

HISAR SCHOOL

JUNIOR MODEL UNITED NATIONS 2022

“Endorsing Accountability: Reapproaching Neglected Urgencies”

Legal Committee

Addressing Legislations on Animal-Testing in the Cosmetics Industry

Alya Kaynak



RESEARCH
REPORT



Forum: Legal Committee (GA6)

Issue: Addressing legislations on animal-testing in the cosmetics industry

Student Officer: Alya Kaynak - Deputy Chair

Introduction

The cosmetics industry is responsible for coining the term “beauty”, hygiene and self-care. However, cruelty towards animals in the testing phases for beauty and self-care products is often overlooked. In 2021, the Humane Society estimated that 500,000 animals suffered and died as a result of testing methods whilst according to Cosmetri, in 2020 tens of millions of animals were used in the United States alone for cosmetics testing.

Fortunately, a lot of progress has been made since 1938 including bans on animal-testing methods in the cosmetics industry. Many international organizations such as the Humane Society International have organized campaigns advocating for animal welfare such as the “Be-Cruelty Free Campaign”. In the wake of Covid-19, governments’ attention has been focused on battling the pandemic, however animals used for testing chemicals remain a crucial issue in today’s world and should be addressed urgently.

Definition of Key Terms

Cosmetics: According to the definition of the FD&C Act, a cosmetic is any product “intended to be rubbed, poured, sprinkled, or sprayed, or introduced to or otherwise applied to the human body...for cleansing, beautifying, promoting attractiveness or altering the appearance” (Animal Welfare Institute). Common products include mascaras, lipsticks, and shampoo.

“Ordinary” and “Special Use” Cosmetics: China classifies “ordinary” cosmetic products as products that do not have claims such as skin-whitening, or anti-aging. “Special Use” cosmetics include sunscreens, and hair dyes.

Acute Toxicity Tests: Acute Toxicity tests are used to determine the effects of a single short-term exposure of a substance to a product or chemical.

Draize irritancy tests: The Draize irritancy tests are acute toxicity tests usually done on rabbits for “assessing the effects of chemicals, substances and mixtures in terms of their potential to cause eye irritancy or damage to the eye” (EU Science Hub).

General Overview



Figure 1: Rabbits restrained in laboratory for cosmetic testing

Animal-testing for cosmetics is considered ethically wrong, unreliable from a scientific point of view, and not cost effective. Animal-testing became common after World War 1 when regulatory bodies came into effect. Most regulatory bodies require a standard procedure where the safety of the products must be determined by the manufacturer. However, the Food and Drug Administration (FDA), for example, provides no specification on the methods of determining the safety of the cosmetic products. This leads to manufacturers using animals to discover the potential dangers of the chemicals used in products.

Regulatory bodies in some countries make it compulsory to use animals for testing purposes. Some of the common tests used on rabbits, rats, mice, and guinea pigs are the Draize irritancy tests, acute toxicity tests, skin sensitization tests, and carcinogenicity tests. These tests cause test animals extreme pain and suffering and no pain-relief drugs are given to the animals during test periods as there are no mandatory regulations that require so.

Animal-testing methods are old-fashioned and unreliable. Technological advancements such as computational programs that predict the dangers a chemical may pose and an increase in human cell cultures have provided better testing methods that yield more accurate results compared to animal-tests. A study found that results obtained from Draize irritancy tests were only 65% accurate compared to four-hour human skin-patch tests that were 75-80% accurate.

With the continuous recognition of animal rights from advocates, campaigns and Acts such as the Animal Welfare Act, governments were encouraged to pass legislations on banning animal-testing methods in the cosmetics industry. There are two types of animal-testing bans: Partial bans may prohibit the use of specific tests or animals for tests, or ban animal-testing for cosmetics production in a country completely. Full bans not only ban animal-testing completely in a country but also impose bans on the sales of products that were developed using animal-testing methods or imports from other countries that have not placed a ban on animal-testing methods. Around 40 nations have implemented partial or full bans on animal-testing methods.

The “Be-Cruelty Free” campaign, funded by the Humane Society International is the leading campaign for advocating the end of the suffering of rabbits, mice, guinea pigs and other animals used for testing

purposes. The campaign has received support from cosmetic companies such as Unilever, P&G, Avon and Estee Lauder. The campaign is also famous for its short-animation called “Save Ralph” that served to call out to European governments to put an end to all chemical laws requiring animal-testing methods.

Major Parties Involved and Their Views

United States of America

The United States of America remains one of the countries that have not banned animal-testing products. The FD&C Act does not specifically ask for animal testing methods to measure the safety of a chemical or cosmetic however there are currently no restrictions for using animals for test purposes. However, individual States such as Hawaii and Virginia have passed bills on banning animal-tested product sales. Another important Act that has been reintroduced in 2019 is the Humane Cosmetics Act that aims to impose a full ban on animal-tested products.

China

Until 2014, China made it mandatory for all cosmetics to be tested on animals before they could be sold. The new update divided cosmetics into two: ordinary cosmetics such as shampoo and special cosmetics such as sunscreens. As of now, animal-testing on ordinary cosmetics is not required including for imports but animal-testing is still required for special cosmetics.

The Humane Society International

One of the most important advocates for cruelty-free cosmetics, the Humane Society International works with Member States on developing programmes and campaigns, as well as international figures such as actors and singers to increase awareness on the issue. Legislations on bans are encouraged and funding for new test methods are provided by the organization.

Timeline of Events

1944	<i>Draize irritancy tests are developed</i>
1998	<i>United Kingdom bans animal testing for cosmetic products and ingredients</i>
2007	<i>Israel bans animal testing for cosmetic products and ingredients</i>

March 2013	<i>The full EU ban on animal-testing in the cosmetics industry (including the sales of products that were tested on animals). Norway also bans animal-testing in the industry.</i>
June 2014	<i>China removes the mandatory animal-testing regulation on “ordinary” cosmetic products such as shampoo and mascara</i>
2021	<i>Several states in the U.S (Hawaii, Maryland, Virginia, Maine and New Jersey) pass bills that prohibit the sale of animal-tested cosmetics</i>

Evaluation of Previous Attempts to Resolve the Issue

Even though around 40 countries have implemented bans on animal-tested cosmetics, the number of countries with full bans are still low. Without countries such as the US and China not passing bills on the issue encourage companies to use old-fashioned tests. Companies prioritizing profits over ethics are also an important factor that still causes the suffering of millions of animals.

Possible Solutions

Firstly, a majority of countries need to pass legislation for effectively tackling the issue. Delegates should increase efforts focusing on raising awareness through programmes, campaigns, collaborating with relevant NGOs such as the Humane Society International. Another way of encouraging countries to ban animal-testing methods is to fund research concerning developing test methods that are cruelty free. Organizations supporting scientists and other developers should be created. Conferences and meetings between nations on the issue should be regular as to devise financial plans for cosmetic companies and implement more comprehensive legislations.

Bibliography

“Humane Cosmetics Act.” *Animal Welfare Institute*, awionline.org/content/humane-cosmetics-act.

Center for Food Safety and Applied Nutrition. “Animal Testing & Cosmetics.” *U.S. Food and Drug Administration, FDA*, www.fda.gov/cosmetics/product-testing-cosmetics/animal-testing-cosmetics.

“Timeline: Cosmetics Testing on Animals.” *The Humane Society of the United States*, www.humanesociety.org/resources/timeline-cosmetics-testing-animals.

October, Posted Date: 14. “Animal Testing in Cosmetics.” *Cosmetri Software for Cosmetics Businesses*, 4 Jan. 2022, www.cosmetri.com/animal-testing-cosmetics/.

“Facts about Product Testing on Animals.” *PETA*, 10 Nov. 2021,
www.peta.org/issues/animals-used-for-experimentation/animals-used-experimentation-factsheets/product-testing-toxic-tragic/.