitment a working definition of ‘household product’, as outlined above, and renewal of the commitment to prohibit animal testing of both finished household products and their ingredients, should be established in the shortest possible timeframe.

Once those elements are agreed, HSI/UK would expect implementation to focus on increasing the level of information on substances to be tested, prior to testing beginning. Effectively, the Home Office would need to receive information from companies detailing the likely uses to which substances will be put before any animal testing takes place. From there, where it is deemed likely that the substance will be used primarily in household products as defined, testing should be prohibited.

As the existing ban on animal testing of cosmetics ingredients (as required by Directive 76/768 EEC) already requires such information to be sought, and for decisions about when to prohibit testing to be made, we assume that applying the same mechanism to household product ingredient testing would suffice.

Under Article 38 of Directive 2010/63/EU, it is required that project evaluation, as applied to regulatory testing (see Articles 40 and 42), establishes that “the purposes of the project justify the use of animals”. Under the ASPA, Article 4 requires that “the Secretary of State shall weigh the likely adverse effects on the animals concerned against the benefit likely to accrue as a result of the programme to be specified in the licence”.

HSI/UK believes that the coalition agreement commitment to end the testing of household products on animals was rightly formulated in response to the widely held view that in the case of household products, the suffering caused to animals is not justified by the benefit to humans obtained by addition of new products and/or ingredients intended for use in the home.

We therefore believe that ending animal testing of household products and their ingredients is an appropriate response to public opinion and that the coalition agreement commitment should be acted upon without further delay. In addition, we believe it is appropriate for the Home Office to be in receipt of more information than is currently available on the purpose to which substances being tested will be put, so that Article 4 of the ASPA can be properly applied.