

## **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, information about their properties is necessary. To obtain this information, the REACH Regulation requires companies to test chemicals – either on animals or by using alternative methods.

Animal tests are only required if there is no alternative way to fulfil the relevant REACH information requirement. 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 essential 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 Cosmetics Regulation only restricts vertebrate animal tests that are carried out “in order to meet the requirements of this regulation”.

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:

- if workers may be exposed to a substance while producing or handling it at industrial sites;
- for testing required for environmental endpoints; and
- for non-cosmetic uses of substances under REACH.

Cosmetics companies have the responsibility to prove that the chemicals they use are safe. If they cannot, then those substances should not be used in cosmetics.

### [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. In these decisions, the Board of Appeal found 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 company can benefit from an exemption only if it shows that the legal conditions for an adaptation (for example, a waiver for the studies) are fulfilled.

The Cosmetics Regulation only restricts vertebrate animal tests that are carried out “in order to meet the requirements of this Regulation”. 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.

The act of testing a substance on animals under REACH Regulation is not prohibited. A cosmetic product may, however, end up being banned if the results of those tests show that it is not safe.

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

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