



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies
Health Technology and Cosmetics

Brussels,
GROW/D/4/EP/bi
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**Subject: Reply to petitions on animal testing and cosmetics
(Ares(2016)4683654)**

Dear Petitioner,

Thank you for informing our Directorate-General of your concerns that, on the basis of the REACH Regulation, the European Commission and the European Chemicals Agency (ECHA) still insist on testing chemicals used in cosmetics on animals where there is a possibility of workforce exposure during the manufacturing process, despite the ban on animal testing under Regulation (EC) No 1223/2009 (the Cosmetics Regulation).

Firstly, let me remind you that the Cosmetics Regulation prohibits the testing on animals of finished cosmetic products and cosmetic ingredients, as well as the marketing of finished cosmetic products and cosmetic products containing ingredients that have been tested on animals, to meet the requirements of that Regulation.

Secondly, testing on animals might still be necessary as a last resort to meet the information requirements of the REACH Regulation, but only where such data are needed to assess the risks from exposure to workers and where this information cannot be provided by any other means.

Thirdly, you might be aware of the *EFFCI* case (C-592/14) which is currently pending before the Court of Justice of the EU. The Commission has taken note of the Opinion of Advocate-General Bobek, as issued on 17 March 2016, which raises aspects of the interface between the Cosmetics Regulation and the REACH Regulation and its testing requirements. However, the Court has not yet delivered its judgment in this case which is expected for 21 September 2016. Once it has been published, the Commission will carefully assess any conclusions to be drawn from the judgment.

Yours sincerely,

Salvatore D'Acunto
Head of Unit