



# HUMANE SOCIETY

## LEGISLATIVE FUND™



## FACT SHEET

# Support The Humane Cosmetics Act (H.R. 6207/S. 3357)

Introduced by Sens. Booker, Portman, Hickenlooper, Collins, and Rosen; Reps. Beyer, Buchanan, Tonko, Calvert, and Cardenas

Over the last 20 years, cosmetic companies have significantly reduced their use of animals for testing in favor of non-animal alternatives, which are more relevant to public health and cost-effective. In order to remain competitive in a changing global market, the American cosmetic industry will have to adopt these humane testing methods. The Humane Cosmetics Act would prohibit the manufacture and sale of animal-tested cosmetics in the United States, making sure that only safe products, tested with cutting-edge technology, enter the American market.

### **Animal Testing Methods Are Outdated**

Companies can create products using thousands of available ingredients that have a history of safe use and do not require new testing. For new cosmetic ingredients where animal testing may currently be used, many non-animal methods have been, and continue to be, developed. Many of these alternatives have already been formally accepted by regulatory bodies as partial or full replacements for existing animal tests.

### **Non-Animal Methods Are More Cost Effective**

Non-animal methods are often more cost-effective than animal tests. Given that many current animal-intensive tests often cost hundreds of thousands of dollars or more per test, these alternatives likely represent a cost-reduction for cosmetic manufacturers. Furthermore, companies stand to lose money if they cannot sell their products in countries that have already banned imports of animal-tested cosmetics.

### **Animal Testing is Unreliable and Ineffective**

Animal tests have scientific limitations because different species can respond differently when exposed to the same chemicals. Consequently, results from animal tests may not be relevant to humans, under- or over-estimating real-world hazards to people. In addition, results from animal tests can be quite variable and difficult to interpret. Unreliable and ineffective animal tests mean consumer safety cannot be guaranteed. In contrast, non-animal alternatives can combine human cell-based tests and sophisticated computer models to deliver human-relevant results in hours or days, unlike some animal tests that can take months or years.

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## At a Glance

The bill:

- ◆ Would make it unlawful to conduct or contract for cosmetics animal testing in the United States.
- ◆ Prohibits selling, offering for sale or knowingly transporting any cosmetics in interstate commerce if they were developed or manufactured using cosmetics animal testing.



- ◆ Limits a manufacturer's ability to use information from animal tests carried out to meet safety requirements for ingredients also used in non-cosmetics products.
- ◆ Requires the Food and Drug Administration (FDA) to create a strategic plan for developing and approving non-animal test methods and strategies.
- ◆ Prohibits the use of cruelty-free labels if new animal test data is used to substantiate the safety of a cosmetic.

There are more than 1,000 cosmetics brands (and growing) in North America that do not test final products, formulations or ingredients using animals. [More than 300 stakeholders in the cosmetics industry and the Personal Care Products Council and its more than 600 member companies](#) have endorsed the Humane Cosmetics Act. In 2018, California became the first state in the country to prohibit the sale of animal-tested cosmetics. Today, eight states (CA, NV, IL, VA, MD, ME, NJ, and HI) have enacted similar legislation limiting the sale of animal-tested cosmetics.

### **American Voters Support Ending Cosmetics Animal Testing**

A 2013 public opinion poll conducted by Lake Research Partners and commissioned by HSUS and HSLF found that: 73% of American Voters would favor Congress enacting legislation that would begin to phase out and eventually end new animal testing for cosmetic products and ingredients. In fact, a majority of voters (55%) say they would favor this legislation *strongly*. Three in four voters say that they would feel safer, or as safe, if non-animal methods were used to test the safety of a cosmetic instead of animal testing. According to a recent Nielsen poll, 57% of respondents said that the most important cosmetics packaging claim was “not tested on animals” and 43% said that they would be willing to pay more for cruelty-free products. In addition, more than 112,000 Americans have signed a pledge in support of an end to animal testing for cosmetics and the sale of new cosmetics that have been tested on animals in the U.S.

### **Why is Testing Still Done on Animals for Cosmetics?**

Most companies test cosmetics and their ingredients on animals simply because that is the way it has always been done. They may also test cosmetics ingredients to comply with chemical testing laws across the globe and China may still require some animal testing for foreign companies importing products into the country.

### **What is a Cosmetic? And who regulates them in the US?**

Examples include things like skin cream, perfume, lipstick, nail polish, eye and facial makeup, shampoo, and hair color. Products normally labeled as cosmetics are classified as drugs when a medical claim is made. This proposed bill would not affect products that FDA has labeled as drugs. FDA was granted regulatory authority over cosmetics under the Federal Food, Drug and Cosmetic Act (FFDCA) enacted in 1938. Under the FFDCA, cosmetic companies are responsible for substantiating the safety of their products and ingredients before marketing. The FDA does not require animal testing to prove that cosmetics will not cause injury.

### **Worldwide Rejection of Animal Testing for Cosmetics**

On March 11, 2013, the European Union (EU) finalized a ban on using animal tests to determine the safety of cosmetics by also banning the sale of cosmetics tested on animals, creating the world’s largest cruelty-free cosmetics marketplace. The ban compelled cosmetic companies around the world to end animal testing and invest in the development of alternatives in order to sell in the EU. Similar bans have also been enacted in Israel, Norway, India, Switzerland, Iceland, and Mexico. Nearly 2 billion people can now buy cosmetics that will never be tested on animals again. New Zealand, South Korea, Taiwan, Turkey, Guatemala, Colombia, and Australia have passed laws to end or limit cosmetic animal testing. Ten states in Brazil have banned animal testing for cosmetics and Rio de Janeiro became the first to also prohibit the sale of animal-tested cosmetics. Similar measures are in development or under consideration across the globe including in Chile, Canada and South Africa. In China, where animal testing has historically been required for all finished product formulations, the Chinese Food and Drug Administration removed the mandatory animal testing of ordinary cosmetics domestically produced as of 2014 and issued new regulations in May, 2021 that may open a door for the import of cosmetics tested without animals.

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## **SAVE RALPH**



Rabbits, guinea pigs, mice and rats have substances forced down their throats, dripped into their eyes, or smeared onto their skin before they are killed. Examples of tests include:

- ◆ Skin and eye irritation tests where chemicals are rubbed onto the shaved skin or dripped into the eyes of restrained rabbits without any pain relief.
- ◆ Repeated force-feeding studies lasting weeks or months to look for signs of general illness or specific health hazards such as cancer or birth defects.
- ◆ Widely condemned “lethal dose” tests, in which animals are forced to swallow large amounts of a test chemical to determine the dose that causes death.

*Watch the acclaimed stop-motion animated film [Save Ralph here](#) to see into the life of a lab rabbit tested on for cosmetics.*