

Testing on animals is prohibited for cosmetic manufacturers

Mexico City, October 25, 2021

On October 14th, 2021, a Decree amending the General Health Law was published in the Federal Official Gazette (the "Decree"), by which the manufacturing, importation, and marketing of cosmetic products are forbidden when their final formulation, ingredients, or combination of these, have been tested on animals.

There are four exceptions for this prohibition, which are:

- a. Ingredients that have to be tested for safety reasons and no alternative tests have been developed by the scientific international community or any relative and applicable sanitary provision.
- b. The safety data, when it has been generated for other purposes.
- c. The previously generated safety information of ingredients, when it is widely recognized by its historic use and no additional tests are required; and
- d. Exportation products, when it is necessary to attend to regulatory requirements applicable in other countries.

Breaching this prohibition may result in product seizure, closure of the facility, fines, or even criminal responsibility.

Cosmetic products will be allowed to include claims in their labels that during their manufacturing process animal testing was not part of the process. These claims cannot be included in those cosmetics products manufactured under the abovementioned exceptions.

This new rule entered into force on October 15th, 2021; however, the Ministry of Health (the "MH") has 180 days to issue the legal provisions for its implementation. Manufacturers will have a two-year term, starting from the publication of the provisions issued by the MH, to substitute test on animals as part of the manufacturing process. This new prohibition does not apply to tested and already in the market products and ingredients.

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