

(English version)

**Question for written answer E-002727/24
to the Commission**

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(3 December 2024)

Subject: Ban on animal testing and revision of the REACH Regulation

Regulation (EC) No 1223/2009 on cosmetic products bans animal testing of ingredients and finished cosmetic products. However, in August 2020, the Board of Appeal of the European Chemicals Agency issued two important decisions on two UV filters used in sun creams: homosalate and 2-ethylhexyl salicylate, which are thought to be endocrine disruptors.

The REACH Regulation does not prevent testing on vertebrate animals, even if the substance being tested is used exclusively as an ingredient in cosmetic products. The above reversal of the legal position, combined with the ban on the ‘not tested on animals’ claim, endangers the integrity of the cruelty-free market.

1. Does the Commission intend to finally implement the 2009 ban on animal testing, both for ingredients and for finished cosmetic products?
2. Is the Commission planning to revise the REACH Regulation to bring it in line with the Cosmetics Regulation?
3. Will the Commission encourage investment in alternative testing methods that are ethical and innovative and do not use animals?

Submitted: 3.12.2024

Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(18 March 2025)

Placing on the market of cosmetic products or products with ingredients tested on animals for the purpose of meeting the safety requirements of the Cosmetic Products Regulation (CPR) ⁽¹⁾ is prohibited. The ban under the CPR has been fully implemented since 2013.

Cosmetics ingredients are also subjected to the regulation on registration, evaluation, authorisation and restriction of chemicals (REACH) ⁽²⁾, which may require animal testing, only as a last resort, to address risks to the environment or to workers ensuing from manufacturing the substances.

Such risks are not covered by the CPR. Judgments ⁽³⁾ on legal challenges of the decisions of the Board of Appeal confirmed that the request of the European Chemicals Agency (ECHA) to test the two mentioned substances does not violate the animal testing ban under the CPR.

The understanding of ECHA and the Commission on the relationship between the two regulations is also made public in a communication ⁽⁴⁾ and an ECHA factsheet ⁽⁵⁾.

Phasing out animal testing is a priority of the Commission, as highlighted in the response to the European Citizens' Initiative ‘Save cruelty-free cosmetics — Commit to a Europe without animal testing’ ⁽⁶⁾.

The roadmap towards phasing out animal testing for chemical safety assessments, which the Commission is preparing, will lay out actions aiming to reach this goal.

The Commission also remains strongly involved in the European partnership for alternative approaches to animal testing ⁽⁷⁾. It will continue to stimulate investments in alternative methods. More than EUR 1 billion in research funding was provided in the EU in the last 20 years for this purpose.

⁽¹⁾ Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (Text with EEA relevance), OJ L 342, 22.12.2009, p. 59-209.

⁽²⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), OJ L 396.

⁽³⁾ Judgments of 22.11.2023 in cases T-655/20 (<https://curia.europa.eu/juris/liste.jsf?num=T-655/20&language=en>) and T-656/20 (<https://curia.europa.eu/juris/liste.jsf?language=en&num=T-656/20>).

⁽⁴⁾ COM(2013) 135: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013DC0135>

⁽⁵⁾ ECHA-14-FS-04-EN: https://echa.europa.eu/documents/10162/13628/reach_cosmetics_factsheet_en.pdf/2fbcf6bf-cc78-4a2c-83fa-43ca87cfb314

⁽⁶⁾ Communication C(2023)5041 — https://single-market-economy.ec.europa.eu/system/files/2023-07/C_2023_5041_1_EN_ACT_part1_v6.pdf

⁽⁷⁾ https://single-market-economy.ec.europa.eu/sectors/chemicals/european-partnership-alternative-approaches-animal-testing_en

The Commission is also exploring opportunities to further reduce animal testing in the context of the forthcoming REACH revision.
