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Cosmetics and animal testing in Australia

0:00:02 - (A): This episode will focus on the impact of the Australian Industrial Chemical Scheme (AICIS) and animal testing. It is current as of July 2020. Humane Society International estimates that around 500,000 animals, mainly rabbits, guinea pigs, hamsters, rats and mice, suffer and die in cruel and outdated tests of cosmetic ingredients or products, every year around the world. Rabbits, guinea pigs, mice and rats are the most common animals used to test cosmetics, subjected to having cosmetic chemicals dripped in their eyes, spread on their shaved skin or force fed to them orally in massive, even lethal doses.

0:00:47 - (A): Most standard animal tests were developed decades ago and have either never been validated or have actually failed retrospective validation. Companies can prove their products are safe by using established ingredients. There are, for example, almost 20,000 ingredients in the European Union's database for which safety data is available. For new ingredients, there are many alternative tests validated by the Organisation for Economic Cooperation and Development. (The OECD).


0:01:18 - (A): Alternative testing methods can test acute toxicity, skin irritation or corrosion, eye damage or irritation and genetic toxicity. So how does the testing differ in animals and non-animal models? Instead of basing safety assessments on observed pathologies in animals, it should be based on an understanding of the concentrations that cause changes in normal cellular signalling pathways that lead to adverse effects.

0:01:47 - (A): Validated alternatives include, in vitro testing methods which use reconstructed tissues whole cells or parts of cells, in silico methods which includes computer simulations of effects based on chemical structure and physical properties and read across methods, where the effects for one chemical are predicted, using data for the same effect from another chemical which is considered to be similar in terms of chemical structure, physicochemical properties or bioactivity.

0:02:18 - (A): Historically, cosmetics were not tested on animals in Australia, but if a new chemical ingredient is proposed to be used in a cosmetic product, it was legal for the new ingredient to be tested on animals. Whilst animal testing for cosmetics did not generally take place, many cosmetic brands imported into Australia do test on animals. For these reasons, HRA, along with other organisations, has been campaigning for a ban on cosmetics testing on animals in Australia.

0:02:50 - (A): Has this ban been achieved? In short, the answer is no. There is a restriction on the use of new animal test data, not a full ban. I will explain why now. In February 2019, the Australian Senate passed the Industrial Chemicals Act 2019 designed to ensure that chemicals used in consumer products are safe for consumers and the environment. It is part of a package of acts and establishes a legislative framework for the new Australian Industrial Chemicals Introduction Scheme.

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0:03:28 - (A): The AICIS scheme started on 1 July 2020. Animal testing for cosmetics is only a tiny part of the act. The main focus of the act is on industrial chemicals in the workforce and consumer health issues. In this respect, it differs from previous bills proposed with a specific focus on banning cosmetic testing on animals, such as the End Crawl Cosmetics Bill 2014. Under the new legislation, industrial chemicals for sole use in cosmetics can be imported or manufactured only if they provide safety data that do not rely on new animal testing.

0:04:07 - (A): This provides a disincentive for companies to conduct toxicity safety testing on animals because such data will not be acceptable under the new legislation. However, to reiterate, this scheme regulates both cosmetics and industrial use chemicals. Chemicals in Australia are regulated according to their use. AICIS regulates chemicals with an industrial use. The way AICIS defines industrial use is by exclusion.

0:04:38 - (A): So, a chemical is an industrial chemical if it's not for a therapeutic, food, agricultural or veterinary use. These are regulated by other bodies. A cosmetic is defined as a substance that is designed to be used on any external part of the human body or inside the mouth to change its odours, change its appearance, cleanse it, keep it in good condition, perfume it or protect it. Cosmetics include a wide range of products.

0:05:06 - (A): They include hair dyes, bath bombs, soaps, moisturisers, perfumes and lipsticks. Chemicals for human therapeutic use, such as medicines, are regulated by the Therapeutic Goods Administration. Very few finished cosmetic products contain 100% sole use purpose ingredients, which means that the majority of cosmetics, household and cleaning products are still at risk of being subjected to animal testing for therapeutic, agricultural, food or pharmaceutical purposes.

0:05:43 - (A): So, examples of these chemicals are Triclosan, it's an antibacterial agent commonly used in household cleaning products, but also using cosmetics such as deodorant, soap and toothpaste. Citric acid is used in multiple industries such as food, cosmetics and cleaning products. Unfortunately, most chemicals, sorry, most cosmetics are formulated using both sole and multi end use industrial chemicals.

0:06:11 - (A): In essence, from 1 July 2020, the use of new animal test data will be restricted for introductions of chemicals that have an end use in cosmetics. This includes chemicals that will have an end use solely in cosmetics and chemicals that will have multiple end uses. It is not even a complete ban on using the data from animal testing because there are so many exemptions. Exemptions which permit use of new animal test data include where the data show a hazard and where there is no alternative for environmental hazards.

0:06:44 - (A): There is read-across information from non-cosmetic chemicals or where pre-approval has been given to use new animal test data. That one only applies if the chemical has an end use in addition to cosmetics. So, under AICIS there is a reduced reliance on animal test data. There are also

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many loopholes. I will summarise these now. New animal test data are any data that was obtained from tests conducted on animals on or after 1 July 2020.

0:07:16 - (A): Companies can continue to use existing animal test data that was obtained from tests conducted prior to the 1st of July 2020, so that means a consumer can buy a product that was tested on animals prior to July 2020. Cosmetics already existing on the market are not affected by the ban and will still be on sale. The act and accompanying rules only relate to chemical ingredients of cosmetics, not to the finished products.

0:07:42 - (A): However, the next edition of the Australian Code for the Care and Use of Animals for Scientific Purposes will include provisions related to ingredients in cosmetic products as well as cosmetic products. The National Health and Medical Research Council is working with state and territory governments to incorporate an animal testing ban for cosmetic products in their legislation through changes to the animal ethics code.

0:08:10 - (A): And the other loophole which I have already mentioned is that if the ingredient has a dual use cosmetic and industrial chemical, an exemption may apply. So, the legislation specifies that any new chemical manufactured in or imported into Australia and used solely as cosmetic ingredients will not be able to use information from animal testing to prove safety. However, new cosmetic ingredients may also have other industrial uses.

0:08:38 - (A): These are known as multi use chemicals, for example perfumes and scents, using cosmetics and cleaning products. These multi use ingredients are excluded from the ban. Looking at labelling there are mandatory requirements for ingredient labelling of cosmetics, but this does not extend to whether the ingredients have been tested on animals or not. DHHS is working with the cosmetics industry to develop a voluntary code of practice.

0:09:07 - (A): The code will guide promotional claims about animal testing that can or cannot be made on cosmetic products. This will include an information package for consumers and industry. A number of commitments were made to the Choose Cruelty-Free campaign that was a coalition made up of Humane Society International, Choose Cruelty-Free and Humane Research Australia and we are still waiting for many of the commitments that were made that had been sought in order to secure our support for the bill.

0:09:46 - (A): So, the key commitments we are still pushing for are, further limitations to use of animal data or multi use ingredients, declaration of compliance, publication of statistics, facilitating the uptake of new animal non animal methods and funding towards alternative approaches. Now looking at the relevance to other fields of animal research that we can take from this legislation and the approaches used in cosmetics testing, some of the approaches used in toxicology and regulatory testing could be applied to biomedical research, for instance, adverse outcome pathways which are

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constructed to portray existing knowledge, eg identifying the molecular initiating event and intermediate mechanisms underlying these effects.

0:10:34 - (A): By using this framework, it could be possible to gather existing knowledge about signalling pathways that are perturbed at the onset and during the consolidation of a certain disease and to link genetic determinants, lifestyle and environmental factors with adverse health effects. This approach is supported by Biomed 21 (biomedical research for the 21st century) which uses this framework to study human pathologies, drawing information from observational perspective, epidemiological and interventional studies conducted in human patient cohorts.

0:11:09 - (A): The challenges in part due to the broader societal acceptance of biomedical research as a necessary evil. Whilst consumers can choose to avoid cosmetics products tested on animals, this is not possible with drugs and medications so there's less consumer pressure brought to bear. Drivers to change with toxicity testing have been collaboration between regulators, academics, governments and pharmaceutical companies realising that animal testing is expensive, time consuming and unreliable.

0:11:40 - (A): In 2010, the FDA, NIH and Defence Advanced Research Projects Agency issued a request for applications for novel research and science-based technology and funded one of the largest efforts for organ on a chip development. Such investment is required to incentivise alternatives to animals in biomedical research. A comprehensive ban need not be at the expense of human safety. Disallowing the use of chemicals based on there being insufficient safety data, i.e. no valid non animal or alternative tests will provide an incentive for the government and research community to invest further resources into the development of non-animal tests.

0:12:20 - (A): As you can see, this is a complex issue and there is more work required on the government's part to educate consumers on the scheme and to honour commitments made during the passing of the act which have yet to be realised. We urge those wishing to make cruelty free choices to use their purchasing power wisely. More than 1000 beauty products are certified cruelty-free globally on the Choose Cruelty- Free list.

0:12:45 - (A): Please consult this list before making a purchase.

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