

How to Create a More Responsible Cosmetic Industry



*Ways to End Animal Testing, Incorporate Ethical Alternatives
and Build Trust Among Brands*

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Executive Summary

The cosmetic industry has been known to use propaganda and misinformation in an effort to appear more sustainable and ethical to its consumers. This is especially true when it comes to animal testing. With the lack of cohesive global regulation around defining "cruelty free" cosmetics, brands have the freedom to interpret this term in a number of different ways. Additionally, brands may use similar terms such as "vegan" and "organic" on its products, confusing or overwhelming the public. By focusing on new legislation, expanding visibility for ethical brands and campaigns and increasing an emphasis on consumers' desire to end animal testing, the cosmetic industry can become more responsible and transparent.

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05. In Summary

01. Introduction and Problem Statement:

The cosmetic industry has a complicated past with a variety of responsibility challenges. It has made false promises of improvement or completely ignored calls for change. Issues such as unjust stereotypes or a lack of sustainability have been put on the back burner for many brands in this industry. These social and environmental issues continue to plague the industry even in 2020. In particular, the cosmetic industry has faced extreme backlash due to the use of animal testing. With so many areas to improve, many ask if this industry can ever be responsible. Some argue that change is not possible, and even if it occurs, it will be too late or only in the interest of monetary gain. Others point to a more optimistic future that is on the horizon for this industry.

As stated by the Humane Society, the Food and Drug Administration (FDA) defines cosmetics as “articles intended to be applied to the human body for cleansing, beautifying, promoting attractiveness or altering the appearance without affecting the body’s structure or functions,” which include facial makeup, creams and lotions, nail polish and shampoo. While all of these products may seem very different, they are all the same in that animal testing is either legal, acceptable or required on these products. In the United States for instance, animal testing is not required for cosmetics. On the other hand, the Chinese government conducts mandatory animal tests on all cosmetics imported into its country as well as possible tests on items pulled from store shelves. This lack of cohesive and consistent regulation around animal testing poses particularly challenging issues for various brands in the cosmetics industry.

For example, if a company does not test its own products on animals in the United States, it cannot be considered “cruelty free” if it sells its products in China given the possibility of random animal testing. Couple this lack of consistent legislation with the prioritization of capitalism for brands or the belief that many hold that animals are a lower species than humans, inherently granting them less rights, and the cosmetic industry is provided with the evidence to support its unethical practices.

If the cosmetic industry wants to begin to turn the tide on becoming responsible, the use of animal testing is a change that will need to be a priority. Ultimately, animal testing practices should be eliminated throughout all points in the production and manufacturing process. This places a large responsibility on brands and companies to do its due diligence in its research, changing its protocols and assuring its consumers that its products are “cruelty free,” meaning that animal testing cannot be used. In the end, cosmetic brands must be proactive about making these changes to help the industry at large become more ethical, humane and responsible. A responsible cosmetic industry without animal testing will ultimately require new legislation and regulations, expanded visibility for ethical brands and campaigns and an increased emphasis on an existing consumer desire to end testing.

02. Background:

a. *What is Animal Testing?*

Animal testing in the cosmetic industry typically encompasses three different types of tests. The first test is a skin and eye irritation test. In this type of test, chemicals are rubbed or dripped onto shaven skin or in the eyes of animals. The animals do not receive any pain relief and are often constrained. The second type of test is repeatedly force-feeding animals. These often last extended periods of time, such as over multiple months. In this test, the long-term health risks of animals are observed, like the development of diseases or terminal illnesses. Lastly, a lethal dose test may be performed. In this test, animals are forcibly fed lethal doses of these chemicals to study how ingestion affects them. All of these tests may ultimately cause extreme pain, harm or death to the animal.

b. Use of Animal Testing in the United States and Globally

In the United States, products such as pharmaceuticals, cosmetics and detergents are first tested on animals; testing is regulated by the Animal Welfare Act (AWA) of 1966 and enforced by the U.S. Department of Agriculture (USDA). The purpose of these restrictions is to assure standards are met with regards to animal experimentation. More specifically, the 2002 Farm Security Act, an Amendment to the AWA, excluded purpose-bred or animals purposely bred for experimentation from AWA protection, such as rats, birds and mice. Given this amendment, the AWA does not protect a large portion of animals used in research in the United States.

The AWA does require a company or institution that uses protected species to have an Institutional Animal Care and Use Committee (IACUC) to ensure it remains in compliance with the AWA. This committee, which must have at least three members and meet a list of qualifications, reports to the NIH Office of Laboratory Animal Welfare (OLAW). More specifically, the Office of the Laboratory Animal Welfare (OLAW) is beneficial as it applies to more species than other regulations. However, inspections are only done after a brand or company is reported or suspected of malpractice.

In 2013, the European Union banned animal testing in the production and marketing of cosmetics. In addition, India, Israel, Norway and Switzerland passed similar laws. This effects brands and companies in the cosmetics industry as they cannot sell their products in these countries, even if they are subject to animal testing in other locations, such as the United States or China. It was not until recently that China stopped requiring testing for imported products. As of May 1 2021, the National Medical Products Administration (NMPA) will allow international companies to avoid mandatory animal testing if they prove its country-of-origin, the product is not for children and if the product does not have raw materials that are not on the areas approved raw materials list (Enjoli, 2021).

COMPANIES THAT HAVE PAID FOR ANIMAL TESTING TO SELL IN CHINA	
<ul style="list-style-type: none">• Maybelline• OPI• Mary Kay• Elizabeth Arden New York• NARS Cosmetics	<ul style="list-style-type: none">• Victoria's Secret• Clinique• Bobbi Brown Cosmetics• Benefit Cosmetics• Clarins

c. Why Animal Testing Should be Banned

Cosmetic companies and brands should not use animal testing for a number of reasons. Primarily, this practice violates the rights of the animals used. In an article from Lone Star College, Tom Regan, a professor at North Carolina State University, stated, "Animals have a basic moral right to respectful treatment...This inherent value is not respected when animals are reduced to being mere tools in a scientific experiment." Like humans, animals can experience pain and are not able to give consent before being forced to participate in testing. Another reason why animal testing should not be used is because test conclusions are not necessarily applicable

to humans. This is due to the fact that all species react differently to products and chemicals, ultimately making results inconclusive. Lastly, animal testing is not necessary as a variety of alternatives are available. Safe, natural alternatives that do not use animal byproducts may include ingredients such as bananas or nut oil. As well, alternatives that do not use animal testing include the use of synthetic cellular tissue or artificial skin, as well as computer simulations.

03. Situation Analysis: Way to Improve Responsibility of Cosmetic Industry

a. New Legislation & Regulations for Brands

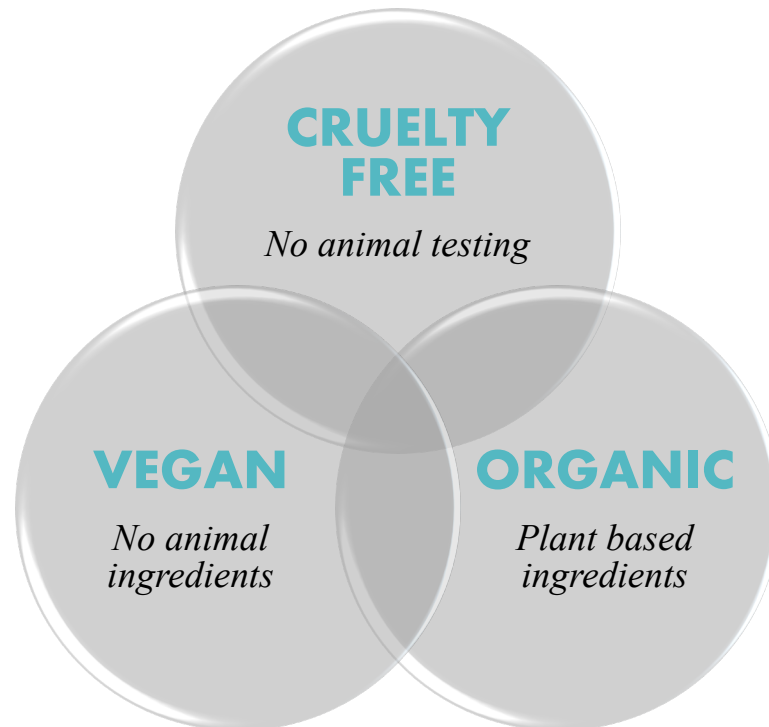
One way to end animal testing and ultimately improve the responsibility of the cosmetic industry is by implementing new legislation. Just this year in January 2020, regulations have been adopted in California, Nevada and Illinois against animal testing in cosmetics. In an article from the Associated Press, Senator Melanie Scheible stated, “We’re not trying to create an island out here in Nevada... We are trying to join a group of other communities that have stood up and said, ‘We don’t support animal testing.’” Recent legislation will also be made public in Hawaii, Maryland, New Jersey, New York and Virginia. Activists and state officials hope these changes can create momentum on a national level and propel a nationwide ban on animal testing. Since 2014, a law against animal testing has been in front of Congress, with little progress made. This shift could even influence companies and brands, as well as the government in China, to put an end globally to animal testing.

b. Expanded Visibility for Ethical Brands and Campaigns

Another way to curb animal testing in cosmetics is by giving visibility to this issue and expanding ethical brands and campaigns. A new campaign from The Humane Society of the United States and Humane Society International are committed to doing just that. The campaign titled, “Be Cruelty Free,” hopes to eliminate animal testing for lipstick and shampoo. They believe that with heightened visibility and conversation around this issue, it may push the introduction of the Humane Cosmetics Act. If this were to be achieved, it would prohibit animal testing for cosmetics in the U.S, as well as the import of animal tested cosmetics. The campaign also hopes to inspire other regulators to adopt similar legislation in areas such as Asia and South America.

c. Increased Emphasis on Consumer Desire to End Testing

A third way to cease animal testing in an effort to improve responsibility in the cosmetic industry is by having brands listen to and use consumer insights. Many consumers have already sought out alternatives or “cruelty free cosmetics” as they are safe and ethical. Millennials in particular are fueling this desire for vegan and “cruelty free” products to ensure what they are using is not tested on animals. These products mean that they do not test on animals or use them in the manufacturing process, nor do they use animal byproducts such as beeswax, honey, collagen or horsehair. In 2017 alone, this market was worth \$12.9 billion. This emphasis by millennials can also be seen as roughly 12% of millennials identify themselves as vegetarians or vegans, indicating that their preference for vegan cosmetics would carry over in a wholistic lifestyle approach. By 2025, it is projected that the global vegan cosmetics industry will grow 6.3%, reaching \$20.8 billion U.S. dollars.



For many consumers, the best way to know what level of ethical standard their cosmetic products are is to check all ingredient lists, product labels/logos and certifications. The most commonly used description for cosmetic products is “natural,” as a product can be as little as 1% naturally sourced and use this description. While “cruelty free, vegan and organic” are more sufficient labels, it is important to check all packaging and company credentials on platforms such as its website.

- For **cruelty free cosmetics**, consumers should look for the **Leaping Bunny Logo**. This internationally used logo stands for no animal testing during the development process of that product. According to Leaping Bunny Org., companies must pay a one-time licensing fee and pledge to not use animal testing after a particular date.
- For **vegan cosmetics**, consumers should look for the **Vegan Society Logo**. Since 1990, this trademark has represented that a product does not contain any animal ingredients. On the Vegan Society website, it states that there are currently over 53,000 products worldwide with this recognition.
- For **organic cosmetics**, consumers should look for the **Soil Association COSMOS NATURAL Logo**. Products with the COSMOS logo assures that: no animal testing; no GM ingredients; no controversial chemicals; no parabens and phthalates and no synthetic colors/dyes/fragrances were used.



For example, in the photo below, the product label can be found on the back of the product, towards the top. A full ingredient list is also present. A list of what the product does not contain may be helpful at a quick glance. Together, all of these features make for a clear understanding of what this brand does and does not do during its sourcing and manufacturing processes.



04. Recommendations

a. *Opting for Alternatives to Animal Testing*

By eliminating animal testing and turning to safer, more ethical alternatives, the cosmetic industry would take one step closer to becoming more responsible. One alternative that brands may use rather than testing on animals is testing on synthetic skin tissue. For example, EpiDerm is a synthetic tissue made by the U.S. corporation MatTek. This synthetic skin is created from cells taken from skin donated procedures such as breast reduction surgery. Products can be applied to synthetic tissue to determine skin irritation, damage, sensitivity or other issues. Some of the largest brands in the cosmetics industry which use this technique include Avon, Unilever and Procter & Gamble. Another alternative available to brands is in-vitro techniques. These tests are performed in controlled environments outside of living organisms, like under a microscope or in a test tube. These samples are also commonly donated from surgery patients. A third alternative is the use of human volunteers, as seen in other industries like the medical field with vaccines. This option could be used at an advanced stage in the process. It also gives reliable

results on how these products effect humans. Lastly, computer models are a viable alternative to animal testing that can predict damage through simulation. Computers are already frequently used to interpret and map data in the industry.

This recommendation would be beneficial for brands to adapt as it is truly the only way to achieve “cruelty free” cosmetics. If safe, alternative methods were to be adopted, it would provide consumers piece of mind while shopping for their cosmetic products. Additionally, it would help brands become more responsible and ethical, potentially attracting new customers who are looking specifically for “cruelty free” products. New brands have the luxury of establishing its production processes on alternative practices, while existing brands can invest the time, money and energy into revising and improving existing methods. If an existing brand wants to be truly courageous while adapting animal-free methods, it may even halt production until safe, non-animal alternatives become used. Although this may hurt its sales, this decision will send a clear message to consumers on how dedicated the brand is to becoming the best version of itself that it can be. In the chart below, companies that do not test on animals can be seen:

COMPANIES THAT DO NOT TEST ON ANIMALS	
<ul style="list-style-type: none"> • 365 Cosmetics • Soap & Co. • REN • Dermalogica • Milani • Smashbox Beauty Cosmetics 	<ul style="list-style-type: none"> • elf • Kiss My Face • Lush • Nature’s Gate • NYX • Pacifica Cosmetics

b. Using Environmental Scanning to Examine How Other Brands Communicate Clearly

One cosmetic brand that has been proven to be responsible is Zao Organic Makeup, which is completely “cruelty free.” This brand prides itself on not testing on animals or using animal byproducts. It is also a certified vegan company. Zao was founded on the value of “respect for the animal world.” On the brand’s website, it states, “For the sake of respect of all living creatures, none of our finished products or our raw materials are tested on animals. We excluded the use of ingredients of animal origin, such as beeswax and cochineal (red pigment).” Also on its website, Zao’s values can be clearly found with clear and concise headlines, which include:

- “100% Natural Formulas”
- “Preferred Organic Agriculture”
- “Respect for the Animal World”
- “Sustainable Packaging”
- “Sustainable Beauty Products”
- “Plant Sciences Laboratory”
- “Factory Ethics”

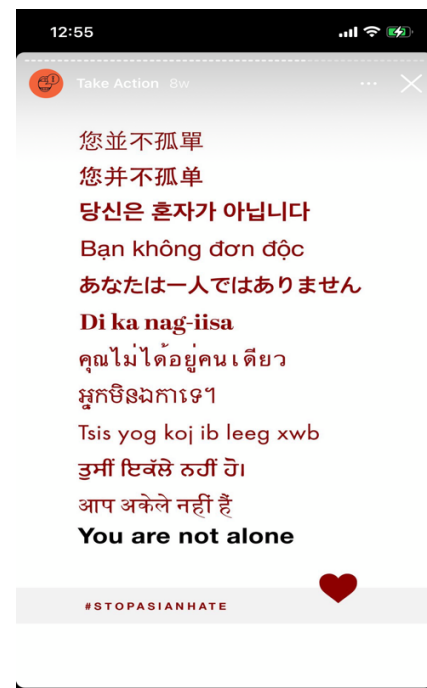
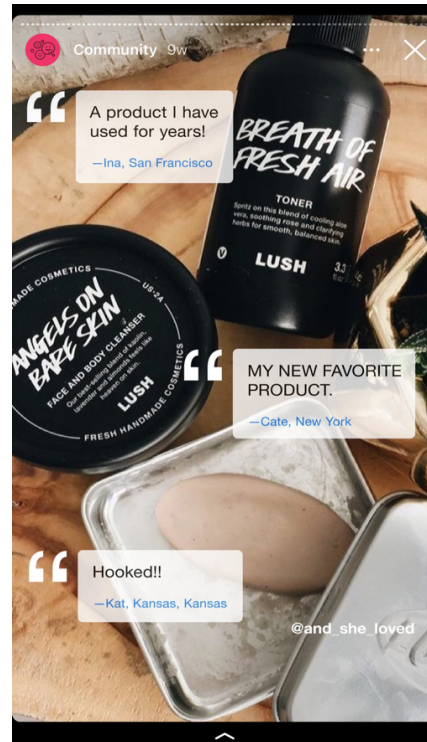
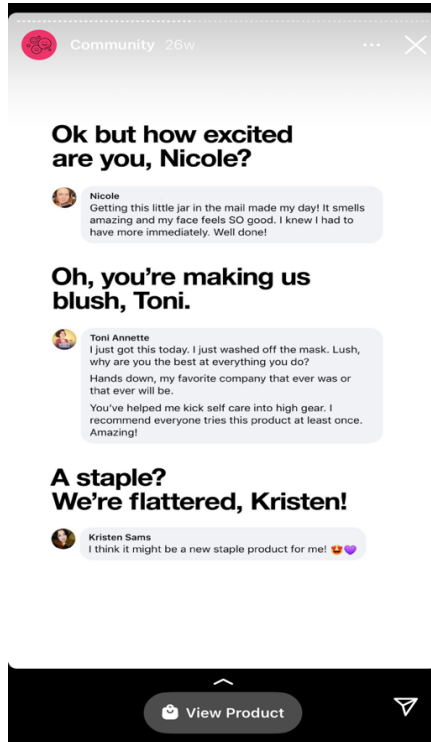
After examining how Zao presents its founding values and mission statement, this is a recommendation all brands should abide to. If brands want to truly be purpose-driven, they must be value-centered and incorporate its mission into everything that it says and does. Although it

may be tedious in terms of consistency across all brand platforms, it is essential that consumers are given the same messaging and can see a common thread. For example, this could be done through social media, packaging/shipping materials, advertisement materials or its website. On its social media platforms, brands may post a series of photos explaining its founding values. Additionally, its mission statement can be incorporated into its bio on platforms such as Instagram. On its packaging and shipping materials, its mission statement can be the focus of the user experience. On its website, its values and mission statement can be found in an “About Us” or “Our Story” tab to provide views with more information.

c. Utilizing Social Media to Create a Community of Like-Minded Consumers

As previously mentioned, consumers are deeply invested in the cruelty free cosmetics movement. This is especially true for younger generations who are at the forefront of this revolution. Lush Cosmetics, a brand that is very well known for its efforts against animal testing, provides a great example of an existing brand that uses social media to engage like-minded consumers. But, the brand also backs up its words with serious action around ending animal testing. For example, it has created the “Lush Prize” in 2012, which awards prizes for Science, Training, Lobbying, Public Awareness and Young Researchers to continue doing their work around safe non-animal alternatives. As well, its “Charity Pot Body Lotion” donates 100% of the purchase price to human rights and animal protection grassroot groups. On social media, Lush reinforces its views with the work that it is doing through stories, reels and posts. In the “Community” story highlight, stories from real users are reposted which express what they think of its products. Product reviews from users show their first name and where they are from, creating a friendly, casual tone. Lush also actively comments back to users who comment on its posts with personalized messages. Lastly, Lush engages in conversations and topics on its social platforms that its consumers would be passionate about, such as voter turnout during the election in 2020.

This recommendation was selected because consumers are the ones holding brands to a higher standard of responsibility. Without the push from consumers, many brands may feel as though they can continue their unethical practices around animal testing. Lush and many other brands have realized the power of trust that brands must establish with its consumer base. Many of the most popular brands even outside of the cosmetics industry has adopted this mentality. Some brands have become bigger than life through engaging its consumers in quality content, educating them on its practices and informing them of important brand news. This buy-in both benefits the brand, but also consumers as they feel a sense of comfort in knowing that their voice is heard and listened to by their favorite brand. Attached below are screenshots from Lush that demonstrate posts in their “Community” highlight showcasing product reviews from real customers as well as posts of important issues and topics that its consumer base cares about:



05. In Summary

While the cosmetic industry has had its fair share of problems, some of which have not yet been addressed, it is easy to see that consumers are creating a push for brands to be better. They are becoming more interested in where their money is going and what brands they invest in. Lead by younger generations, brands are beginning to have to back up their words with authentic action and transparent communication. While some brands have been slow to change

their old habits of using animal testing or paying other companies to test for them, others have recognized this demand. For example, existing brands have revamped their practices and products. As well, new brands have been founded completely on this ethical basis. Ultimately, consumers must continue to push the cosmetic industry to achieve new levels in responsibility. They must demand brands to be resilient and committed to social good. And, they must insist that brands place purpose above profit.

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