RULING ON PETA COMPLAINT A VICTORY FOR ANIMALS USED IN EU CHEMICAL TESTS

Thursday 11 December, 2014

Official Finds European Agency Overseeing Chemical Testing on Animals Is Failing to Minimise Animal Use; As Many As 100,000 Animals Killed Who Could Have Been Spared

London – In a landmark decision that could save millions of animals from suffering and death in laboratory experiments, the European Ombudsman has determined that the European Chemicals Agency (ECHA), the agency responsible for overseeing the largest animal testing programme in the world, is not fully applying its authority to minimise animal experiments, as required by law, and should begin to do so.

The European Ombudsman is the government official responsible for investigating complaints about European Union institutions, and her judgement comes two years after PETA's complaint alleging that ECHA does not correctly apply the provisions of the Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation (REACH) and allowed the use of animals in tests for which approved nonanimal test methods could have been used.

"This ruling has enormous implications for preventing the suffering of millions of animals", says PETA Head of Science Dr Gilly Stoddart. "ECHA was shirking its duty to ensure that animal use under REACH is minimised. ECHA will now be compelled to fulfil its obligation to ensure that animal use is truly minimised."

It is estimated that upwards of *13 million animals* will suffer and die in experiments authorised under REACH. But the legislation is clear: alternative testing methods to animals must be used wherever possible, and testing on animals must be undertaken only as a last resort.

This is not happening. ECHA's 2011 and 2014 reports on "The Use of Alternatives to Testing on Animals for the REACH Regulation" demonstrated that *tens of thousands of animals* were used in painful skin and eye tests that *could have been avoided*. Just as worrisome, hundreds of studies were conducted *without prior submission and approval of a testing proposal*. The Ombudsman further found that ECHA's refusal to ensure that industry comply with the principle of using animals only as a last resort is akin to informally amending REACH without involvement of the European Commission.

In light of ECHA's repeated failings, which have resulted in the suffering and death of an estimated 100,000 animals in avoidable animal tests, it is critical that ECHA accept its responsibilities and immediately incorporate the Ombudsman's advice so as to reduce the disastrous toll this programme is taking on animals.

Copies of PETA's complaint and related correspondence are available upon request.

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