

8 August 2017

Committee Secretary
Senate Standing Committee on Community Affairs
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Parliament House
Canberra ACT 2600

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Dear Chair

Supplementary submission - Inquiry into Industrial Chemicals Bill 2017 and related Bills - Animal testing ban

RSPCA Australia made a submission to the inquiry on 14 June 2017 proposing amendments to the *Industrial Chemicals Bill 2017* to tighten loopholes in the application of the proposed ban on the use of animal test data to support the introduction of chemicals used in cosmetics. RSPCA Australia Senior Policy Officer Dr Jed Goodfellow also presented to the Committee at the public hearings held in Melbourne on 26 July 2017.

We were concerned to read in the Department of Health’s submission to the Inquiry that the majority of introduced chemicals using animal test data are introduced for multiple purposes, as depicted in the below table relying on 2014-15 data. This was also confirmed by Mr Craig Brock of Accord in response to questioning from Senator Watt at the public hearing -

‘It is rarely the case that our industry, the cosmetic industry, would have just specific ingredients for the specific purpose of being used in a cosmetic.’

(Page 24-25 of Hansard transcript of evidence).

While it is pleasing to see that the vast majority of introductions do not use animal test data, it is concerning that of the introductions that do, 79% (or 11 out of 14) are for multiple purposes and will therefore avoid the application of the Bill’s proposed ban as it only applies to those chemicals used ‘solely in cosmetics.’ If this drafting remains the ban will only apply to 21% of introductions using animal test data (or 3 out of 14).

	Chemicals introduced 2014-15	Number using animal test data (derived post EU ban)
Cosmetic use only	4,269	3
Multiple uses	2,889	11
TOTAL	7,158	14

Profile of Chemicals Introduced under Australian Regulatory Arrangements - National Industrial Chemicals Notification Scheme (NICNAS) using 2014-15 data

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Based on the Department's data, we also question the veracity of the claim that the proposed ban will apply to 99% of the cosmetics introduced into Australia (see page 9 of the Department's submission). As shown in the table, over 99% of the introductions do not use animal test data so it is somewhat misleading in our view to claim that the ban applies to these introductions.

A ban that only captures 21% of relevant introductions is not sufficient and cannot be described as a 'ban' at all. To close the evident loopholes, and to ensure that the proposed ban does what it is claimed to do, we propose that the words 'solely in cosmetics' be removed from ss.103 and 168 of the Bill and replaced with 'for a cosmetic end use.' We note this is in line with the proposed amendments contained in the joint submission of Humane Society International and #BeCrueltyFree dated 14 June 2017.

Yours sincerely,

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