

OPINION OF THE SCIENTIFIC COMMITTEE ON COSMETIC PRODUCTS AND NON-FOOD
PRODUCTS INTENDED FOR CONSUMERS

OPINION

CONCERNING

A CONSULTATION ON THE PROGRESS IN DEVELOPING SATISFACTORY
METHODS TO REPLACE ANIMAL TESTING

adopted by the SCCNFP on 29 July 2002
by means of the written procedure

1. Background

The current text of Cosmetics Directive 76/768/EEC foresees a marketing ban of cosmetic products containing ingredients or combinations of ingredients tested on animals after 30 June 2002. The conditions laid down in Commission Directive 2000/41/EEC postponing for the second time the entry into force of this marketing ban have not been met today as the 7th Amendment of the Cosmetics Directive has not been adopted.

In view to allow the finalisation of the 7th Amendment in a coherent legal context, it would be convenient to propose, for a transitional period, a new postponement of the entering into force of the marketing ban.

Cosmetics Directive 76/768/EEC Art. 4 n° 1(i) stipulates that before submitting such measures, the Commission will consult the Scientific Committee on Cosmetic Products and Non-Food Products intended for the Consumer (SCCNFP) *“if there has been insufficient progress in developing satisfactory methods to replace animal testing, and in particular in those cases where alternative methods of testing, despite all reasonable endeavours, have not been scientifically validated as offering an equivalent level of protection for the consumer, taking into account OECD toxicity test guidelines”*.

2. Terms of Reference

In the “Mandate for SCCNFP specific working group on alternative methods, for the safety evaluation of cosmetic ingredients” given on 13.8.1998 to the SCCNFP, it is laid down, that :

“upon request, the SCCNFP shall advise the European Commission on the status of alternatives to animal testing in cosmetics on an on-going basis and in particular, in accordance with Article 4,1(i) of the EU Cosmetics Directive 76/768/EEC”.

Within this mandate - to advise the European Commission on an ongoing basis - the SCCNFP has recently adopted during the 20th plenary meeting of 4 June 2002 a memorandum on “The actual Status of Alternative Methods to the Use of Animals in the Safety Testing of Cosmetic Ingredients”, doc. n° SCCNFP/0546/02, final.

In order to finalise the 7th Amendment in a coherent legal context, the SCCNFP was asked to respond to the following question :

Can the memorandum on “The actual Status of Alternative Methods to the Use of Animals in the Safety Testing of Cosmetic Ingredients SCCNFP/0546/02, final” adopted at the 20th plenary meeting of 4 June 2002 be considered as the basis for the statement that there has been insufficient progress in developing satisfactory methods to replace animal testing, and in particular in those cases where alternative methods of testing, despite all reasonable endeavours, have not been scientifically validated as offering an equivalent level of protection for the consumer, taking into account OECD toxicity test guidelines?

3. Opinion of the SCCNFP

One of the tasks of the Scientific Committee on Cosmetic Products and Non-Food Products intended for consumers (SCCNFP) is to advise the European Commission on the status of alternative methods to animal testing of cosmetics on an on-going basis and particularly, in accordance with Art. 4,1(i) of Council Directive 76/768/EEC, last amended by Council Directive 93/35/EEC of 14.6.1993.

The SCCNFP therefore closely follows the scientific developments of alternative methods by academia, industry and public institutions and this in a broader context in order to identify the alternative methods that are applicable to the safety evaluation of cosmetic ingredients and finished products. Also scientific discussion meetings are organised with ECVAM and COLIPA scientists to evaluate the results of pre-validation and validation studies and their applicability to the cosmetics sector.

During the 20th Plenary meeting of 4 June 2002, the SCCNFP adopted a memorandum concerning the actual Status of Alternative Methods to the Use of Animals in the Safety Testing of Cosmetic Ingredients. The aim of this memorandum is not to discuss the existing techniques but to present the committee's view on the actual status of alternative methods to the use of animals in the safety testing of cosmetic ingredients.

As a result, and in response to the present mandate, the SCCNFP states that the above-mentioned memorandum (doc. n° SCCNFP/0546/02, final) should be considered as the basis for the statement that there has been insufficient progress in developing satisfactory methods to replace animal testing, and in particular in those cases where alternative methods of testing, despite all reasonable endeavours, have not been scientifically validated as offering an equivalent level of protection for the consumer, taking into account OECD toxicity test guidelines.