



**The
Mercury
Salon**

Magazine!



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For more information, visit <http://ipen.org/site/china-results>.

April, 2012

China Results

Mercury in skin-lightening and freckle-removing products in China

In China, skin-lightening and freckle-removing products are popular products among women. Like the saying goes, “White skin can conceal 100 other defects in your appearance.” Unfortunately, an ingredient used to make skin white, can cause defects instead of concealing them. According to the World Health Organization, the inorganic mercury contained in some skin-lightening products can cause kidney damage, skin rashes, skin discoloration, scarring, anxiety, depression, psychosis, peripheral neuropathy, and reduction of resistance to infections.¹

In China, mercury is limited to 1ppm in skin-lightening and freckle-removing products due to concerns over exposure and harm to health. In this study, Green Beagle and IPEN collaborated with Chinese NGOs in 10 provinces to determine whether skin-lightening products containing high levels of mercury are available on the market in China. Products were purchased online and in stores and markets located in Beijing (Beijing Municipality), Chongqing (Sichuan Province), Dongguan (Guangdong Province), Harbin (Heilongjiang Province), Hefei (Anhui Province), Nanjing (Jiangsu Province), Lanzhou (Gansu Province), Panjin (Liaoning Province), Shanghai (Shanghai Municipality), and Tianjin (Tianjin Municipality).

Mercury was measured using a portable X-ray fluorescence analyzer (XRF) which was calibrated using laboratory measurements of products. The XRF device is routinely used by companies and government regulatory agencies for metals detection in food, consumer products and other media. We found 112 products (23%) that violated the Chinese regulatory limit for mercury of 1 ppm. Mercury concentrations in products ranged from 18 ppm to nearly 44,000 ppm. The top five products contained mercury at concentrations ranging from 17,918 ppm to 43,988 ppm. These products should not be for sale on the Chinese market.

Skin-lightening products were also found that exceeded Chinese regulatory limits for arsenic (10 ppm) and lead (40 ppm). Forty-six products contained arsenic, lead, or both metals. Forty-four of the 46 products violated the Chinese regulatory limit for arsenic. Twenty products in this group exceeded the Chinese regulatory limit for lead (40 ppm) and 28 exceeded the ASEAN limit for lead (20 ppm). Twenty-three products contained all three metals; mercury, arsenic, and lead. The presence of more than one toxic metal in a product applied directly to the body increases the possibility of harm.

All of the products in the current study that violate the regulatory limit for mercury were readily available on the market in stores located in 10 cities in 10 different provinces. In addition, products containing high levels of mercury were available for purchase throughout the country from the popular on-line retailer, Taobao. None of the products we tested were labeled to indicate mercury, arsenic, or lead content.

To our knowledge, this is the largest publicly available investigation of mercury in skin-lightening and freckle-removing products in China.

Recommendations

FOR THE INDUSTRY:

- Manufacturers and formulators should obey Chinese laws, immediately phase out mercury and other toxic chemicals, and shift to safer ingredients
- Retailers should remove products violating Chinese law from sale. Products identified containing greater than 1 ppm mercury or 10 ppm arsenic or 40 ppm lead should be removed from store shelves and internet websites
- Manufacturers should actively generate and disclose the chemical content of skin-lightening products and other cosmetics as a condition for sale in China
- Manufacturers should promote the design and development of safer cosmetic products using green design, safe natural materials, and green chemistry

FOR THE GOVERNMENT:

- Issue an advisory that requires removal from sale all skin-lightening products identified containing greater than 1ppm mercury
- Re-classify skin whitening products as cosmetics of specific use to bring them under greater regulatory control
- Work with civil society organizations to conduct a continuing public information drive to educate local government officials, consumers and other stakeholders about the risks posed by mercury in cosmetics

FOR CONSUMERS:

- The safest way for consumers to protect themselves is to accept their natural skin tone and avoid the use of skin-lightening products.
- Support policies requiring the disclosure of chemical content as a condition for sale of cosmetic products

*For a table of skin lightening products containing mercury above the 1ppm regulatory limit in China, visit <http://ipen.org/site/china-results>. *



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For more information, visit <http://ipen.org/site/cosmetics-philippines>.

January, 2013

Cosmetics in Philippines

Skin whitening products such as creams, lotions or soaps sometimes contain toxic mercury chloride and/or ammoniated mercury, or hydroquinone, which is also highly toxic.

This study measured 12 skin whitening products, noting eleven out of 12 skin whitening products tested had mercury levels from 1,085 up to 28,600 parts per million (ppm). The Philippine regulatory limit is 1 ppm for mercury in cosmetics. While most of the products were made in China, it is worth noting they are also in violation of “Hygienic Standards for Cosmetics” of the People’s Republic of China, which is also 1 ppm. None of the eleven products which had mercury, listed or label mercury as an ingredient. As a result of the cosmetics.

This study catalyzed the Senate Committees on Trade and Commerce and on Health and Demography, to convene a public hearing and urgency of enacting a “Safe Cosmetics Act.”

Toxic Chemicals in Whitening Creams

Product Name	Components ppm	Mercury 25
Jiaoli Miraculous Cream	01a - (#1 cream)	7143, 7338, 7263
	01b- (#2 cream)	7665, 7660, 7624
Jiaoli 7-days Specific Eliminating Freckle AB set	02a- (A cream)	8615, 8636, 8733
	02b- (B cream)	1.22%, 1.24%, 1.24%
Miss Beauty Magic cream	03a- (Day cream)	ND
	03b- (Night Cream)	2.86%, 2.85%, 2.84%
Aichun Beauty Whitening Freckle Day and Night Cream	04a- (Day Cream)	1272, 1291, 1266
	04b- (Night Cream)	1574, 1557
Aichun Beauty Green Tea Whitening Speckle Removing Series	05a- (Day cream)	1820, 1801, 1775
	05b- (Night cream)	1085, 1122, 1093

Sara Glutathione Sheep Placenta Whitening and anti-spot	06a- (Day cream)	6113, 6180, 6210
	06b- (Night cream)	5586, 5592, 5654
Miss Beauty Excellent Therapy Whitening Cream	07a- (cream)	2211, 2297, 2304
Beauty Girl Natural Olive and Sheep Essence 10 Double Whitening	08a- (Day Cream)	ND
Speckles Removed Essence	08b- (Night Cream)	3614, 3606, 3638
The flower woman 7 day whitening and spot and night set cream	09a- (Day cream)	6831, 6837, 6876
	09- (Night Cream)	7751, 7754, 7541
JJJ Magic spots removing Cream	10a-(Day Cream)	8092, 8200, 8112
	10b- (Night Cream)	9610, 9270, 9600
Szitang 7-day specific whitening and spot AB set	11a- (Day Cream)	5650, 5662, 5707
	11b- (Night Cream)	5886, 5856, 5836
	11c- (Tube)	ND
St. Dalfour Whitening Cream	12a- (cream)	ND



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For more information, visit <http://ipen.org/site/philippines-results>.

January, 2013

Philippines Results

The EcoWaste Coalition led the campaign and generated data on three types of consumer products: Children's Products; Cosmetics; and School Supplies. All three studies provide insights into toxic substances in products which consumers are unknowingly purchasing. These studies generated national media and political attention.

"The data generated out of the product tests in Manila, Cebu and Davao would inform and fortify our push to eliminate health-damaging chemicals in consumer articles, especially those intended for kids' use. The data, we know, will help policy makers and regulators in upgrading and expanding existing rules to proactively protect children's health and safety."

-Roy Alvarez, President of the EcoWaste Coalition

In many countries, an important route of entry for chemicals and metals is through consumer products. These substances can cause concern for consumer exposure, particularly in children.

This study measured toxic metals in 200 children's products in Manila, Philippines with a focus on antimony, arsenic, cadmium, chromium, lead, and mercury. Measurements were performed using a hand-held X-ray fluorescence analyzer (XRF). Approximately 30% of the products contained at least one toxic metal above levels of concern.

The data revealed 37 products (19%) that contained lead at or above the US regulatory limit. Twenty-seven samples (14%) contained more than one toxic metal. The study also found children's toy cosmetics with mercury levels 4 - 5 times higher than the regulatory limit in the Philippines. The findings raise safety concerns for exposure in children and highlight the need for protective national regulatory policies. To our knowledge, this is the first publically available investigation of toxic metals in children's products in the Philippines.

Children's cosmetics containing mercury and other toxic metals

Sample #	City	Place of purchase	Product Name	Mercury	Lead	Chromium
88PHI07132011	Pasay City	Baclaran	Kid's Make Up Set; lipstick	77		
117PHI07132011	Quezon City	Toy Express	Star Model - Cosmetic Set			
			117e - (yellow,eyeshadow)	5.4		
			117f - (red eyeshadow)	5.1		
			117g - (orange eyeshadow)	5.3		

			117h - (green make-up)	5.1		
			117i - (pink make-up)	4		
154PHI07142011	Manila	Divisoria	Hannah Montana Make-up Kit			
			154b - (orange cake)	5	181	1010
202PHI07172011	Cebu	Gaisano Metro	Barbie 3 set Eye shadow cosmetic			
			202a- (yellow eye shadow)	3.6		
			202b- (blue eye shadow)	2.9		
			202a- (violet eye shadow)	2.5		

The following are excerpts from a report conducted by IPEN, ARNIKA, and GRS to account for the status of mercury in a range of products in different regions. The excerpts taken for this purpose are relevant to mercury found in skin-lightening cosmetic products. Find the full report at: http://www.ipen.org/sites/default/files/documents/market_analysis_mercury-containing_products_alternatives-en.pdf.

Market analysis of some mercury-containing products and their mercury-free alternatives in selected regions

March 2010



Remark:

The work has been funded by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) under the support code UM 08 67 720.

The work has been conducted by ARNIKA - Toxics and Waste Programme, IPEN (International POPs Elimination Network) and the Gesellschaft für Anlagen- und Reaktorsicherheit (GRS) mbH.

The authors are responsible for the content of this report.

3.1.4 Status of the availability and use of mercury-containing skin-lightening products in Nairobi, Kenya

Participants. The Consumer Cosmetic Survey was held in Nairobi, Kenya at ten (10) outlets with the shopkeepers and twenty-four (24) interviews with consumers. From the total number of persons interviewed were fourteen (14) academics (including college

graduates, artists, monks and other persons with “brain power”), four (4) craftsmen, five (5) merchants, and one (1) housekeeper.

3.1.4.1 Kenyan Consumer Cosmetic Survey

Consumers knew that some skin lightening products contain mercury. From the survey, it was noted that all fourteen (14) academics (100%) and five (5) merchants (100%) recognized the potential for mercury in products while none (0%) of the other five (5) that included craftsmen (4) and housewives (1) recognized this. Overall, 79% of the users surveyed recognized mercury could be present in these products (see Tab. 3.2).

Consumers are aware that mercury is a toxic substance. Overall, 96% of those surveyed were aware mercury was toxic. Only one (1) of the surveyed persons (a housewife) failed to indicate she

understood that mercury was toxic. All (100%) of the academics, merchants and craftsmen were aware of this.

Consumers knew that mercury-free skin lightening products were available in town/region. Of the consumers surveyed, the numbers mirrored awareness of the potential for mercury in skin-lightening products (all academics (14) and merchants (5) knew, while none of the craftsmen (4) or housewives (1) did. Overall, 79% of the users (all of the academics and merchants, but not craftsmen and housewives) understood the situation with regards to availability of mercury-free products.

Consumers indicated mercury free skin-lightening products were readily available. Of the consumers who knew about mercury-free skin lightening products, all (100%) stated that mercury-free skin-lightening products were readily available in most widely-frequented stores such as supermarkets and cosmetic shops – and at most of their locations around the city.

Mercury free skin-lightening products were widely preferred by users as safe, effective and legal. Those who deliberately decided to use a skin-lightening product without mercury (80%), did so because they find them readily available and safe, were aware of the national ban and had concerns with health (that mercury exposure has health implications), and because it does not react with their skin.

Academics and merchants overwhelmingly (100%) cited mercury exposure side-effects and health implications as their reasons for using mercury-free products. Consumer awareness was not universal with some segments showing little awareness (craftsmen and housewives).

Mercury-free products were affordable. Only one response from the merchants or consumers indicated cost as a concern when purchasing skin-lightening products.

Less than 20% of the products had any ingredients listed, and 10% were defined as poorly declared. But, a government seal indicating mercury-free was present on many products. It must be noted the Kenya Bureau of Standards allows their seal to be placed on those products that were certified mercury-free (as provided for in the policy language of Kenya’s national ban).

Tab. 3.2 Kenya Consumer Cosmetic Survey Responses

Inquiry	Responses	Occupation			
	“yes” “no”	Academic (14)	Craftsmen (4)	Sellers (5)	Housekeeper (1)
1) Consumers know that some skin lightening soaps contain mercury	19	14	0	5	0
	5	0	4	0	1
2) Consumers are aware that mercury is a toxic substance	23	14	4	5	0
	1	0	0	0	1

3) Consumers knowing that mercury-free skin lightening products are available in town/region	19 5	14 0	0 4	5 0	0 1
a.) If "YES" to 3): Consumers use a mercury-free skin lightening product	19 0	14 0	0 0	5 0	0 0
b.) If "YES" to 3): Consumers deliberately decide to use a product with- out mercury	19 0	14 0	0 0	5 0	0 0

3.1.4.2 Kenyan Merchant Cosmetic Survey

Availability. In the shops of Nairobi, Kenya where the ten (10) merchants worked, more than twelve (12) products were found.

Most merchants believed they sold only mercury-free products. A clear majority of merchants (70%) stated they sold only mercury-free skin lightening products. Statement originated from the belief that mercury has been banned from such products by the Kenya Bureau of Standards. Three merchants indicated uncertainty of product content.

With most of the mercury-free creams, the information regarding mercury content was based on a product statement or Kenya Bureau of Standards seal that indicated "no mercury." In some shops the merchants were aware that mercury-containing creams were banned nationally, implying that all products legally sold in their stores must be mercury-free. Yet, to satisfy customer demand, merchants indicated mercury-containing products were stocked, when possible. Therefore about half of the sellers stated, that mercury containing products are more difficult to get.

Like consumers, merchants were aware of mercury's toxicity. Most merchants (90%) indicated awareness about mercury's toxicity in creams.

Customers indicated duration of results from products varied. According to some merchants, customers' experiences indicated there was no difference between results from mercury-containing and mercury-free creams on duration of the results. The rest could not say if customers indicated a difference. On time-to-results, half of merchants (50%) said that mercury containing skin lightening products are still used because faster results were obtained.

Demand for mercury-containing products continues. Continuing demand for mercury-containing face creams force some shops to continue stocking the banned creams and sell them illegally to these regular consumers. Some consumers said that mercury containing products were often found in backstreet shops and sold illegally – mainly to recognized customers. Most merchants stated mercury-containing soaps were more difficult to get because of the ban. One third of the merchants said mercury-containing products were still used because customers indicated they got faster results.

Analysis of the purchased products (only those without a government seal were purchased) found two (16%) contained mercury, but below 0.07 ppm. It is presumed, that mercury at these concentrations would be due to ingredient contamination rather than purposeful addition as an active ingredient (Tab. B.1). One product that merchants reported to be mercury-containing was indeed mercury free (probably due to a changed formula).

Sources of the products were generally other African nations, but included domestic products and imports from England and Germany. Products manufactured in Dubai and Kenya contained mercury. Prices ranged from 0.40 KES to 6.78 KES, no relationship was seen with price or other attributes.

4.1.4.1 Indian Consumer Cosmetic Survey

Consumers were unaware of the potential presence of mercury in skin-lightening products.

Consumers (~10%) had knowledge about the potential for mercury in skin-lightening products. About the same percentage knew that mercury-free products were locally available.

Consumers were generally unaware that mercury was toxic. Of the consumers surveyed most (76%) indicated no knowledge of mercury’s toxicity.

Mercury content was not a reason for choosing skin-lightening products. None of the consumers (0%) who chose to purchase mercury-free skin-lightening products did so because they desired to eliminate mercury from the product purchased. Consumers indicated “Mercury-free” is not a regular labelling practice or selling point and rarely bought products by looking at the contents/ingredients. Consumers were least concerned about the content of products. Drivers for purchasing products were cost, brand recognition, sales promotion and word-of-mouth.

Mercury-free products were not readily available to consumers. Persons who knew mercury-free skin-lightening products were available indicated the availability was low and only found at specific locations. The most common places to find skin-lightening products (both mercury and mercury-free) were in cosmetic shops, chemists, general stores, departmental stores/hypermarket etc.

Tab. 4.2 India Consumer Cosmetic Survey

	Responses		Occupation			
	“yes”	“no”	Academics (7)	Merchants (9)	Service pro- vider (5)	Student (4)
Inquiry						
1) Consumers know that some skin lightening creams contain mercury	2	23	0	9	3	4
			0	0	2	0

2) Consumers are aware that mercury is a toxic substance	6 19	1 6	2 7	3 2	0 4
3) Consumers knowing that mercury-free skin lightening products are available in town/region	2 23	0 7	1 8	1 4	0 4
a) If "YES" to 3): consumers using a mercury-free skin lightening product	2 0	0 0	1 0	1 0	0 0
b) If "YES" to 3): Did you deliberately decide to use a product without mercury?	0 2	0 0	0 1	0 1	0 0

4.1.4.2 Indian Merchant Cosmetic Survey

Availability. Twenty-five (25) shops in the Delhi, Delhi NRC and NOIDA, India area were surveyed on skin-lightening products. Fifteen (15) separate products were identified and were indicated to be displayed in similar amounts at all markets. Most were domestically produced but appeared to have been done under authority from multi-national corporations.

Merchants were unaware if mercury was in the products they sold. No merchants (0%) indicated they were aware of mercury content in products sold. Merchants were keen to sell products that were perceived as widely accepted and in-demand. Even if products contained mercury, merchants had no problem offering them for sale (i.e. fever thermometers). Many believed even if mercury were present in cosmetic products, that the presence of mercury was insignificant or posed no risk.

Merchants were unaware of mercury's toxicity. Only a few merchants (12%) were aware that mercury is toxic, most (88%) were not.

Merchants indicated mercury free products were widely available. All outlets surveyed stocked similar products. Since no product indicated mercury's presence or absence, merchants (100%) assumed the products were mercury-free, although they had no basis to prove this.

Merchants were unable to differentiate between products' efficacy and safety. All merchants (100%) lacked capacity to compare products based on mercury content because of their lack of knowledge about mercury and mercury levels in products.

Most merchants hadn't received complaints regarding performance of products, so believed them all to be safe. Merchants also stated their products have no side effects and had received extensive testing with no documented problems. It is believed, that to improve sales, merchants may have indicated the products they sold were mercury-free. Very few issues were found to affect availability of products except the brand.

Price varied and was unrelated to content, manufacturer or active ingredients.

For the creams, prices of products varied from lows for the least-expensive options of about one (1) to three (3) rupees per gram, to one very high-priced selection costing almost ten (10) rupee per gram.

No significant mercury contents in the products. In all samples mercury concentrations were below the limit of quantification (0.07 ppm). Only in one case mercury was detectible. The low concentration of mercury in this product indicated that mercury was likely not included as an active ingredient in the product. It was well declared and listed other non-mercury active ingredients. It was among the most expensive options offered (Tab. B.3).

Product labelling indicated active ingredient information to consumers. Information about active ingredients of the different creams was listed on most (93%) products. Only a few, usually the higher-priced options, listed all ingredients. No product packaging gave indication of mercury's presence (or absence).

5.1.4 Status of the availability and use of mercury-containing skin- lightening products in Moscow, Volgograd and Novorossiysk, Russia

Participants. The Retail Cosmetic Survey was done in Moscow, Volgograd, and Novorossiysk, Russia. Interviews were held with thirty-five (35) users and twenty-five (25) merchants of skin-lightening creams and soaps, respectively.

5.1.4.1 Russian Consumer Cosmetic Survey

The consumer interviews were held with fifteen (15) academics (including college graduates, artists, monks and other persons with "brain power"), eight (8) craftsmen, five (5) merchants, five (5) farmers and two (2) unskilled labourers (see Tab. 5.2).

Consumers were unaware that mercury might be present in skin-lightening products. Of the consumers interviewed, most (86%) could not say if mercury was present in the skin-lightening products offered in Russia. The only consumers knowing that some skin lightening cosmetics can contain mercury were the merchants. Interestingly, all of the merchants were aware of this.

Consumers were aware that mercury was toxic. All of the interviewed people (100%) indicated they knew mercury was a toxic substance.

Consumers were unaware that mercury-free skin-lightening products were available. Paralleling the consumer awareness of mercury in skin-lightening products, most consumers (86%) did not know there were mercury-free alternatives.

All of the people surveyed who were aware of the potential presence of mercury in these products (100%) chose to purchase mercury-free options. All of these consumers were merchants. Very likely, they believe, but cannot confirm, that the products they sell do not contain mercury. Even better

educated and higher income segments of the population that would be expected to recognize this issue indicated no knowledge about choosing an optional mercury-free product.

Labelling practices were felt to be insufficient to give consumers adequate information. Mercury was never mentioned anywhere on the packages. Consumer choices were identified to be based on price, brand name, and/or recommendations from merchants, friends and cosmetologists.

Consumers were generally unconcerned about the presence of mercury in skin-lightening products. Among people interviewed few expressed concern about mercury in skin-lightening products. Most wanted well-recognized brands and effective products, but did not care whether these products contained mercury or not. They were sure that well-known brands would never risk their reputation by including mercury or other harmful substances in their products. According to merchants, customer choice was based mostly on price.

Tab. 5.2 Russian Consumer Cosmetic Survey Responses

	Responses		Occupation				
	"yes"	"no"	Academics (15)	Craftsmen (8)	Merchants (5)	Farmers (5)	
1) Consumers know that some skin lightening creams contain mercury	5	0	0	0	5	0	0
	30	15	8	0	5	2	
2) Consumers are aware that mercury is a toxic substance	35	15	8	5	5	2	
	0	0	0	0	0	0	
3) Consumers know that mercury-free skin lightening products are available in town/region	5	0	0	5	0	0	
	30	15	8	0	5	2	
a.) If "YES" to 3): consumers using a mercury-free skin lightening product	5	0	0	5	0	0	
	0	0	0	0	0	0	
b.) If "YES" to 3): Did you deliberately decide to use a product without mercury?	5	0	0	5	0	0	
	0	0	0	0	0	0	

5.1.4.2 Russian Merchant Cosmetic Survey

Availability. Products were found in 25 shops. A total of eighteen (18) widely-available products were found in the shops. Of these, fourteen (14) products were used for the survey. Most originated from France (9), some from Germany (3), or some (2) domestically produced.

Merchants indicated mercury-free skin-lightening products were widely available in pharmacies, cosmetic clinics and stores. All merchants surveyed (100%) were convinced that the products they sold did not contain harmful ingredients. Mercury content was not mentioned anywhere on the packaging of any product surveyed. The absence of any mercury statement on the package was sufficient for them to believe that the products they sold were mercury-free.

Merchants were aware that mercury is a toxic substance and that skin-lightening products might contain mercury. All merchants interviewed (100%) knew that mercury is toxic. All knew that skin-lightening products might contain mercury.

Merchants believed the products they sold were safe for use. They all believed in brand name manufacturers and were sure that well-known manufacturers would not sell dangerous products. At the same time, all merchants (100%) declared that skin creams, even if they contained mercury or other toxic substances, would not lead to fatal results. They were also sure that products they sold were safe since no statements concerning mercury and toxicity were present on the packages.

Merchants believed they gave good advice when asked about making a purchasing choice. All merchants (100%) believed they sold only non-mercury skin lightening creams. They believed strongly that all products they sold were safe and did not contain toxic substances, including mercury. Their confidence was based on their belief in brands. This confidence was confirmed by the list of ingredients printed on the products.

Merchants felt the mercury-free alternatives gave superior results. All sellers interviewed stated that there were no problems with decreased durability, lower efficiency or content of other toxic substances with mercury-free skin-lightening creams.

Price was related to source country. The cost for skin-lightening cosmetic products ranged widely from a low of about 2 RUB/ml to a high of over 20 RUB/ml. French imports tended to cost the most. Price was not related to listed active ingredient(s) or the complexity of the ingredient listing nor was there a cost relationship related to synthetic versus natural products. On some of the products only active ingredients are listed, on some all ingredients are listed. In general, the product ingredients were relatively well- declared.

Labelling was not well-defined. All products were claimed by merchants to be mercury-free, but no labelling was present for consumers to verify this claim other than

listed ingredients. Only two of the offerings were submitted for analysis and neither of them was found to have detectable levels of mercury.

Mercury was not found in analyzed samples. Two skin-lightening products were analyzed for mercury, but mercury was found (Tab. B.5).

6.1.4 Status of the availability and use of mercury-containing skin- lightening products on the Brazilian market

6.1.4.1 Brazilian Consumer Cosmetic Survey

Participants. Twenty-six (26) persons using skin lightening soaps were interviewed in Curitiba City, Parana, Brazil. These respondents included five (5) academics (including college graduates, artists, monks and other persons with “brain power”), one (1) entrepreneur, two (2) governmental officers, two (2) housewives and sixteen (16) unskilled labourers. The responses from Brazil reflected more wage-earners that were outside of the middle to upper income demographic (see Tab. 6.2).

Brazilian government restrictions limit mercury in products. In Brazil, consumers require notification of mercury in products under National Health Surveillance Agency (ANVISA) requirements [18]. This government agency prohibits uses of substances or drugs in products they list for requiring consumer notification. ANVISA is considered a well-respected source of information.

Mercury was not well-known as an ingredient in cosmetics. Skin-lightening product users, in general, including the most-educated/highest income earners, were not well- educated on the potential for mercury’s presence (19% awareness) in cosmetics nor did most (73%) seek mercury-free when shopping for those products. Of those who knew mercury-free products were offered, most (86%) chose mercury-free products for their safety.

Consumers were aware of mercury’s threat. These same consumers, except for some of the least educated, were well-aware (69%) that mercury is toxic.

Tab. 6.2 Brazilian Consumer Cosmetic Survey Responses

	Response		Occupation				
	“yes”	“no”	Aca- demic (5)	Merchant (1)	Gov’t of- ficer (2)	House- wife (2)	Unskilled labourer (16)
Inquiry							
1) Consumers know some skin lightening soaps contain mercury	5	2	0	1	0	2	
	21	3	1	1	2	14	
2) Consumers aware that mercury is toxic	18	5	1	2	2	8	

	8	0	0	0	0	8
3) Consumers know mercury-free skin lightening products are locally available	7	2	1	1	0	3
	19	3	0	1	2	13
a.) If "YES" to 3): Consumers use a mercury- free skin lightening product	6	2	1	1	0	2
	1	0	0	0	0	1
b.) If "YES" to 3): Consumers deliberately decide to use a product without mercury	2	1	0	1	0	0
	5	1	1	0	0	3

6.1.4.2 Brazilian Merchant Cosmetic Survey

Availability. Products were found in nine (9) shops. A total of eleven (11) widely- available products were identified. Of these, most (55%) products were produced domestically. Others included imports from France or gave no indications of origin.

Participants. The Consumer Cosmetic Survey results made nine (9) inquiries with merchants about skin-lightening cosmetics.

Merchants found clear information about the active ingredients, but not mercury, in various creams and soaps on all packages sold. None of the packages stated direct information about mercury, but according to the merchants interviewed, they did not sell mercury-containing products (77%). The rest stated that they did not know how to obtain this information.

Most merchants could not compare results, but said there were no complaints about the products they sold. In the efforts at assessing the mercury v. mercury-free comparison on perceived quality and duration of results, ease of use, and affordability; most merchants (77%) felt they had no basis for such a comparison. As a result, they could not make a comparison because they lacked any experience or response from consumers about the efficacy of mercury-containing creams. All merchants (100%) did not mention any complaints about the products they sold.

All products were indicated to have active ingredient labelling. Products identified indicated their active ingredients and content, but failed to indicate if mercury was pre- sent. Some indications of the fact they sold no mercury-containing products may indicate the ANVISA declaration was a good substitute for mercury labelling. Only one merchant mentioned the ANVISA system as his guide for mercury-free products.

No product with mercury. In no product mercury could be found at a detectible level (Tab. B.7).

Cost for products ranged widely. Prices varied from a low of R\$ 0.24 per gram to a high of R\$ 3.63 per gram with imported products demanding the highest prices.

7.4 Status of the availability and use of mercury-containing skin- lightening products in communities surveyed

Retailer knowledge and consumer use of cosmetic skin-lightening products was similar in all markets. Surveys in Russia, India and Senegal indicated mercury-free product adoption was lowest in these countries. Responses indicated linkages between mercury awareness and use in half (Kenya, India, Russia, Kyrgyzstan) but not all (Senegal, China, Brazil, Mexico) markets. Awareness and use of mercury-free products tended to trend following education and income. Kenyan and Chinese merchants (not necessarily in cosmetic sales) also tended to choose mercury-free products for their use.

Kenya, Mexico, and Brazil, had instituted labelling systems to inform the public about limits of mercury in skin-lightening products while Russia had banned their sale. Many merchants indicated mercury-containing products were available (Kenya, China, Kyrgyzstan, Russia and Mexico) and some even stated these were relatively easy to get, although many said this was not legal (Kyrgyzstan, Russia, Brazil and Mexico).

Awareness varied among countries. Both consumers and merchants surveyed in Kenya were very aware of the potential for (83%) and concerns about (100%) mercury in skin-lightening products while China (53%/87% potential and concerns respectively) and Kyrgyzstan (60%/80%) showed high awareness in both categories; Brazil (19%/69%) and Mexico (18%/55%) showed less knowledge or concern about mercury in these products but awareness about mercury's toxicity. Russian (9%/64%) responses indicated overall knowledge about mercury, but not with regard to skin- lightening products. While India (8%/24%) and Senegal (0%/3%), showed the lowest overall awareness.

Laboratory analysis showed countries with labelling systems still had issues related to mercury content in the products sold there. Mercury was detected in products sent for testing from India, Kenya, but contents were below the limit of quantification (0.07 ppm). Mercury likely was present as a contaminant from other ingredients. In Mexico, products containing 0.8 ppm were found, in one skin lightening cream a mercury content of 1325 ppm was analyzed. It is unknown if any of these products carried government approvals/verifications.

Price differences regarding mercury content were not found. Relationships to cost were mostly related to source of imports with French imports tending to cost more in Brazil, China, and Russia while African imports from Ivory Coast and other neighbouring countries were more expensive in Senegal.

No consumer or merchant claims were widely expressed about problems associated with using mercury-free skin-lightening products (as seen with thermometers and sphygmomanometers). Although the most common negative relationship indicated mercury-free products were less effective.

Some preference was also indicated for natural or herbal products as these were felt to give consumers another layer of safety from potential chemical exposure problems associated with using

these products. All markets had such offerings, but there was no clear movement by consumers or merchants to pursue or promote their use.

Labelling of products varied from extensive and complete listing for all ingredients, to minimal with only active ingredients listed, to having nothing at all. Product trade secrets that limit disclosure of the actual ingredients may have affected the listings and identification of active ingredients. Active ingredients listed included chemical preparations and natural extracts.

8.4 Status of the availability and cost of mercury-containing skin-lightening products in Braunschweig

The Retail Cosmetic Survey was only done in three (3) shops, because no more shops selling skin-lightening products could be found in Braunschweig besides pharmacies. These three shops are managed by immigrants with most of their customers being immigrants also. In pharmacies no mercury-containing skin-lightening products are sold, because they are prohibited by the German regulation on cosmetics. (Products, whose application and effect are restricted by the skin only, are referred to as cosmetics). Therefore pharmacies were not properly surveyed, but some information about the products available was gathered.

Availability. In these three shops, the choice of skin-lightening products was quite different. In one shop only one cream (lotion) was available, in the second shop five soaps were offered. The third shop stocked 19 different skin-lightening products (soaps as well as creams and lotions, respectively). The choice of products obviously reflected the customers' background as being mostly either of African (or French) or Asian origin. In pharmacies only skin-lightening products with herbal active ingredients (e.g. kojic acid, watercress essence (nasturtium officinale) are available over the counter. In prescribed skin-lightening creams hydroquinone and cortisone are used as active ingredients.

Merchants were mostly not aware of mercury as being a toxic substance and that skin-lightening products might contain mercury. In two of the shops (not the pharmacies), merchants did not know anything about mercury. In the third shop one merchant knew, that it is a heavy metal. None of the sellers knew that mercury was frequently used as an active ingredient in the past and could still be a component in the products they offer. No one of the merchants knew whether they sell products with or without mercury.

All skin-lightening products have an ingredients list on their wrapping. Most products were well declared. For soaps mostly only 3 – 4 substances were listed. But at least one active ingredient is always stated, giving the impression that active ingredients are always specified. Active ingredients more often mentioned are hydroquinone, kojic acid, bearberry extract, lemon extract or citronellol, niacinamid and alpha hydroxic acids.

For one soap mercury is listed as active ingredient. Very demonstrative (red and bold) it is stated on the package, that the soap (Mekako) contained 2% of mercury iodide (corresponding to 0.88% of mercury). However, a chemical analysis showed only minor levels of mercury (< 1ppm). This soap was produced in Dubai and additionally labelled "NEW". The fact, that a soap with a demonstrative

declaration of 2% mercury iodide was found in a shop within such a small random statement that a certain product contains no mercury was never observed.

All the products sold in the shops are purchased from European importers. According to the sellers the availability of the products would be the same as long as the brand exists.

Obviously merchants do not know the active ingredients, which could be in their products. Therefore merchants do not know anything about efficiency of mercury- containing or mercury-free products or certain active ingredients. Merchants met in the shops do not really advise their customers. One seller said they were mainly selling food: Cosmetics were only a small part of their assortment and they have no idea about these products. The next seller was afraid to get problems and just told that her product were a good one. And the last seller with the highest selection of products said, the customers normally knew, which brands they wanted to buy. If customers asked her, she recommended good brands. But she was never asked about mercury so far.

Price of the products is neither related to source country nor to the listed active ingredients. The cost for skin-lightening products ranged widely from a low of about 1.85 €/100g to a high of 8.00 €/100g for soaps and from a low of 2.00 €/100ml to a high of 25.00 €/100ml for creams and lotions, respectively. Because far the most products were produced in France, no relationship of the cost related to source of the product can be analyzed. Herbal Products sold in the pharmacies were much more expensive (about 15 – 25 €/100 g), but these products should only be applied on face and dé- colleté or rather only on pigmentation and liver spots.

Survey Documents

A.4 Skin Lightening Creams

(If application of skin-lightening soaps is rather unusual in your country/region but skin- lightening creams are much more common, please interview about creams and also buy creams)

-> Please interview local dealers/ shop owners (5 to 10) as well as consumers (approximately 25) and maybe practitioners in the health care-sector.

In case of consumers: Information about educational background:

Please note profession of interviewed persons. (The professions shall be grouped later into the categories “academics” (including artists, monks and other persons with “brain power”), “craftsmen”, “sellers”, “farmers” and “day-labourer”):

Questions to consumers who use skin-lightening products (especially soaps):

- Do you know that some skin lightening soaps contain mercury?
- Are you aware that mercury is a toxic substance?
- Do you know whether mercury-free skin-lightening soaps are available in your town/region?
- If yes:
 - How is the availability of mercury-containing and mercury-free skin lightening soaps (do you have to buy them in different places, or is one type of skin lightening soap only in special places to get, or is one type often sold out)?
 - Do you use a mercury-containing or a mercury-free skin-lightening product?
 - Did you decide deliberately to buy a cream/soap with or without mercury? If yes, why?

EXECUTIVE SUMMARY

Mercury-free **skin-lightening products** were claimed by users and merchants to be present in every market and widely stocked in stores, pharmacies, and cosmetic clinics. Some concern was raised about the time it took to achieve results. Beside very few exceptions products had generally no claims as to mercury content. The surveyors were told in several countries, that illegal sales (black market products) exist, but in spite of local efforts, these products could not be widely procured. In one developing country one of the analyzed products had a very high mercury content (up to 0.5 wt%). Here, a mercury compound is obviously the main active agent. The presence of government seals and the implied manufacturer code of conduct for well-known products were reasons merchants claimed the products they offered were all mercury-free. Consumers gravitated to known mercury-free choices in countries that had government seals and/or regulation about mercury content. They also trusted retailers to provide them with accurate advice.



Final Report

Study of Mercury Contamination in Face Whitening Products in Thailand

By Ecological Alert and Recovery – Thailand (EARTH)

Rationale

In 2002, governments worldwide recognized the importance of sound management of chemicals throughout the chemical life-cycle. Together, they agreed on a common goal to reduce the impact of chemicals that may be harmful to human health and the environment, known as the Strategic Approach to International Organization on Chemicals Management (SAICM), at the World Summit on Sustainable Development at Johannesburg, South Africa. Among ongoing activities under SAICM are developments toward the Mercury Treaty, due to the extremely harmful and long-term health impact of mercury, a toxic substance that does not degrade in the natural environment.

Mercury is either a limited or prohibited ingredient according to international standards. The United States' Food and Drug Administration permits no more than 1 part per million (ppm) of mercury content. In the European Union, mercury is a prohibited ingredient in cosmetics. The Association of Southeast Asian Nations (ASEAN) Cosmetic Directive allows only cosmetics with zero mercury content to be sold in ASEAN markets. In Thailand, the Food and Drug Administration (Thai FDA) has legislated that mercury and mercury compounds are prohibited cosmetic ingredients since 1989, and again in 2008 released the Ministry of Public Health Notice on Prohibited Cosmetic Ingredients, of which mercury and mercury compounds are prohibited ingredient number 221.

Mercury contamination in face whitening cream is a dangerous issue of increasing importance, considering the widespread and growing popularity of face whitening products. In Thailand, face whitening cream holds a 60 per cent share of the national market for facial lotion, with an approximate value of 2,100 million baht (70 million USD), according to a market study released in July 2004 by Beiersdorf (Thailand). It is, therefore, critical to increase public awareness about mercury contamination in products, particularly in the case of face whitening cream.

Objectives

1. To examine the level of mercury contamination in face whitening products on the Thai market
2. To increase awareness among consumers about the danger of mercury and the importance of eliminating mercury from products

Methodology

1. Review of existing literature and the market of face whitening cream in Thailand
2. Sample face whitening cream products sold on the market, in collaboration with the Foundation for Consumers (FFC) in southern, northern, northeastern and central Thailand, with the following selection criteria for samples:
 - 2.1. Facial skin lotion that advertises ability to whiten, lighten, or erase blemishes
 - 2.2. Sold in Bangkok, metropolitan areas, major provinces across Thailand, and online
 - 2.3. Commonly available at department stores, shops and street stalls
3. Conduct initial testing of ammoniated mercury content using the Test Kit for Whitening Lotion, developed by Department of Medical Sciences, Ministry of Health
4. Send product samples, with labels removed, to analyze quantity of mercury contamination using cold vapor atomic absorption (CVAAS) according to ASEAN standards, at Intertek Testing Services (Thailand)
5. Publish study results in Smart Buyer Magazine, a national monthly publication by the Foundation for Consumers with a readership of approximately 10,000
6. Release study results at press conference on August 16, 2012, with attendance from various media: national free TV stations, cable TV stations, national newspapers, health and consumer magazines, online news agencies, etc.
7. Submit formal letter jointly signed by EARTH and the Foundation for Consumers, as well as detailed results of the study, to the Thai FDA.
8. Organize consumer campaign for mercury-free face whitening products, through press coverage and online social networks

Duration

Samples were collected in April and May 2012. Laboratory analysis was completed in May 2012.

Results were released in July and August, 2012.

Results

Of all 47 samples surveyed in 8 provinces, we found:

1. In the sample survey, 1 in 5 of all face whitening products are contaminated with mercury

According to laboratory analysis by Intertek Testing Services (Thailand), there is mercury contamination in 10 samples or 21 percent (approximately 1 in 5) of all face whitening creams sampled. The level of contamination ranged from 63.53 ppm to 99,070 ppm.

The remaining 37 samples, or 79 percent, cannot be determined whether they contain less than 0.05 ppm or no mercury, due to technical limitations of the laboratory analysis. Details in Table 1.

Table 1 Analysis of Mercury Content in Face Whitening Cream

Code	Product Name	Mercury Content (ppm)	Price (baht)	Size	Purchase Location
W41	FC Rice Milk	99,070	40	5 g.	Surat Thani
W37	White Rose	51,600	189	6 g.	Songkhla
W44	Biocollagen	47,960	170	6 g.	Kalasin
W42	Meiyong	41,770	57	5 g.	Songkhla
W39	Best Beauty	34,430	80	5 g.	Samut Prakarn
W40	Pearl Bouncing Face	13,800	20	5 g.	Songkhla
W27	Nature	7,300	300	10 g.	Nonthaburi
W47	Madame	3,435	150	5 g.	Nonthaburi
W32	Babyface	81.14	40	5 g.	Internet
W35	Mahaad Moisturizing Cream	63.53	390	15 g.	Surat Thani
W01	Garnier	<0.05*	179	50 ml	Bangkok
W02	Nivea Day Cream	<0.05*	245	50 ml	Bangkok
W03	Nivea Night Cream	<0.05*	245	50 ml	Bangkok
W04	Ponds	<0.05*	229	50 g	Bangkok
W05	L'Oréal	<0.05*	249	50 ml	Bangkok
W06	Olay	<0.05*	189	50 g	Bangkok
W07	White Code	<0.05*	225	50 g	Bangkok
W08	Ceramine	<0.05*	125	40 g	Bangkok
W09	Scacare	<0.05*	145	30 g	Bangkok
W10	Nivea	<0.05*	125	100 g.	Bangkok
W11	Bhaesaj	<0.05*	29	70 ml	Bangkok
W12	Beta Day Cream	<0.05*	25	5 g.	Bangkok

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

Code	Product Name	Mercury Content (ppm)	Price (baht)	Size	Purchase Location
W13	Beta Night Cream	<0.05*	25	2.5g.	Bangkok
W14	Casanovy	<0.05*	250	20 ml.	Nonthaburi
W15	Neutrogena	<0.05*	549	50 g.	Nonthaburi
W16	Just Pearl	<0.05*	275	10 g.	Nonthaburi
W17	Smooth E	<0.05*	265	1 fl. oz.	Nonthaburi
W18	Nivea for Men	<0.05*	192.75	40 ml.	Nonthaburi
W19	Vaseline	<0.05*	199	40 g.	Nonthaburi
W20	Garnier for Men	<0.05*	179	40 ml.	Nonthaburi
W21	Boots Luminese	<0.05*	189	45 ml.	Nonthaburi
W22	Boots	<0.05*	350	50 ml.	Nonthaburi
W23	KA	<0.05*	135	45 g.	Nonthaburi
W24	Mistine	<0.05*	69	30 g.	Nonthaburi
W25	Giffarine	<0.05*	156	40 g.	Nonthaburi
W26	Baan Chom Nok	<0.05*	39	20 g.	Nonthaburi
W28	Dr. Montri	<0.05*	39	20 g.	Nonthaburi
W29	Dior Snow	<0.05*	100	60 ml.	Nonthaburi
W30	Yura	<0.05*	320	30 g.	Nonthaburi
W31	Skin Food	<0.05*	100	50 g.	Nonthaburi
W33	Kuan Im	<0.05*	15	3 g.	Bangkok
W34	Supaporn	<0.05*	65	15 g.	Bangkok
W36	Waan Thai	<0.05*	190	20 g.	Payao
W38	Dermist	<0.05*	325	30 g.	Payao
W43	Suntree	<0.05*	139	20 g.	Payao
W45	Biowhitening	<0.05*	170	6 g.	Kalasin
W46	Bio SPF 50	<0.05*	170	6 g.	Kalasin

2. All contaminated products contain incomplete labeling

Upon analysis of all 10 samples contaminated with mercury, we found that contaminated products contain incomplete labeling. Many products lack information such as the manufacturer, the manufacturing date and expiration date. All contaminated products lack the “notification number,” which means the products

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

do not exist in the Thai-FDA database, making it nearly impossible to identify the manufacturer's information should consumers have problems with the product. Details in Table 2.

Table 2 Labeling information on products contaminated with mercury

Code	Product Name	Product Description	Mercury Content (ppm)	Notification Number	Manufacturing Date	Manufacturer	Size
W41	FC Rice Milk	Whitening Complex; Facial Night Complex	99,070	None	None	None	5 g.
W37	White Rose	Sheep Placenta Cream	51,600	None	10-01-12	Tanapatra Cosmetics	6 g.
W44	Biocollagen	Biocollagen Clean	47,960	None	None	Bio Inter Co. Ltd.	6 g.
W42	Meiyong	Seaweed Herbal Cream	41,770	None	None	None; sold by 150/49, Moo 3, Ton Ma Muang, Muang, Petchburi	5 g.
W39	Best Beauty	Herbal Skin Care, Pimple-Free, White Face	34,430	None	None	None	5 g.
W40	Pearl Bouncing Face	Bouncing Face Cream	13,800	None	None	C&R Cosmetics Co. Ltd.	5 g.
W27	Nature	Super Whitening Cream	7300	None	15-04-12	None	10 g.
W47	Madame	Organic KAIMOOK (Pearl)	3,435	None	19-02-12 Lot. 013	Madame Organic (Thailand) Co. Ltd.	5 g.
W32	Babyface	Whitening Cream	81.14	None	None	None	5 g.
W35	Mahaad Moisturizing Cream	Grape Extract Cream, Clear Face	63.53	None	None	None	15 g.

3. There is no correlation between selling price and level of mercury contamination

Upon analysis of selling price of mercury-contaminated face whitening cream, there is no correlation between selling price and level of mercury contamination. Some face whitening creams are sold at a high price but are contaminated with mercury. The three most expensive creams (price per gram) in this sample study are all contaminated with mercury, between 3,435 to 47,960 ppm. Meanwhile, some face whitening creams are sold at a low price but contain less than 0.05ppm or no mercury. Details in Table 3.

Table 3 Level of mercury contamination and selling price of face whitening cream

Code	Produce Name	Mercury Content (ppm)	Price per gram (baht)	Selling Price (baht)	Size
W47	มาดาม (MADAME)	3,435	30.0	150	5 g.
W27	เนเจอร์ (NATURE)	7300	30.0	300	10 g.
W44	ไบโอคอลลาเจน (BIO Collagen)	47,960	28.3	170	6 g.
W45	ไบโอไวท์เทนนิ่ง (BIO Whitening)	<0.05*	28.3	170	6 g.
W46	ไบโอ เอสพีเอฟ 50 (BIO SPF 50)	<0.05*	28.3	170	6 g.
W16	จัสท์เพิร์ล (Just Pearl)	<0.05*	27.5	275	10 g.
W35	ครีมบำรุงมหาด (Mahad)	63.53	26.0	390	15 g.
W39	เบสท์ บิวตี้ (Best Beauty)	34,430	16.0	80	5 g.
W14	คาซาโนวี (CASANOVY)	<0.05*	12.5	250	20 ml.
W42	เหมยหยง (Meiyong)	41,770	11.4	57	5 g.
W15	นิวโทรเจิน่า (Neutrogena)	<0.05*	11.0	549	50 g.
W30	ยูร่า (YURA)	<0.05*	10.7	320	30 g.
W13	เบต้า สตรกลางคืน (BETA)	<0.05*	10.0	25	2.5g.
W17	สมูท อี (Smooth E)	<0.05*	9.3	265	1.0 fl.oz.
W38	เดอร์มิสท์ (DERMIST)	<0.05*	9.2	275	30 g.
W37	ไวท์โรส (White Rose)	51,600	9.0	54	6 g.
W36	ว่านไทย (Wanthai)	<0.05*	8.6	172	20 g.
W32	เบบี้เฟซ (Baby Face)	81.14	8.0	40	5 g.

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

Code	Produce Name	Mercury Content (ppm)	Price per gram (baht)	Selling Price (baht)	Size
W41	FC น้ำนมข้าว (FC Nam Nom Khao)	99,070	8.0	40	5 g.
W22	บูทส์ (Boots)	<0.05*	7.0	350	50 ml.
W43	ซันทรี (SUN Tree)	<0.05*	7.0	139	20 g.
W33	กวนอิม (KUAN-IM)	<0.05*	5.0	15	3 g.
W12	เบต้า สูตรกลางวัน (BETA)	<0.05*	5.0	25	5 g.
W05	ลอรีอัล (L'Oreal)	<0.05*	5.0	249	50 ml
W19	วาสลีน (Vaseline)	<0.05*	5.0	199	40 g.
W09	สกาคาร์ (Scacare)	<0.05*	4.8	145	30 g
W18	นีเวีย สำหรับผู้ชาย (NIVEA for MEN)	<0.05*	4.8	192.75	40 ml.
W04	พอนด์ส (POND'S)	<0.05*	4.6	229	50 g
W07	ไวท์โคด (White Code)	<0.05*	4.5	225	50 g
W20	การ์นิเย สำหรับผู้ชาย (GARNIER)	<0.05*	4.5	179	40 ml.
W34	สุภาภรณ์ (Supaporn)	<0.05*	4.3	65	15 g.
W21	บูทส์ ลูมิเนส (Luminese)	<0.05*	4.2	189	45 ml.
W40	เพิร์ล ครีม (PEARL Cream)	13,800	4.0	20	5 g.
W25	กิฟฟารีน (Giffarine)	<0.05*	3.9	156	40 g.
W06	โอเลย์ (Olay)	<0.05*	3.8	189	50 g
W01	การ์นิเย (Garier)	<0.05*	3.6	179	50 ml
W08	เซรามีน (Ceramine)	<0.05*	3.1	125	40 g
W23	เคเอ (KA)	<0.05*	3.0	135	45 g.
W02	นีเวีย สูตรกลางวัน (NIVEA)	<0.05*	2.5	122.5	50 ml
W03	นีเวีย สูตรกลางคืน(NIVEA)	<0.05*	2.5	122.5	50 ml
W24	มิสทีน (Mlstine)	<0.05*	2.3	69	30 g.
W31	สกินฟู้ด (Skin Food)	<0.05*	2.0	100	50 g.
W26	บ้านหมนก (BANCHOMNOK)	<0.05*	2.0	39	20 g.
W28	ดอกเตอร์มอนตรี (Dr. Montri)	<0.05*	2.0	39	20 g.

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

Code	Produce Name	Mercury Content (ppm)	Price per gram (baht)	Selling Price (baht)	Size
W29	ดีออร์ สโนว์ (Dior Snow)	<0.05*	1.7	100	60 ml.
W10	นีเวีย (NIVEA)	<0.05*	1.3	125	100 g.
W11	เกสัช (BHAESAJ)	<0.05*	0.4	29	70 ml

4. Some mercury-contaminated face whitening creams are in the Thai FDA's list of dangerous products, but are still widely available on the Thai market

Analysis of the Thai FDA's lists of dangerous products, we found that 7 of 10 contaminated creams in this sample survey are in the Thai FDA's list of "dangerous products, banned from use" but are still widely available on the market across Thailand. The remaining 3 in 10 contaminated products are not found to be on the Thai FDA's list, but have high levels of mercury contamination, between 63.53 to 47,960 ppm. The Thai FDA safety standard for cosmetics is 0ppm mercury. Details in Table 4.

Table 4 Mercury-contaminated products on Thai FDA's list of dangerous cosmetics are still widely available

Code	Product Name	Mercury Content (ppm)	Thai FDA declared as "dangerous product, banned from use"	Location of Purchase (Apr-May 2012)
W41	FC Rice Milk	99,070	September 2011	Surat Thani
W37	White Rose	51,600	March 2009	Songkhla
W44	Biocollagen	47,960	-	Kalasin
W42	Meiyong	41,770	September 2010	Songkhla
W39	Best Beauty	34,430	September 2011	Samut Prakarn
W40	Pearl Bouncing Face	13,800	October 2008	Songkhla
W27	Nature	7,300	-	Nonthaburi
W47	Madame	3,435	March 2009	Nonthaburi
W32	Babyface	81.14	October 2008	Internet
W35	Mahaad Moisturizing Cream	63.53	-	Surat Thani

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

5. Face whitening creams in Thailand have a higher maximum level of mercury contamination than other Asian countries.

This study found Thai cosmetics have a higher maximum level of mercury contamination than other Asian countries, namely Bangladesh and the Philippines where similar studies have been conducted in May and June 2012, respectively. According to this sample survey, the highest level of mercury contamination in Thai face whitening creams is 99,070 ppm, while the highest level of mercury contamination is 4,643 ppm in Bangladesh and 60,800 ppm in the Philippines. Details in Table 5 and Table 6.

Table 5 Level of Mercury Contamination in Face Whitening Creams, Bangladesh

Code	Product Name	Mercury Content (ppm)
1	Shumons Aroma	3,361
2	PONDS	3,450
3	Fair & Handsome	3,567
4	Olay	3,604
5	Tibbat	3,753
6	Botanic	3,930
7	Modern	3,931
8	Fair & Lovely Ayurvedic	4,005
9	Fair & Handsome: Emami	4,134
10	Modern	4,152
11	Fair & Lovely Max fairness	4,174
12	Garnier	4,643

Source: Environment and Social Development Organization (EDSO), May 2012

Table 6 Level of Mercury Contamination in Face Whitening Creams, the Philippines

Code	Product Name	Mercury Content (ppm)
1	AILKE Perfection Salvation Rosy Whitening and Peeling Cream	Not detected
2	Aichun Beauty Strongly Whitening Freckle Series (3 in one)	550
3	Aichun Beauty Pawpaw Whitening and Freckle Remover Series	867
4	Aichun Beauty Green Tea Whitening Speckle Removing Series	1,250
5	Loreal Paris Anti-Freckle Cream Suit	1,371
6	"Special Cream" (Single, Label in Chinese)	1,378
7	"Special Cream" (Double, Label in Chinese)	1,565
8	Green Cucumber and Ginseng 6 Day Specific Eliminating Freckle Whitening Set	9,414

9	Feique Green Tea Vital Whitening Freckle-Removing Cream	15,800
10	Feique Whitening Anti-Freckle Cream	16,000
11	Feique Golden Aloe Whitening Anti-Scar, Anti Freckle Set	25,000
12	Yudantang Ginseng and Ganoderma Lucidum 6 Day Specific Eliminating Freckle Whitening Sun Block Cream	31,300
13	Bai Li Tou Hong	46,700
14	Maidaifu Herbal Moisturizing and Whitening Cream	60,800

Source: Ecowaste Coalition, June 2012

Summary of Results

Of the 47 face whitening products sampled from 8 provinces across Thailand, it was found that 1 in 5 of all face whitening creams sampled are contaminated with mercury. The highest level of contamination is 99,070 ppm, while the legal standard for cosmetic products in Thailand is 0ppm of mercury. Moreover, contaminated products contain incomplete labeling according to Thai law. In particular, none of the contaminated products reveal the “notification number” on product labels, meaning that these contaminated products do not exist in the Thai FDA’s database and cannot be traced to the manufacturer should consumers encounter problems from use.

This study did not find any correlation between the price and the level of mercury contamination, which defies the common consumer myth that more expensive face whitening products are safer. The three most expensive face whitening creams are contaminated with mercury, from 3,435 to 47,960 ppm. Meanwhile, the three cheapest face whitening creams contain no mercury or less than 0.05 ppm^{*}.

Moreover, 7 of 10 contaminated products have appeared on the Thai FDA’s list of “dangerous cosmetics, banned from use.” However, they remain widely available on the market across the country and through online stores. Equally alarming is that a number of face whitening creams contaminated with mercury do not yet appear on the Thai FDA’s list of dangerous products.

The situation of mercury contamination in Thai cosmetics is a violation of national law, as well as regulations for the sale of cosmetics in the Southeast Asian region. EARTH is also concerned that the maximum level of mercury contamination found in this sample survey is higher than that found in other Asian countries, such as Bangladesh and the Philippines.

* Products either with no mercury content or less than 0.05 ppm of mercury.

Due to current technological limitations, it is unable to detect mercury if the product contains less than 0.05 ppm.

Recommendation:

1. Relevant government agencies must enforce existing laws and monitor manufacturers in abiding by the law more strictly than in the past, particularly in the case of products contaminated with heavy metals, which have accumulative and serious health and environmental impact.
2. Consumers should avoid products with incomplete labeling to ensure manufacturer's accountability, and should contact relevant agencies upon finding incomplete product labels.

International Mercury Treaty Enabling Activities Program (IMEAP)

Following the signing of the Minamata Convention on Mercury (the ‘mercury treaty’) in 2013 and the release of the IPEN Minamata Declaration on Toxic Metals, IPEN expanded its Mercury-Free Campaign and developed a broad program of treaty-enabling activities to be implemented in conjunction with IPEN Participating Organizations (POs). The International Mercury Treaty Enabling Activities Program (IMEAP) is geared toward raising awareness about the mercury treaty while generating data on key thematic elements of mercury pollution to help enable countries to implement the Minamata Convention.

IPEN launched IMEAP in early 2014 and continues to mobilise resources for IPEN POs to conduct activities that support implementation of the mercury treaty¹.

The key objectives of the IPEN IMEAP are:

1. *Preparing for Treaty Ratification & Implementation:* Creating synergies between NGOs in developing countries with ongoing UN agency or government-led mercury activities and NGO priority-setting.
2. *Enabling Activities to Prepare Countries for Treaty Ratification & Implementation:* Support to NGOs to carry out national and thematic mercury treaty activities.
3. *Communication of Issues Related to Mercury and Treaty Ratification & Implementation:* Global dissemination of project results & south-south collaboration.

The following project forms part of the overall IMEAP activities and contributes to the greater global understanding of mercury pollution issues while providing information that may contribute to Minamata Initial Assessments (MIA) and raise public awareness in preparation for early ratification of the Minamata Convention on Mercury.

¹ IPEN would like to acknowledge the financial contributions from the governments of Germany, Sweden and Switzerland, and the Swedish public development co-operation aid through the Swedish Society for Nature Conservation (SSNC) and other donors. The views herein shall not necessarily be taken to reflect the official opinion of any of these donors, including SSNC or its donors.

IPEN Mercury Treaty Enabling project: Philippines

Name of the NGO: EcoWaste Coalition

Date: 13 February 2015 (IMEAP: 2014 Phase)

Title of project: "Market Investigation on the Illegal Importation of Mercury-Containing Skin-Whitening Creams in the Philippines"

Summary

The EcoWaste Coalition, an environmental watchdog group promoting chemical safety and zero waste, conducted a market investigation between November 2014 and February 2015 to determine the availability of mercury-containing skin whitening products, particularly facial creams, in the Philippines. EcoWaste Coalition procured 355 samples of skin whitening creams from various retailers in 50 cities across the archipelago and had them analyzed for mercury content using a portable X-Ray Fluorescence (XRF) device. Based on the screening conducted, 316 of the 355 samples (89%) were found to contain mercury many orders of magnitude higher than the 1 part per million (ppm) limit for mercury in cosmetics under the ASEAN Cosmetics Directive. This project has generated expanded data on mercury in skin whitening products to demonstrate the scope and gravity of the problem. The EcoWaste Coalition has been using the findings to campaign for more effective measures to halt illegal traffic and trade of mercury-added cosmetics in the market in the Philippines and the ASEAN. In addition, this study serves to raise public awareness on the health and environmental issues associated with the consumption and disposal of such mercury-added products. This project is relevant to Articles 4,10,11,18 and 30 of the Mercury Treaty.

Describe the specific products related to the activity:

The EcoWaste Coalition procured and analyzed skin-whitening cosmetics, particularly imported facial creams, that are unlawfully traded in the Philippines without the required market authorization issued by the Food and Drugs Administration (FDA). The study did not include branded skin whitening products duly registered with the FDA and sold in legitimate business establishments. The study did not include skin-whitening products currently sold online.

The focus on gathering data on the trade of mercury added products (cosmetics), their mercury content and their potential health and environmental impacts generated useful information related to Articles 4, 10, 11,18, and 30 of the Minamata Convention on Mercury.

Summarise the toxic effects of the mercury contained in these products:

Mercury, a toxic chemical often found in illegally traded skin-whitening products in the Philippines, inhibits the production of melanin pigment leading to a "fairer" skin tone in the short term, but may cause serious injury to the skin, the kidneys and other organs in the long term. According to the World Health Organization (WHO)-published "Mercury in Skin Lightening Products" fact sheet, "the main adverse effect of the inorganic mercury contained in skin lightening soaps and creams is kidney damage." Furthermore, "mercury in skin lightening

products may also cause skin rashes, skin discoloration and scarring, as well as a reduction in the skin's resistance to bacterial and fungal infections." WHO lists "anxiety, depression or psychosis and peripheral neuropathy" as other effects of exposure to mercury in skin whitening products.

Explain how consumers are exposed to mercury in these products:

Mercury is melanotoxic, or toxic to pigment cells, and is easily absorbed by the skin, causing toxic dermatologic effects. A report by the International Programme on Chemical Safety (IPCS) on inorganic mercury, the form of mercury used in cosmetics, says that "mercury compounds can penetrate the human skin," and when "mercury-containing skin-lightening soaps and creams are left on the skin overnight... the possibility of substantial mercury exposure exists both via the skin and through inhalation." Users of mercury-containing skin whitening cosmetics may experience skin discoloration, rashes and scarring and reduced skin's resistance to bacterial and fungal infections, while repeated applications can cause damage to the brain, the nervous system and the kidneys. Even non-users can be exposed to mercury in skin-whitening cosmetics. The California Department of Public Health has warned that "creams that contain mercury can be dangerous for anyone living in the home where they are used," explaining that "the mercury spreads from the hands of anyone using the cream to other things they touch (and) then gets into the air and anyone in the home can breathe it."

Note the extent of product sales:

As confirmed by the market investigation conducted, the illegal trade of smuggled cosmetics containing mercury is disturbingly widespread throughout the country. The contraband cosmetics, many of which are already banned by the government, were found on sale in 50 cities across the country. The bustling cities of Baguio in Northern Luzon, Binan and Imus in Southern Tagalog, Cebu in the Visayas, Cagayan de Oro, General Santos and Zamboanga in Mindanao, and Manila in the National Capital Region may be considered as major trading hubs given the wide variety of mercury-laced skin-whitening cosmetics available in these places. The samples were purchased from 55 herbal supplement stalls often operating inside shopping malls, 47 general merchandise shops offering mostly cheap imported dry goods, 33 Chinese drug stores, 17 beauty product stores selling cosmetics for personal or professional use, 7 informal street or market vendors, and 5 regular pharmacies.

Characterize the consumer groups who purchase the products:

Skin-whitening cosmetics are particularly popular among young and middle-aged women from all strata who seek to obtain fairer skin complexion. Consumers with greater purchasing power and who are better informed of their rights to safe and quality products tend to patronize branded skin whitening products with market authorization from the FDA and sold in legitimate retail outlets. FDA-authorized cosmetics have undergone the required registration procedures and passed good manufacturing practices consistent with the ASEAN Cosmetics Directive and applicable national laws. However, consumers with lesser financial means and who are less able to exercise their rights as consumers often buy contraband cosmetics, which are generally cheaper and often sold in places where ordinary consumers shop.

Define the manufacturers and distributors of these products:

Mercury-laden skin whitening products in store shelves are illegal imports from mainland China, Hong Kong and Taiwan, as well as from Indonesia, Pakistan and Thailand. Most of these contraband goods carry insufficient product labelling information. Oftentimes, information pertaining to the manufacturers is provided in non-English language with no translation. As these products are smuggled into the country's ports, the names and contact details of local distributors are not properly provided.

Describe how the mercury bearing waste from the product is handled:

Small jars containing the mercury-added facial creams are usually thrown into regular waste bins after use. There is no clear-cut information available as to how the confiscated cosmetics are destroyed and disposed of by the authorities.

Specify the information (or level of information) that is available to consumers about the mercury in the product and its hazards:

None of the 316 mercury-containing samples had mercury indicated as an ingredient, nor provided any warning about mercury content.

Outline what form of regulation (if any) applies to this product and its mercury content including provisions for phase-out:

As a member state of the Association of Southeast Asian Nations (ASEAN), the Philippines follows the regional bloc's policy on heavy metals in cosmetics with 1 ppm for mercury, 5 ppm for arsenic and 20 ppm for lead as the limits for post-market surveillance using the ASEAN Cosmetic Method (ACMTHA05). In the Philippines, "the manufacture, importation, selling or offering for sale of cosmetics products without FDA approval or found to contain harmful or toxic substances is in direct violation of Republic Act No. 9711, otherwise known as the FDA Act of 2009, and Republic Act No. 7394, otherwise known as the Consumer Act of the Philippines." Article IV of the Minamata Convention on Mercury provides for the phase-out of cosmetics, including skin-lightening creams, with mercury above 1 ppm by 2020. The Philippine government has signed the treaty and is currently undertaking a UNITAR project that will produce a dossier to facilitate early ratification by the authorities.

Specify similar products that are available on the market, including safer alternatives:

Other similar products available in the local market include: skin-whitening lotion, skin-whitening mask, skin-whitening spray and skin-whitening soap. Cosmetics that have secured the required market authorization from the FDA are presumed not containing mercury above the threshold limit and are safer to use. According to the FDA, "notified cosmetic products have the following written in English: a) product name, b) ingredients, c) net content, d) instruction on the use of the products, e) batch number, f) special precautions if any, and g) country of manufacture/importer." However, the EcoWaste Coalition is of the view that natural skin complexion is perfectly beautiful and see no essential need to lighten one's skin tone.

Project Outcomes:

Impact on Target Groups:

The EcoWaste Coalition has released the report “Beauty and the Risk: A Civil Society Investigation on the Prevalence of Mercury-Laden Skin-Whitening Creams in 50 Cities in the Philippines,” and has actively disseminated the results to target groups.

Impact on target policies:

At the national level, the EcoWaste Coalition has submitted actual samples of 26 new brands of mercury-laden skin whitening cosmetics to the FDA for confirmatory laboratory analysis. The FDA will require some time to perform the laboratory analysis and to issue a relevant advisory banning the illegal goods.

At the local level, the EcoWaste Coalition will provide concerned local city governments with an ordinance template banning the illegal trade of mercury-containing skin-whitening cosmetics (please see attached).

Outreach to Stakeholders:

The EcoWaste Coalition has so far undertaken the following efforts to reach out to priority stakeholders with the end view of advancing current relationships through cooperative actions.

1. Request for appointment to discuss study recommendations and explore further collaboration sent to FDA on 10 February 2015.
2. Request for appointment to discuss study recommendations and explore further collaboration also sent to the Philippine Dermatological Society (PDS) on 10 February 2015. The PDS has responded, inviting the EcoWaste team to their monthly board meeting on 19 March 2015.
3. Results of the study presented at the “Public Consultation on the EMB-UNITAR Project on the Ratification and Early Implementation of the Minamata Convention on Mercury in the Philippines” on 12 February 2015. The consultation was organized by the mercury treaty focal point.
4. Letters sent to concerned local government executives in Mindanao informing them about the results of the investigation and requesting for law enforcement action.

Deliverables, outputs and/or products: List the types of outputs from the activity, including reports, brochures or other information/education/communication materials.

1. Report: “Beauty and the Risk: A Civil Society Investigation on the Prevalence of Mercury-Laden Skin-Whitening Creams in 50 Cities in the Philippines” (please see attached)

2. “Template for a City Ordinance Banning and Penalizing the Sale of Mercury-Laden Skin-Whitening Cosmetics” (please see attached)

3. Press releases

<http://ecowastecoalition.blogspot.com/2015/02/beauty-pageant-features-toxic-beauties.html>

<http://ecowastecoalition.blogspot.com/2015/02/ecowaste-coalition-tells-consumers-to.html>
<http://ecowastecoalition.blogspot.com/2015/02/12-mindanao-mayors-urged-to-clamp-down.html>
<http://ecowastecoalition.blogspot.com/2015/02/cebu-city-government-urged-to-stop.html>
<http://ecowastecoalition.blogspot.com/2015/03/doctors-and-environmentalists-back.html>
<http://ecowastecoalition.blogspot.com/2015/03/women-warned-toxic-skin-whitening.html>

4. Campaign Endorsements by Target Groups; Joint statement with the Philippine Dermatological Society adopted.

<http://www.pds.org.ph/wp-content/uploads/2015/04/Final-Joint-Ecowaste-PDS-Statement-on-Mercury-19Mar15.pdf>.

5. Campaign Poster (this was undertaken in coordination with the SSNC-assisted Project Project of the EcoWaste Coalition).

Communication Efforts: Describe efforts to communicate this activity to the media and/or general public. Please include media coverage and/or photos or visuals.

Links to various articles and photos related to the report launch:

1. Articles: Mercury-Laden Skin Whitening Products

<http://lifestyle.inquirer.net/184333/banned-beauty-products-still-being-sold-ecowaste>

<http://www.malaya.com.ph/business-news/opinion/white-skin-still-ugly>

<http://www.mb.com.ph/skin-whitening-products-yield-toxic-levels-of-mercury/>

<http://www.gmanetwork.com/news/story/432747/news/nation/group-finds-mercury-in-more-than-300-skin-products>

<http://www.pna.gov.ph/index.php?idn=1&sid=&nid=1&rid=734247>

<http://allpinoynews.com/group-finds-mercury-in-more-than-300-skin-products/>

"Toxic cosmetics still on the market," People's Journal

<http://www.philstar.com/cebu-news/2015/02/15/1423979/group-asks-city-govt-monitor-sale-products-mercury>

<http://www.pna.gov.ph/index.php?idn=&nid=7&rid=735655>

<http://mindanaotimes.net/mindanao-lgu-execs-asked-to-clamp-down-on-toxic-cosmetics/>

<http://www.mindanaodailynews.com/12-mindanao-mayors-asked-to-clamp-down-on-illegal-trade-of-mercury-laced-cosmetics/>

<http://davaotoday.com/main/todays-news-to-go/group-alerts-mindanao-mayors-on-beauty-products-with-toxic-mercury/>

<http://www.pna.gov.ph/index.php?idn=2&sid=&nid=2&rid=736010>

<http://mindanaotimes.net/editorial-risking-health-for-fairer-skin/>

<http://mindanaotimes.net/editorial-mercury-in-skin-whitening-products/>

<http://www.bicolstandard.com/2015/03/women-warned-vs-toxic-skin-whitening.html#ixzz3VT249YRd>

<http://www.visayandailystar.com/2015/March/21/opinion.htm>

<http://opinion.inquirer.net/83579/mercury-laden-cosmetics-still-being-dumped-in-ph#ixzz3VPWz2FmT>

<http://www.mb.com.ph/dermatologists-back-drive-vs-mercury-laden-cosmetics/>

“Toxic Cosmetics Bad for Health and Environment,” People’s Journal Tonight, 1 April 2015

2. Photos: Miss Poison Cosmetics

<http://manilastandardtoday.com/2015/02/13/heavy-metal-ensemble/>

<http://manilastandardtoday.com/print-edition/friday-print-edition-02-13-2015/>

<http://www.remate.ph/2015/02/mercury-is-poison/>

<http://www.gettyimages.de/detail/nachrichtenfoto/the-ecowaste-coalition-stages-a-mock-beauty-pageant-to-nachrichtenfoto/463232448>

<http://www.gettyimages.dk/detail/news-photo/the-ecowaste-coalition-stages-a-mock-beauty-pageant-to-news-photo/463232438>

<http://www.gettyimages.co.uk/detail/news-photo/the-ecowaste-coalition-stages-a-mock-beauty-pageant-to-news-photo/463232454>

<http://www.gettyimages.co.uk/detail/news-photo/the-ecowaste-coalition-stages-a-mock-beauty-pageant-to-news-photo/463232446>

<http://www.gettyimages.co.uk/detail/news-photo/the-ecowaste-coalition-stages-a-mock-beauty-pageant-to-news-photo/463232440>

Business Mirror

Pilipino Mirror

3. TV Coverage

Channels 2, 5, Net25 (Pambansang Almusal), UNTV, Zoe TV

4. Radio Coverage:

DZBB, DZRH, DZXL, Radio Agila, Radio Veritas

Outline your Communication with National or Local Authorities:

The EcoWaste Coalition has so far communicated the study results to two key government agencies: the FDA, and the Department of Environment and Natural Resources – Environmental Management Bureau (DENR-EMB), the country’s focal point for the Minamata Convention on Mercury. For the FDA, the first step was to officially inform the agency about the study and the findings through a letter sent on 10 February 2015. The second step will be to discuss the findings through a face-to-face meeting as requested. For the DENR-EMB, the EcoWaste Coalition asked for a speaking time at the public consultation organized by the agency on 12 February 2015. The public consultation, which is part of the UNITAR-assisted project for the “Ratification and Early Implementation of the Minamata Convention on Mercury,” was attended by about 35 people representing the public and the private sectors. The EcoWaste Coalition presented a powerpoint presentation, which was well received (please see attached). In addition, the EcoWaste Coalition has so far written to 12 city mayors in Mindanao alerting them about the unimpeded sale of the banned mercury-laden skin-whitening cosmetics in their respective jurisdictions.

The Minamata Convention focal point for the Philippines

Atty. Jonas Leones
OIC-Director
Department of Environment and Natural Resources – Environmental Management Bureau
(DENR-EMB)

NGO Recommendations for next steps:

The study has put forward a long list of recommendations for the consumers, the business and industry and the government (please see below). The EcoWaste Coalition will see to it that such recommendations are popularized and implemented through the following steps:

1. Regular communication and dialogue with the FDA, the regulatory agency in charge of cosmetics.
2. Dialogue and collaboration with the Philippine Dermatological Society, a professional organization under the Philippine Medical Association.
3. Continuing public outreach through the mass media.
4. Resources permitting, the launch of “Brown is Beautiful” campaign.

5. Sharing of the “Beauty and the Risk” report to NGOs/CSO in Southeast Asia and regulatory bodies.

List of Recommendations as Contained in the “Beauty and the Risk” Report:

I. FOR THE CONSUMERS:

1. Take pride in our natural skin complexion. There is beauty and dignity in our “kayumangging kaligatan,” so refrain from using skin bleaching, lightening or whitening products, particularly contraband cosmetics that have not gone through formal notification or registration with the FDA and not guaranteed safe from mercury, hydroquinone and other harmful substances.
2. Support policies requiring the disclosure of chemical content as a condition for sale of cosmetic products by not patronizing items that do not provide such vital information.
3. Insist on your right to product information, including the ingredients comprising a product. Carefully read the product label and reject products with zero or incomplete label or with non-English labelling information unless English translation is also provided.
4. Stop using skin-whitening products with mercury content and consult a medical professional for advice.
5. Support the joint advocacy by the Department of Health and the Philippine Dermatological Society “to uplift the health status of Filipinos through patient education and early skin disease detection and prevention by proper dermatologic care^{viii}.”

II. FOR BUSINESS AND THE INDUSTRY

1. Manufacturers should adhere to the Philippine and ASEAN policy on mercury in cosmetics, and importers, distributors and retailers should only offer compliant FDA-notified cosmetics.
2. Manufacturers should actively generate and disclose the chemical ingredients of skin-whitening products and other cosmetics as a condition for sale in the Philippines.
3. Chinese medicine stores, general merchandise retailers and beauty and herbal supplement shops should stop selling illegal imports such as skin-whitening creams containing mercury and abide by the law.
4. Online shopping sites should not sell skin-whitening products and other cosmetics not duly approved by the FDA, and protect e-shoppers from the illegal sale of dangerous cosmetics laden with mercury and other undisclosed hazards.

III. FOR THE GOVERNMENT

a. For the FDA

1. The FDA should continue putting out timely health and recall advisories to alert consumers against mercury exposure from non-compliant skin-whitening products.

2. The FDA should improve the content and delivery of its health and recall advisories. Such advisories should not only bear the names of the products being recalled but also provide photographs of packaging, and levels of mercury detected, for the information of the public. Advisories should specify the law/s being violated and the corresponding fines and penalties for violators. Advisories should also emphasize that reselling or any attempt to resell is not allowed. Recall orders issued by the US Consumer Product Safety Commission, for example, contain a warning that reads: "It is illegal to resell or attempt to resell a recalled consumer product." Advisories, as stated in the UNEP's Module on Mercury in Products and Wastes, should warn:

- a) of the potential for mercury poisoning and the ramifications of continued use;
- b) not to use skin lightening products containing mercury or any of its form; and
- c) not to use products which do not list ingredients or whose ingredients are in a foreign language they cannot understand.

3. The FDA should consider advertising banned products with accompanying photos in at least one broadsheet and two tabloids of national circulation to ensure that the consumers and vendors alike are duly informed.

4. The FDA should maximize the use of conventional broadcast and print media as well as new media (e.g., Facebook, Twitter and other social networking tools) to ensure that the message reaches through the target sector/s, particularly cosmetics consumers and vendors.

5. The FDA should consider issuing a more in-depth Health Alert that will provide information about the hazards of mercury in cosmetics, signs and symptoms of mercury poisoning, medical remedies, disposal of mercury-containing products, etc.

6. The FDA should publish popular information material (e.g., a simplified, illustrated version of the Health Alert) that will inform consumers about the health and environmental risks posed by mercury-containing cosmetics.

7. The FDA, with support from the civil society and the media, should seek out and encourage victims of mercury exposure from skin-whitening products to voluntarily come forward and tell their stories in appropriate venues.

8. The FDA, in collaboration with the Department of Health, should designate a "No Mercury in Cosmetics" awareness-raising day or any appropriate event to raise public interest and alertness about this toxic health threat.

9. The FDA should provide a hotline that concerned citizens, including vendors and consumers, can contact to obtain information or clarification about cosmetics in commerce.

10. The FDA should enhance the current level of cooperation with the Bureau of Customs towards a more stringent control to prevent the entry of contraband cosmetics such as mercury-laced skin-whitening creams.

11. The FDA, together with local government and police authorities and consumer protection advocates, should conduct constant law enforcement activities, including on-

the-spot confiscation of contraband items and preventive closure of business establishments, to rid the market of dangerous cosmetics, and to demonstrate the government's conviction to enforce the law and uphold the public interest.

12. The FDA, in collaboration with the Department of Environment and Natural Resources, should ensure the environmentally sound management of seized mercury-containing cosmetics and not just landfilled or incinerated. The FDA should provide locations where mercury-laden cosmetics can be returned for safe storage and disposal.

13. The FDA should forge Memoranda of Agreement (MOAs) with the management of shopping malls to secure their cooperation in preventing the distribution and sale of banned cosmetics by shop owners in their premises. Resources permitting, the FDA should set up satellite offices in major commercial hubs such as in Divisoria, Manila to facilitate the enforcement of its regulations and the provision of necessary assistance to consumers.

14. The FDA should initiate agreements with FDAs or equivalent regulatory bodies in other jurisdictions suspected as sources of imported mercury-laced cosmetics such as China, Hong Kong, Taiwan, etc. to prevent the export of such tainted goods to the Philippines.

15. The government should secure the cooperation of the ASEAN member states in developing a rapid alert system for dangerous non-food products such as cosmetics to guide consumers, vendors and regulators and protect the public health and the environment.

b. For Local Government Units (LGUs)

1. Local officials and lawmakers should actively promote and support the promulgation of city or municipal ordinances prohibiting the importation, distribution, sale and use of mercury-containing cosmetics, including the imposition of hefty fines and penalties for violators.

2. Local government and police authorities should assist the FDA in the enforcement of relevant regulations in their areas of jurisdiction

RELEVANT PHOTOS:



HEAVY METAL ENSEMBLE: EcoWaste Coalition staged a mock “Miss Poison Cosmetics” beauty pageant on February 12, 2015 to draw public attention on the danger of using mercury-containing skin-whitening products.



DANGEROUS: Samples of skin-whitening cosmetics with mercury content above the regulatory limit of 1 part per million (ppm)



DIRTY DOZEN: Top 12 samples of skin-whitening products with mercury content ranging from 11,900 ppm to 96,100 ppm, way above the 1 ppm limit under the ASEAN Cosmetics Directive.