



终止动物残忍 Be Cruelty-Free

China



HUMANE SOCIETY
INTERNATIONAL



中国青年动物保护联盟



中国动物保护
记者沙龙

China Animal Protection Media Salon

China & Cosmetics Animal Testing FAQ

Be Cruelty-Free: Ending Cosmetics Animal Testing

Be Cruelty-Free is the dynamic global campaign from [Humane Society International](#), already driving legislative change in the top 12 global cosmetics markets — Australia, Brazil, Canada, China, Europe, India, Japan, Korea, New Zealand, Russia, and in the United States via our sister organisation The HSUS. Working with national partner groups, cruelty-free cosmetics companies, consumers, regulators and scientists, *Be Cruelty-Free* aims to promote humane innovation as a best practice globally, creating a world where no animal has to suffer for the sake of cosmetics.

China and animal testing for cosmetics

Animal testing for cosmetics is banned across the European Union, Norway, Israel and India. Thanks to *Be Cruelty-Free* campaigning, there are also legislative bills for testing and/or sales bans in Australia, Brazil, New Zealand, Taiwan and the United States. In China, however, the law has required that a sample of every new cosmetic product formulation intended for domestic sale be submitted to the government for (predominantly animal-based) testing. The government also carries out post-market animal testing of cosmetic products after they've been put on sale.

So what will change from 30 June?

Following *Be Cruelty-Free China* campaigning, on 6 November 2013, China's FDA announced plans to modernise its cosmetics regulatory framework, including phasing out mandatory animal testing for new, domestically-manufactured ordinary cosmetic products. This comes into effect from 30 June 2014.

Does this mean China has banned animal testing for cosmetics?

No, and this remains *Be Cruelty-Free China's* ultimate goal that we will continue to campaign for. However, it is the first time that China has amended its cosmetics testing rules in more than 20 years, so it's pretty significant.

What does it mean then?

From 30 June 2014, companies manufacturing ordinary, or "non-special-use", cosmetics inside China will no longer be legally required to conduct, or provide samples of new products to the government for, animal testing. Instead, they now have the option to provide a product risk assessment using ingredient safety data, including when necessary the results of validated and internationally recognized non-animal test methods.

Does this apply to all cosmetics?

No. The amendment does not apply to cosmetics manufactured outside of mainland China for sale inside China. Nor does it apply to "special-use cosmetics" such as hair dyes, antiperspirants, sunscreens or skin-whitening products.

Does this mean cruelty-free companies can now sell in China?

No. Firstly, the new change only applies to companies manufacturing cosmetics inside China for sale in China. For most cruelty-free companies, manufacturing inside China is not an option. As the rule change does not yet apply to cosmetics imported into China from third countries, foreign cruelty-free companies would still be subject to pre-market finished product animal testing requirements. The potential exception from the pre-market requirement would be if a foreign company bulk imported all its ingredients into China and manufactured the products in China, which would meet the Chinese definition of a domestic product. However, this scale of manufacturing is unlikely to be a viable option for most companies. Moreover, animal testing for individual raw ingredients would only be avoided if the ingredient was already listed on the government's official Inventory of Existing Cosmetics Ingredients in China (IECIC).

Secondly, and regardless of any changes to pre-market testing, the Chinese government still carries out post-market animal testing of cosmetic products. This is where cosmetics are chosen at random and removed from shop shelves for "confirmatory" animal testing (i.e., to confirm that the product on sale to consumers is the same as the formulation approved for sale). Chinese authorities have indicated that they intend to increase the level of post-market testing following the 30 June policy change for domestically manufactured non-special-use cosmetics, to ensure a consistent level of consumer protection. Thus, even if a cosmetic company manages to avoid pre-market animal testing, it is impossible for it to guarantee it will also avoid post-market animal testing, and indeed the risk of post-market animal testing remains high. HSI believes that until this is no longer the case, no cosmetics company can sell its products in China and credibly purport to be cruelty-free.

What about e-commerce?

Pre- and post-market testing requirements do not apply to cosmetics ordered by customers via an e-commerce website if the website and fulfilment is outside of mainland China, and products posted direct to the customer in China. So, a cruelty-free company could sell products to Chinese customers via a website without concern for animal testing.

What about selling in Chinese airports?

Although Chinese law does not explicitly waive the animal testing requirement for cosmetics sold as duty free in its airports, in practice such pre-market animal testing may be avoided. However, there is no such routine exemption from post-market animal testing. Therefore, cosmetics sold as duty-free in China's airports still risk being subject to random post-market animal testing by the Chinese government, and as noted above, the level of post-market testing is likely to increase from 30 June. This means that cruelty-free companies cannot sell in Chinese airports and guarantee that their products will never be animal tested, with or without their knowledge.

Will foreign-owned cosmetics companies manufacturing and selling in China now be able to be cruelty-free?

No, for two reasons. Firstly, to avoid pre-market animal testing, a company would have to 1) produce only "non-special-use" cosmetics, 2) rely exclusively on ingredients already listed in the Inventory of Existing Cosmetics Ingredients in China (ICCEC), and 3) be able to carry out a full product risk assessment based on existing ingredient data. Cruelty-free companies utilise the many thousands of existing, safe cosmetics ingredients, which is how they develop new products without new animal testing. However, not all of these ingredients are necessarily listed in the 2014 ICCEC, meaning that regardless of their history of safe use in other parts of the world, such use may not be permitted in China without an extensive safety dossier, which may require new animal testing to satisfy Chinese regulatory requirements. This is especially so for many of the market leading cosmetics brands, which choose to develop or purchase and use "new-to-the-world" ingredients in order to give them market

advantage. Such ingredients will not have pre-existing safety data, and because non-animal test methods do not yet exist for all toxicity endpoints, such as chronic health concerns, for which data may be required by regulators — or equally, that not all available non-animal tests are yet accepted by China — some new animal testing would almost inevitably be conducted in accordance with Chinese regulations for new chemicals. And secondly, there is still the problem of post-market animal testing.

So in summary, what animal tests will be required in China after 30 June?

All newly imported “non-special-use” cosmetics, such as shampoos and lipstick, will still be required to undergo pre-market animal testing by Chinese laboratories, including the following specific tests:

- Eye irritation
- Acute skin irritation
- Repeat skin irritation

Chinese companies producing non-special-use cosmetics for sale in China will now have the option to satisfy regulatory safety requirements for finished products without new animal testing if they are able to substantiate product safety based on ingredient data. Although this is standard practice in most parts of the world, it has never before been permitted in China, and it is unclear whether Chinese companies have the training or experience to conduct such ingredient-based risk assessments. Moreover, if a company uses a new ingredient for which no existing data are available, animal testing will be required.

Both foreign imported and domestically produced “special-use” cosmetics are subject to the following tests for all finished products:

- Eye irritation
- Acute skin irritation
- Repeat skin irritation
- Skin sensitisation
- Skin phototoxicity (could be in vitro or in vivo)

“Non-special-use” cosmetics manufactured in China for export purposes only do not have to undergo any animal testing under Chinese law.

If cosmetics animal testing hasn’t ended in China, why is this rule change important?

It’s very important, because it demonstrates that the Chinese government is receptive to moving in the right direction, away from animal testing. Change in China will inevitably be slower paced than elsewhere; it will be incremental, rather than sweeping changes. But this rule change is the very first time in more than 20 years that China has made a substantive amendment to its cosmetics regulation. Seen within the global context of a general shift away from animal testing, it is important that we acknowledge this as a first step in a multi-step journey towards ending cosmetics cruelty in China.

What’s next for *Be Cruelty-Free China*?

Our long-term goal remains a complete end to cosmetics animal testing in China. Our next immediate campaign priority is to see China’s new rule change extended to also apply to foreign-imported “non-special-use” cosmetics, to provide a level playing field for all companies, as required by the World Trade Organization. Alignment of regulatory definitions of “ordinary” and “special-use” cosmetics among leading markets will also minimize needless animal testing as a non-scientific trade barrier. HSI will also continue to work with the authorities to increase access to and training in the latest non-animal test methods.

The China FDA has already indicated to HSI that it intends to explore expansion of the rule in this way, possibly within the next few years. We will also campaign for removal of animal use in any post-market testing that continues to be carried out. Ultimately, we will press policy makers to implement a full ban on animal testing for cosmetics in China, as we have in the European Union, Norway, Israel and India.

Humane Society International and its partner organisations together constitute one of the world's largest animal protection organisations. For more than 20 years, HSI has been working for the protection of all animals through the use of science, advocacy, education and hands on programs. Celebrating animals and confronting cruelty worldwide – on the Web at [hsi.org/becrueltyfree](https://www.hsi.org/becrueltyfree).