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## **Dangerous and often illegal cosmetics enter EU due to lack of online regulations.**

### **Report exposes shady side of cosmetics industry**

A global report released today by the Zero Mercury Working Group (ZMWG) confirms that illegal mercury skin lighteners are still entering also the EU via major e-commerce befr.ebay.be and best.aliexpress.com.

Between 2017 and 2022, the ZMWG conducted three separate investigations, each time confirming continued global access to often illegal skin-lightening products (SLPs), high in mercury. Most of the products sampled were manufactured in Asia, especially in Pakistan (43%), Thailand (8%), China (6%) and Taiwan (4%), according to their packaging.

In our latest 2020-2022 sampling, twenty-three products were ordered from Belgium, from four different e-platforms. Sixteen of them contained mercury. Twelve creams had mercury content between 1000-18,821 ppm.

[The EU Cosmetics Regulation](#), prohibits mercury containing cosmetic products being placed on the EU market. Furthermore, the EU has in place the [EU Safety Gate](#) or Rapid Exchange of Information System (RAPEX), an EU alert system, that allows a quick information exchange to monitor and prohibit the entry of unsafe consumer products to protect citizens. Nevertheless dangerous, toxic, and often illegal, mercury-added products still reach consumers' hands.

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Group (ZMWG) said: *“Mercury is a dangerous neurotoxin that must be effectively controlled. Internet platforms must stop these illegal products from being sold on their sites and the EU should take measures to ensure that.”*

### **Online liability reform is necessary at the EU level and globally**

EU decision makers must ensure a broad scope and clear definitions to strengthen the application of the Digital Services Act (DSA), now under discussion. They must clearly define the limits of the exemption of intermediary liability for online marketplaces, given the worryingly high level of illegal activities online, such as the selling of unsafe products. Most importantly, they need to ensure that the basic consumer protection and due diligence obligations apply to all intermediaries, regardless of their size. Clear obligations have to be established on marketplaces to verify traders and conduct random checks on services and products. Authorities need to provide for swift and more effective enforcement, and for means of redress for consumers when obligations under the DSA are not respected.

Charline Cheuvart, Mercury Policy Officer at the EEB said: *“Further, enforcement measures need to be maintained and strengthened by government officials and customs officers to ensure efficient and effective follow-ups. Interagency, local, national and international cooperation also needs to be ensured”.*

Mercury is used in skin lighteners because it inhibits melanin and results in a lighter skin tone. The regular use of SLPs containing mercury can lead to rashes, skin discolouration and blotching. Long-term exposure may damage the eyes, lungs, kidneys, digestive, immune and nervous systems.

137 countries have committed to the Minamata Convention to phase out and limit mercury, including in cosmetics. A meeting for parties to that convention is being held in Bali later in March to map out steps to curtail additional mercury-added products and processes, and to reduce releases and exposures to mercury.

**ENDS**

### **Notes to the editor:**

[ZMWG 2022 Report – link](#)

[Executive summary – link](#)

On the DSA – please see <https://www.beuc.eu/publications/digital-services->