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Mr. Günter Verheugen
Vice President, European Commission
Commissioner for Enterprise and Industry
Rue de la Loi, 200
B-1049 Brussels
Belgium

Animal test and marketing bans for cosmetic ingredients

Dear Commissioner Verheugen,

Brussels, 11 March 2009

Today caring consumers throughout Europe and the world celebrate the long-awaited introduction of an EU-wide ban on animal testing of cosmetic ingredients, as well as the marketing of cosmetic products whose ingredients have been subject to animal testing, pursuant to the 7th Amendment of Directive 76/768/EEC (Cosmetics Directive). Humane Society International (HSI) and our more than 11 million supporters welcome this historic move, but request the Commission's urgent clarification regarding several important points.

Firstly, we recognise that Article 4a.2.1 of the Cosmetics Directive provides for a derogation of up to four years (i.e. until March 2013) in relation to the prescribed marketing ban should non-animal replacement methods be unavailable for three specific study types: 'repeated-dose toxicity, reproductive toxicity and toxicokinetics.' We note, however, that the Commission has begun to list studies such as skin sensitisation, UV-induced toxic effects, photo-allergy, and carcinogenicity as being subject to the 2013 deadline rather than 2009.¹⁻² Could you please clarify whether animal testing for the aforementioned health effects will indeed be subject to the 2009 deadline, as stipulated in the Cosmetics Directive?

Could you also please outline the steps the Commission has taken to monitor Member State enforcement of the 2004 ban on animal testing of finished cosmetic products and the marketing of cosmetics containing ingredients tested using animal methods when accepted non-animal (or reduction/refinement) methods are available? Finally, please could you outline your plans to enforce the 2009 ban once the recast of the Cosmetics Directive is complete?

I look forward to your prompt reply so that HSI may advise its European and international supporters regarding this important matter.

Very truly yours,

Troy Seidle
Director of Science Policy

¹ http://ec.europa.eu/enterprise/cosmetics/doc/antest/sec_2004_1210_en.pdf

² http://ec.europa.eu/enterprise/cosmetics/doc/antest/ecvam_2006-2007.pdf