

## MEDIA RELEASE

### **Consultation opens for a 2-yearly review of the Accord 'Voluntary Industry Code to Support the Australian Ban on Testing Cosmetics on Animals'**

Feedback from all interested parties is now being sought as part of a 2-yearly review of this voluntary industry Code.

The purpose of this consultation and review is to ensure the Code is up-to-date and to identify any areas where its clarity could be improved.

The Code provides the cosmetics industry with guidance on both Australia's animal test ban and 'not tested on animals' advertising claims and was officially launched in late May 2021.

To help inform participation in this consultation process, Accord has released a detailed consultation and review brief. This is attached and is additionally available on-line within the Accord website at <https://accord.asn.au/sustainability/voluntary-industry-code-on-animal-test-ban/2-year-consultation-and-review/>.

Copies of the Code can be found at <https://accord.asn.au/sustainability/voluntary-industry-code-on-animal-test-ban/>.

If you are interested in responding to the consultation, we encourage you to carefully read the brief and provide comments that address the scope of the consultation.

All comments and feedback should be emailed to [animaltestcode@accord.asn.au](mailto:animaltestcode@accord.asn.au).

Please note that this **consultation closes on 12 January 2024**.

13 November 2023

*Media inquiries – Craig Brock, Policy and Public Affairs Director, 0422 363 646*



## VOLUNTARY INDUSTRY CODE TO SUPPORT THE AUSTRALIAN BAN ON TESTING COSMETICS ON ANIMALS

### 2-year consultation and review

#### Consultation Background

The voluntary Code was officially launched on 28 May 2021 via a joint media release from then Minister Coulton, Assistant Minister Wood and Accord Australasia. It fulfilled the Australian Government's policy commitment to *'...work with the cosmetics industry, in consultation with key animal welfare stakeholders, to develop a voluntary code of practice on the sale of cosmetics after the introduction of the ban'*.

The Code's primary policy focus was on *'...promotional claims that can and cannot be made on cosmetic products in relation to the ban'*.

Additionally, the Code provides the Australian cosmetic industry with guidance on the operation of the ban on the use of new animal test data, which came into effect on 1 July 2020. The following graphic describes the Code's function in relation to its best practice guidance on advertising claims:



Section 7.2 of the Code specifies that Accord will *'conduct a formal review of this Code every 2 years after its release to assess the effectiveness of the Code and any required changes to its provisions, including as a result of changes to laws, industry practices and/or consumer expectations.'*

**This consultation, along with a separate but related industry survey on Code awareness and guidance, aims to inform this 2-yearly review of the Code. Submissions from interested parties are sought by cob 12 January 2024, addressing the following Scope of this review.**

## Consultation Scope

This consultation relates to the Code and its wording and does not cover the animal test ban policy implemented by the Australian Government via the *Industrial Chemicals Act 2019*.

Australia's ban on the use of new animal test data for cosmetics aligns with global approaches of many of our nation's major trading partners, such as the European Union\*. Such alignment is essential for the smooth import and export of globally-traded consumer products, such as cosmetics.

Any proposals that relate to changes in government policy or that would take the Code out of step with the current Australian legislated ban are out of scope for Accord's review of this Code.

Similarly, out of scope will be any proposals that suggest, recommend or would require changes to the foundational legislation the Code operates within; that is, the *Industrial Chemicals Act 2019*, the *Australian Consumer Law* and any other related codes such as the NHMRC '*Australian code for the care and use of animals for scientific purposes*'. The Code sits at the intersection of two significant Australian legislative frameworks as follows:



**Submissions are encouraged to focus on areas and aspects within the Code where:**

- the clarity of the Code could be improved,
- information and/or examples contained in the Code may need updating, or
- improved guidance could be provided.

**Submissions can be made by 12 January 2024 to the following dedicated consultation email address: [animaltestcode@accord.asn.au](mailto:animaltestcode@accord.asn.au).**

Accord will review all submissions. Working with legal drafting experts at HWLE Lawyers, we will determine if updating and revision of the Code is required and what form this should take. This process will take place during Q1 of 2024.

A report of the consultation findings along with the revised edition of the Code will be published at <https://accord.asn.au/sustainability/voluntary-industry-code-on-animal-test-ban/> and disseminated to all interested stakeholders and across the Australian cosmetic industry.

**Copies of the Code are downloadable at the following web address:**

**<https://accord.asn.au/sustainability/voluntary-industry-code-on-animal-test-ban/>**

## Industry Survey

This public consultation will be supplemented by a survey across the Australian cosmetic industry, commencing at the same time. The purpose of this survey is to determine industry awareness of the Code and the degree to which it has been providing guidance to industry, noting that the Code was

launched amid the disruptions of the COVID-19 pandemic.

Both Accord member companies and non-member cosmetic product firms/retailers will be contacted to participate in the survey. Accord will use an updated version of our cross-industry database from our successful BeadRecede microbead phase-out to obtain broad survey outreach.

*\* (For more details on the Australian ban see <https://www.industrialchemicals.gov.au/business/use-animal-test-data> and <https://animalcosmetictestban.com.au/about/>.)*

10 November 2023