

## **Cosmetics Regulation and REACH – questions and answers on animal testing**

### **What does REACH say about animal testing?**

The European chemicals legislation REACH protects people and the environment from hazardous chemicals.

To make sure that chemicals are safe for people and the environment, we need information about their properties. To obtain this information, companies need to test chemicals – either on animals or by using alternative methods.

Animal tests are only needed if there is no alternative way to demonstrate safe use. The law requires companies to use alternative methods whenever possible – so companies should only ever test on animals as a last resort.

At the moment, it is only possible to systematically apply alternative methods and approaches for acute and short-term effects, such as eye irritation or bioaccumulation testing. Animal tests are often necessary for demonstrating long-term effects for human health and the environment. Unnecessary testing can, however, be avoided by sharing data or predicting from similar substances.

ECHA, Member State authorities and the European Commission work together to make decisions on testing of chemicals.

[More information](#)

### **How does ECHA promote alternatives to animal testing?**

ECHA works to minimise unnecessary testing on animals and promotes alternative test methods.

We:

- critically examine proposals from companies to test substances on animals;
- require companies to share data to avoid duplicate testing;
- support the development of computer modelling of data on substances which can be used as an alternative to testing; and
- provide advice to companies on relevant alternative methods to animal testing that are, or will become, available.

Our analysis shows that companies are making use of alternatives, sharing data and using adaptations foreseen under REACH, where possible, to avoid animal testing.

[More information](#)

## **Why can cosmetic ingredients still be tested on animals under REACH?**

The EU's Cosmetics Regulation aims at protecting consumers. It does not protect workers. To make sure that workers are not at risk, REACH requires safety data on the properties of chemicals they handle.

Workers at industrial sites may handle substances used in cosmetics products in great quantities, with higher concentrations and more frequently, leading to a higher exposure than consumers have. To protect the health of people working in that industry, animal testing may be required – but only if no alternative tests are available.

Also to protect the environment, animal testing may be required - but only if no alternative tests are available.

Overall, the testing and marketing bans in the Cosmetics Regulation do not apply to the following testing under REACH:

- for exposure of workers involved in producing or handling chemicals at industrial sites;
- for testing required for environmental endpoints; and
- for non-cosmetic uses of substances under REACH.

### [Interface between REACH and cosmetics](#)

#### [Factsheet](#)

## **What do the Board of Appeal decisions on cosmetics and REACH mean?**

In August 2020, ECHA's Board of Appeal published two decisions on the interface between REACH and the Cosmetics Regulation. These endorse the positions of ECHA and the European Commission from 2014 that the Cosmetics Regulation does not prohibit testing under REACH. Also an earlier decision from the European Ombudsman supports this interpretation.

The Board of Appeal analysed the interaction between the REACH and the Cosmetics regulations. The REACH Regulation does not contain an automatic exemption from the information requirements for registration if a substance is used only as an ingredient in cosmetic products. A registrant can benefit from an exemption only if it shows that the conditions for an adaptation (for example, a waiver for the studies) are fulfilled.

Likewise, the Cosmetics Regulation does not prevent registrants of a substance used as an ingredient in cosmetic products from carrying out studies on vertebrate animals pursuant to the information requirements in the REACH Regulation.

This is mainly because the Cosmetics Regulation does not protect the health and safety of workers handling the substances used in the production of cosmetics.

In any event, it is not the act of testing animals under REACH Regulation, but rather the use of the results of those testing that might lead to a marketing ban under the Cosmetics Regulation, if those results establish that the cosmetic product at issue is not safe.

[More information](#) (Board of Appeal decision)

[European Ombudsman in the Case 1130/2016/JAS](#)