Cosmetic products: animal experiments (7th amend. to "Cosmetics Directive" 76/768/EEC)

2000/0077(COD) - 14/02/2002 - Council position

The Council's Common Position corresponds with the Commission's amended proposal, especially concerning the provisions to improve health and consumer protection. However, concerning the issue of animal testing, the Council has made changes to the Commission proposal. The Common Position of the Council has been adopted with a qualified majority. The Common Position of the Council includes most amendments of the European Parliament aiming at improving health and consumer protection, already included in the Commission amended proposal. Furthermore, as requested by the European Parliament, it includes specific provisions on substances classified as carcinogenic, mutagenic or toxic for reproduction. Concerning the issue of animal testing, the Council shares the aim of abolishing animal testing as soon and whenever possible. However, the Common Position incorporates a new approach. Concerning the EU testing ban on ingredients, the Council has rejected the idea of any fixed cut-off date for its total implementation, as it would compromise the health and safety of consumers. The Common Position provides for a stepwise approach, based on the 3 Rs principle (replacement, refinement and reduction) and links the progressive implementation of such a testing ban to the availability of alternative methods, including those which reduce the number of animals used or diminish their suffering. In addition, it reinforces the regulatory framework to ensure that scientifically validated alternative methods are effectively used when they exist. Concerning the marketing ban, the Common Position provides a marketing ban on cosmetic products when the final product or its ingredients have been subject to animal testing, but links the progressive implementation of such a ban to the existence of alternative testing methods accepted at international level within the framework of the OECD, to reinforce the multilateral character of the measure.