

‘Prime’ Time to Stop Online Sales of Illegal High Mercury Skin Lightening Products

Executive Summary



February 2023

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Background

This report builds upon the previous work of the Zero Mercury Working Group (ZMWG) in exposing the toxic trade in skin lightening products (SLPs) laced with mercury. SLPs are sold globally via online platforms and, in this particular case, the focus is on illegal SLP sales by Amazon.com in the United States. As co-lead of the ZMWG, the Mercury Policy Project (MPP) has led investigations into a wide range of SLP issues including their composition, manufacture, adulteration, distribution and marketing, as well as a variety of efforts to raise awareness and protect consumers from toxic SLPs.

Despite well-known health risks, unscrupulous cosmetics manufacturers often add mercury compounds to SLPs. Then distributors and retailers, including Amazon.com, benefit from this toxic trade. Mercury lightens the skin by suppressing the production of melanin and can also remove age spots, freckles, blemishes and wrinkles. Adolescents also use SLPs, as mercury acts as an anti-bacterial for the treatment of acne.

Although SLPs have been banned in the U.S. since 1973 if they contain mercury concentrations over 1 ppm, they continue to be sold illegally both through local markets as well as online. Since the start of the pandemic, online sales have grown significantly. Violations of consumer, health and safety laws not only threaten public

health, but create an uneven playing field since “brick and mortar” stores must comply with domestic laws that may be evaded online by E-commerce platforms like Amazon.

Curtailing E-marketing of mercury-added SLPs is daunting, given the challenges of holding online platforms responsible. This lack of accountability removes incentives for online platforms to ensure product safety and result, at best, in episodic efforts to remove illegal products. Online consumers may get limitless choice but have little guarantee that a product is compliant with relevant regulations.

Test results

This report presents the third round of testing of suspect SLPs on Amazon.com since 2018. During the fall of 2022, MPP purchased suspect SLPs available on Amazon.com, which were sent to Legend Technical Services Laboratory in St. Paul, Minnesota for testing. The mercury concentration was determined by laboratory based Inductively Coupled Plasma Optical Emission Spectroscopy (ICP-OES) analysis.

As presented in the table below, twenty-one (21) suspect SLPs were purchased from Amazon.com, and nineteen (19) of those were found to have mercury concentrations over 1 ppm, the legal limit. The levels of mercury detected by the lab in those 19 SLPs ranged from 1.5 ppm to 8,500 ppm.

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Mercury-containing skin lighteners purchased from Amazon, 2022

Product name	Hg ppm	Country/producer	Product photo	Exemplars	Hazard alert
Nunn Care	1500	Mexico/ Miligros Cosmetics		Nunn Care, 1 Ounce (Pack of 1) ASIN: B096TKM6GX	States of California, Minnesota
Kojie San	7.0	Philippines/ Marketasia		Kojie San Dream White Anti-Aging Skin Care ASIN: B008J3A9GA	Sacramento County, CA
Jalea Real Grisi	3.9	Mexico/ Factor Int'l/Grishnos		GRISI Grisi Royal Jelly Cream, 3.8 ounces ASIN: B08J994BG3	Sacramento County, CA
Clear N Smooth	6.6	USA/ Hawkнад Specialty Products LLC		Clear-n-smooth Plus Cream 4 Oz ASIN: B00927VD0S	
Crusader	16	Spain		CRUSADER Skin Lightening Cream Regular Formula 1.76 oz ASIN: B000142P1W	EU RAPEX
Glutitone	160	Korea		HIYADY Cream (Pink) Enriched with Hyaluron-glutathione extract ASIN: B07QYJ8DBY	State of Minnesota, US FDA
Promina	16	Thailand		3 X Promina Ginseng Pure Pearl Face Cream Removal Freckle & Acne Dark Spot ASIN: B009JCUGHW	State of Minnesota
African formula	9.7	Spain		African Formula Skin Tone Creme 1.76 oz. ASIN: B000142P1W	
Carotone	1.9	Côte d'Ivoire		Carotone B.S.C Cream ASIN: B0B3824MB3	EU RAPEX, US FDA
Faiza	7,000	Pakistan/ Poonia Brothers		fair n pink Faiza Beauty Cream (Pink, 50 g) ASIN : B081TBPC35	NYC Dept of Health; EU RAPEX
Faiza	7,400	Pakistan/ Poonia Brothers		fair n pink Faiza Beauty Cream (Pink, 50 g) ASIN: B081TBPC35	NYC Dept of Health/ EU RAPEX
Yoko Whitening	1.5	Thailand		YOKO Whitening Spa Salt For Armpit & Bikini Area 220g. White ASIN : B00VOUJWD6	State of Minnesota

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Snow Lotus	19	Thailand		KOK Liang Snow Lotus Cream Fast Treatment Repair Damage Skin 50g Made in Thailand ASIN: B008DR051Q	State of California
San Ing Face Cream	7.8	Taiwan or China		Pearl Cream , San Ing Face Cream , Value 2 Pak (2 X 0.3 Oz) by scthkidto ASIN: B018IVNLHQ	State of California
Dodo White Up	2.1	United Kingdom		Dodo Beauty Lightening Lotion ASIN: B01LXXFK8F	Ghana FDA
Sakura	0.66	Thailand		Sakura White DJ White Gluta speed White UVA UVB SPF 50 PA ++ 15 g. Silk Sunscreen (1 ASIN: B07H8KC9RG	State of California, Sacramento County, CA
Immediat Claire	4.5	Ghana, Ghandour Cosmetics Ltd.,		Immediat Claire Maxi-Beauty Lightening Body Cream With Carrot Extract 250 ml - 8m4 ASIN: B09FHMMZ6K	
Nunn Care	6.8	Mexico/ Miligros Cosmetics		Nunn Care, 1 Ounce (Pack of 1) ASIN : B096TKM6GX	States of California, Minnesota
Faiza	8,400	Pakistan/ Poonia Brothers		fair n pink Faiza Beauty Cream (Pink, 50 g) ASIN: B081TBPC35	NYC Dept of Health/ EU RAPEX
Faiza	8,500	Pakistan/ Poonia Brothers		fair n pink Faiza Beauty Cream (Pink, 50 g) ASIN: B081TBPC35	NYC Dept of Health/ EU RAPEX
Dermaline	0.79	USA, Neovema		Dermaline - Cocoa Butter Body Cream with Jojoba Oil, Collagen and Vitamin E 2 Oz. ASIN : B08W8MM5T5	

Conclusions

High-mercury SLPs continue to be present on Amazon.com. Amazon appears to be effectively profiting from a counterfeit market where SLPs contaminated with mercury are being sold illegally in the U.S. and worldwide.

Most of the suspect SLPs purchased from Amazon.com were already on hazard lists

identified by various governments, including FDA, the states of California and Minnesota, California counties and New York City. By implementing the recommendations below, Amazon and other E-platforms, could and should better protect consumers from the dangers of illegal high mercury SLPs.

Recommendations

While recommendations included in earlier ZMWG reports should also be considered, this report specifically recommends the following:

- I. The Conference of the Parties should consider amending the Minamata Convention to ban SLP sales, advertising and offering of sales of SLPs with mercury levels over 1 ppm.
- II. The US FDA should take steps to eliminate online sales of mercury added SLPs, similar to recent actions it has taken to curtail online sales of certain SLPs containing hydroquinone.
- III. Any policies, agreements or settlements with E-Commerce platforms shouldn't be any weaker than what has been agreed to elsewhere (e.g., in Europe, etc.).
- IV. Other recommendations for E-commerce platforms include the following:
 1. Third party online sales of skin lightening products should be eliminated entirely if counterfeit marketing can't be prevented, since toxic skin lightening sales affects this entire category.
 2. Develop a means to test and ensure compliance with mercury laws when marketing SLPs.
 3. Commit to regularly monitor government websites and detention lists, the ZMWG database and others, and remove suspect SLPs.
 4. Use filtering mechanisms aimed at preventing new listings offering the same items as those previously removed and implement a penalty point system for repeat offenders.
 5. Sellers should be informed when products are taken down and their products flagged.
 6. All safety concerns notified by consumers via customer service channels should automatically trigger an internal investigation and, where appropriate, the products should be removed.
 7. Procedures should be implemented that allow consumers to signal product safety concerns directly, and when suspect SLPs are identified, platforms should respond with product removals within two days, reaction to notifications within five days, etc.
 8. Measures should be taken to prevent banned SLPs from being searchable and/or purchasable again by consumers, even if the products are re-listed on the platform.
 9. Platforms should commit to report regularly on measures taken to ensure effective communication of safety hazards and issue prompt recalls of defective products, as required by the European Product Safety Pledge.

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