



**EUROPEAN COMMISSION**

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

**Director-General**

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People for the Ethical Treatment of  
Animals (PETA)

**Subject: Reply to petitions on animal testing and cosmetics**

Dear Petitioner,

Thank you for informing us of your concerns on testing chemicals used in cosmetics on animals where there is a possibility of workforce exposure during the manufacturing process.

As you know, the EU Cosmetics Regulation No 1223/2009 prohibits the testing on animals of finished cosmetic products and cosmetic ingredients, as well as the marketing of finished cosmetic products and cosmetic products containing ingredients that have been tested on animals, where the testing was performed in order to meet the requirements of that Regulation.

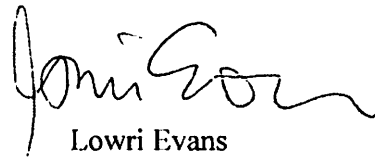
We fully understand your concern about unnecessary animal testing of cosmetic ingredients. On 21 September 2016, the European Court of Justice confirmed in its judgment in *EFFCI* case (C-592/14) that the placing on the market of finished cosmetic products containing ingredients that have been the subject of animal testing is prohibited. The Court stated that this prohibition in the Cosmetics Regulation also covers products containing ingredients that have been tested on animals outside the European Union where the test results are used for the purpose of their being imported from third countries and placed on the market in the Union. This is certainly an important and positive clarification.

As regards exposure of workers to chemicals during the manufacture of cosmetics, the EU legislator has not excluded that testing on animals might still be necessary as a last resort to meet the information requirements of the REACH Regulation. I would like to underline that this would serve the purpose to acquire data that would be needed to assess the risks to workers from such exposure and where this information cannot be provided by any other means. This could be particularly relevant when considering categories of vulnerable workers, e.g. pregnant women. In this context, with a view to having a better understanding of the problem you raised based on real life experience, we have recently

asked for more information from the European Chemicals Agency (ECHA) and from associations representing the cosmetics industry. We asked them whether test data from animal tests have actually been used in REACH registration dossiers for substances that are solely destined for use in cosmetic products. Based on the information received, no such case has emerged: until now it seems that registrants have not carried out or proposed testing on animals for such substances after the full animal testing and marketing ban took effect in 2013.

Please rest assured that we will continue to foster the spirit of the Cosmetics Regulation by ensuring full compliance with the ban applicable to animal testing in cosmetics products and ingredients across the EU.

Yours sincerely,



Lowri Evans