

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

**Additional Estimates 13 & 15 February 2013**

**Question:** E13-018

**OUTCOME 1:** Population Health

**Topic:** International Bans on Testing Cosmetics on Animals

**Type of Question:** Written Question on Notice

**Senator:** Senator Rhiannon

**Question:**

EU legislation already prohibits the use of animals in safety testing of cosmetics produced throughout the EU. In March this year, an EU ban on the sale of cosmetics produced in other countries will come into force. Given Australia is an important market for cosmetics companies, what is the Australian Government doing to ensure Australia doesn't become a dumping ground for cosmetics produced by companies that persist in using out-dated and cruel animal tests?

**Answer:**

As part of the Australian Government's framework for managing chemical safety, the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) assists in the protection of the Australian people and the environment by assessing the effects of industrial chemicals, including those used in cosmetics. NICNAS already has in place a number of provisions which can be utilised to minimise the use of animal testing for new cosmetic ingredients:

- NICNAS does not require the testing of each cosmetic product. Only new ingredients to be used in cosmetic products are notified to NICNAS and assessed to determine their safety, for both public health and the environment.
- NICNAS' approach to the assessment of new cosmetic ingredients is dependent on the predicted risk associated with their use. NICNAS only requires a full suite of health effects information on those chemicals considered to warrant more in-depth assessment (e.g. those introduced in high volumes and/or at high concentrations).
- Under the *Industrial Chemicals (Notification and Assessment) Act* (the IC(NA) Act) NICNAS has the ability to waive certain information requirements where the introducer can provide alternative data to enable an adequate risk assessment to be conducted. These alternative data could be from non-animal tests, from computer models which predict hazard, or data from animal testing which has previously been conducted on similar chemicals. To ensure safety standards are not compromised, it is important that data from computer models or non-animal tests can be demonstrated to give accurate and reliable information through a validation process.
- For health effects which have validated non-animal tests, such as skin and eye irritation, NICNAS currently accepts this information in lieu of animal testing results.

The Australian government, through NICNAS, is an active participant in the activities of the Organisation for Economic Co-operation and Development (OECD), which develops test guidelines for the conduct of toxicity tests. The OECD considers animal welfare in the development of these test methods and has looked at ways of replacing the use of animals, reducing the number of animals in tests and refining the test methods to reduce pain and distress wherever possible. Once a new alternative test method has been validated it is included in the OECD Test Guidelines.

While the European Union ban applies to new chemical ingredients used solely in cosmetics, many cosmetic ingredients are used for a range of other purposes and therefore animal testing to ensure their safety is likely to be conducted to meet the requirements of these other regulatory frameworks, even in Europe. The continued importation of cosmetics that contain new ingredients which have been tested on animals does not create a risk for consumers, because the current legislation regarding the assessment of cosmetic ingredients explicitly aims to protect the health of the Australian public, and the environment in which they live.