

19 October 2023

Online Marketing of Toxic Skin Lighteners: Mercury cosmetics marketed as 'solution' to dark skin

Webinar: The Dark World of Toxic Skin Lightening Products

Michael Bender
Executive Director of the Mercury Policy Project
International Coordinator of the Zero Mercury Working Group



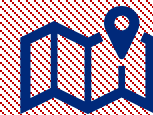


Zero Mercury Working Group



An international coalition of more than 110 public interest, environmental and health non-governmental organizations from over 55 countries from around the world.

Aim: Reduce/eliminate mercury supply, use, emissions, exposure, implementing the Minamata Convention



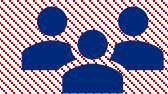
2005

ZMWG creation



> 55

Countries



> 110

Member
organisations



Widespread Use of Skin Lightening Products (SLP)

- Mercury is a bleaching agent inhibiting the formation of melanin, produces whitening, anti-freckles effect.
- Mercury can be easily absorbed through the skin and lungs leading to skin rashes and damage to kidneys.
- Contaminate homes, exposes residents
- World Health Organization warns of the health risks of mercury SLPs—and recommends phase out
- Minamata Convention bans manufacture, trade of cosmetics w/over 1 ppm mercury
- Once sold primarily in local markets and beauty stores, the availability of SLPs has exploded online

PREVENTING DISEASE THROUGH HEALTHY ENVIRONMENTS

World Health Organization

MERCURY IN SKIN LIGHTENING PRODUCTS

Mercury is a common but dangerous ingredient found in skin lightening creams and soaps. Beauty standards promoted by media, advertising and marketing reinforce the bias that lighter skin tone is more desirable than darker skin tone. Skin lightening creams and soaps are commonly used in many African, Asian and Caribbean nations (1, 2). They are also used among dark-skinned populations in Europe and North America (3-5). Mercury salts inhibit the formation of melanin, resulting in a lighter skin tone (6, 7). The Minamata Convention on Mercury establishes a limit of 1 mg/kg (1 ppm) for skin lightening products (8), yet many cosmetic products contain mercury levels higher than that amount to increase whitening effect (9, 10). Despite having been banned in many countries, mercury-containing products are often easily obtainable (11).

Mercury can be eliminated from skin lightening products by working with health and environmental ministries and raising public awareness about the dangers to health from mercury and other hazardous chemicals in skin lightening products. To stop the manufacture, import and export of skin lightening products in line with the Minamata Convention, regulatory actions by governments are needed – including training of customs agencies – as well as major media and advocacy campaigns.

Use, production and availability

- Skin lightening products are used worldwide, but their use is particularly widespread in many African, Asian and Caribbean countries (1, 12). Skin lightening products are used by both women and men (13).
- The skin lightening industry is one of the fastest growing beauty industries worldwide and is estimated to be worth US\$ 31.2 billion by 2024 (14). In India, for example, the skin lightening industry (including products with and without mercury) represents 50% of the skincare market and is estimated to be worth US\$ 450–535 million (14).
- Mercury-containing skin lightening products are manufactured in many countries and areas, including Bangladesh (15), China (16, 17), Dominican Republic (18), Hong Kong SAR (China) (15), Jamaica (15), Lebanon (19), Malaysia (15), Mexico (17, 20), Pakistan (21), Philippines (22), Republic of Korea (15), Thailand (23, 24), and the United States of America (25).
- Mercury-containing skin lightening products are available for sale over the Internet, promoted online on social media sites, and sold through mobile apps. According to the United States Food and Drug Administration (FDA), these products are often manufactured abroad and sold illegally in the United States, often in small shops and informal markets catering to Latino, Asian, African or Middle Eastern communities. Consumers also purchase them in other countries and bring them back to their country (26). The toxic trade of often illegal mercury-added skin lightening products is a global crisis expected to only worsen with skyrocketing demand, especially in Africa, Asia and the Middle East (15).
- A 2013 survey funded by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety noted that individuals from Brazil, Kyrgyzstan, Mexico and the Russian Federation believe that mercury-containing skin lightening products are easy to obtain (11).



Dermatologist Round Table and Surveys in Bangladesh and Pakistan



Sept. 2023 SDPI Roundtable

Pakistan, SDPI, September 2023

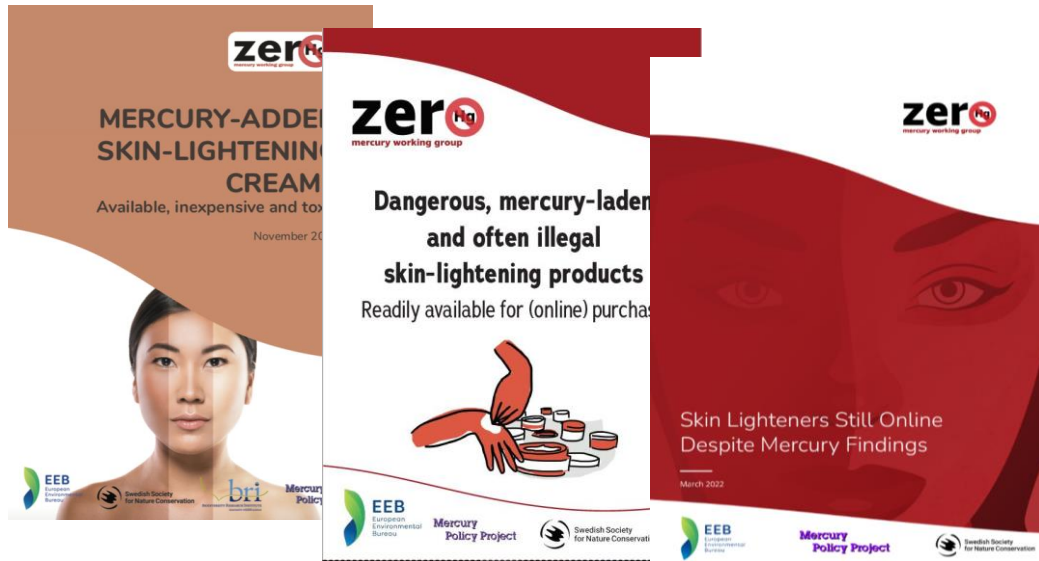
- 86% of patients not aware of toxic substances, health risks of SWCs
- 63% of surveyed dermatologists are presented with facial skin problems
 - 43% of dermatologists see >10 patients per week due to SLPs
 - 40% dermatologists see >20 patients per week
- 83% agreed with advertisement ban
- Almost 100% agree on ban of Hg SWCs

Bangladesh, ESDO, 2022

- 60-70% patients' skin problems due to toxic SLPs use
- 80% of SLP patients are women.
- 21-40 y old , average age groups using SLPs



ZMWG Global SLP Investigations



Global samplings in 2017- 2018, 2019 and 2022:

- Focused on local markets and then online sales
- **775 products tested**, engaging multiple NGO partners from around the globe.
- **33% (256) with mercury over 1 ppm**

Fourth global sampling in 2022-2023:

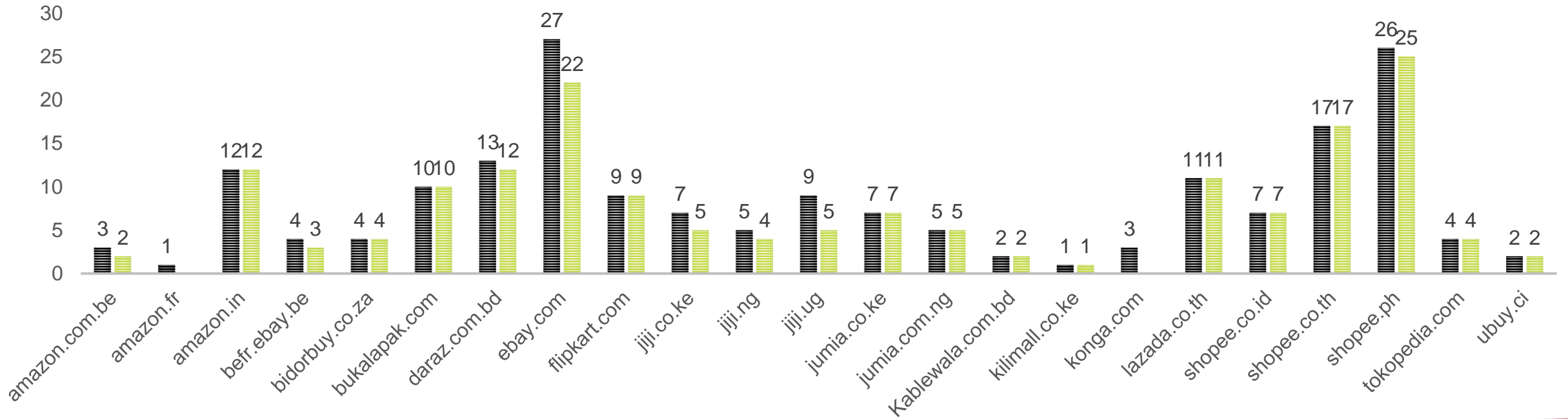
- Focus on online platforms
- In total, **213 products** were purchased from over 23 e-commerce sites, and tested.
- **90% (191) of the products (60 different brands) had mercury above 1ppm.**



Results (2022-2023 Sampling)

HIGH-MERCURY VS. TOTAL SLPS PURCHASED ON E-COMMERCE

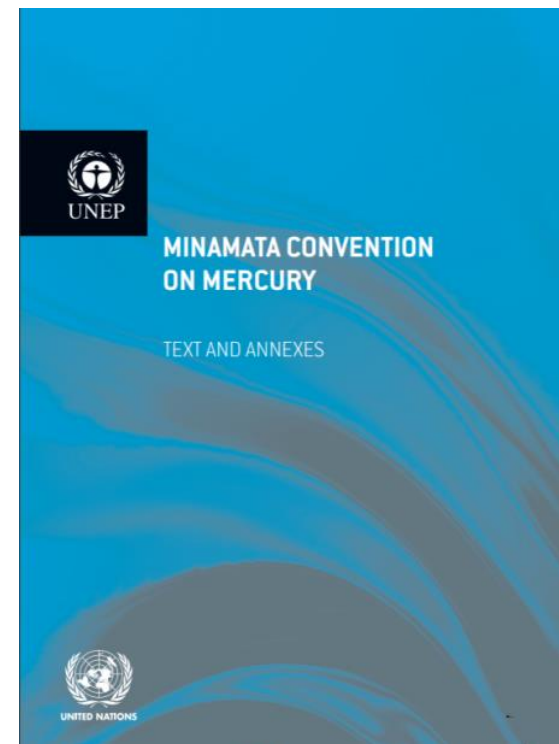
■ # of samples purchased ■ # of samples tested with mercury levels above 1 ppm





The African Region's amendment @ Minamata COP 5

- ✓ Ensure a zero tolerance: all “mercury-added” cosmetics to be prohibited
- ✓ Curtailing the (on-line) sales, advertising, marketing and merchandising of mercury SLPs
- ✓ Spur interagency collaboration as well as regional and global coordination
- ✓ Enhance awareness of the hazards of toxic SLPs



Steps to address illegal toxic SLP trade



Enforcement measures
to restrict high mercury
cosmetic products under
the Minamata Convention



Mercury
Policy Project



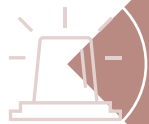
Legal framework, mandates and division of responsibilities

Legal gap analysis, Licensing/registration requirements, Restrictions/bans, Labelling of ingredients and full disclosure of ingredients



Supporting tools and measures

Detention lists, Alert systems or Advisories (EU Safety Gate, ASEAN cosmetics Post Marketing Alert System), Capacity-building, Detection and measurement capabilities



Inspections and sanctions

Severe fine and penalties, screening, tools, informing consumers for better market surveillance

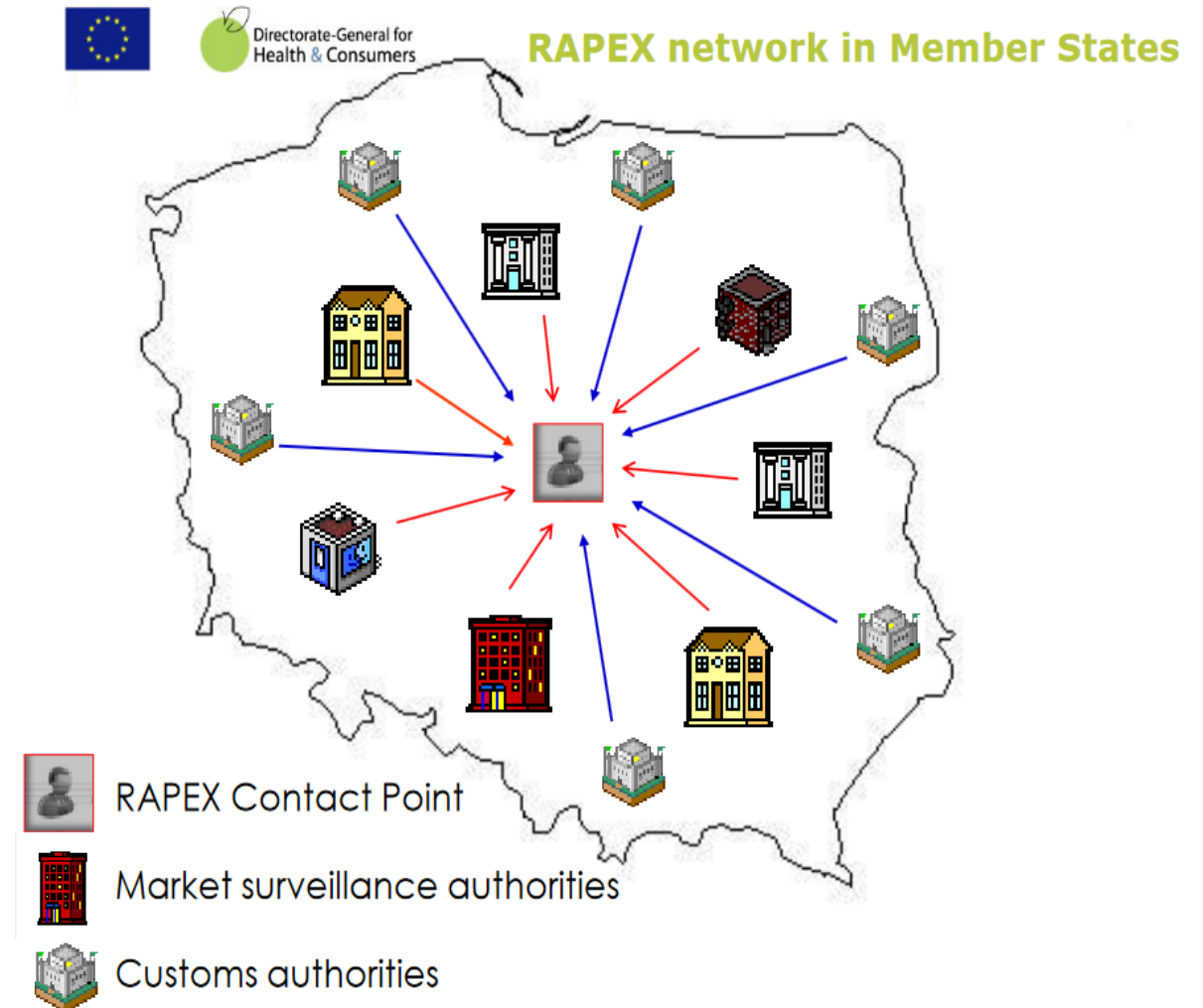


Inter-agency and international Collaboration

Mandates, national interagency/regional/international cooperation (e.g. East African Community, ASEAN, EU) collaboration with NGOs

EU Rapid Alert System (RAPEX) targets, lists, removes unsafe products, including Hg SLPs

- RAPEX established in 2001 under the General Product Safety Directive (2001/95/EC)
- Objective: Ensure that information about dangerous consumer products identified in one EU State is quickly circulated to other Member States & EU Commission
- Aim of preventing their further supply to consumers
- RAPEX utilized by EC product safety pledge to engage online platforms in unsafe product removal
- <http://ec.europa.eu/rapex>





Principles for online legal reforms

Product Safety
Pledge removes
thousands of
dangerous items
from online
marketplaces



- Clear liability rules to be established and enforced, with significant penalties
- E-commerce platforms must ensure that the sellers comply with domestic health and safety law (correct labelling, disclosure of ingredients etc)
- Online platforms should verify foreign third-party sellers and appoint a home-country legal representative
- Online platforms made responsible for ensuring compliance with third party seller verification, and information/ingredient disclosure requirements
- EC IT application detects RAPEX-listed products that are still sold or reappear in online markets.



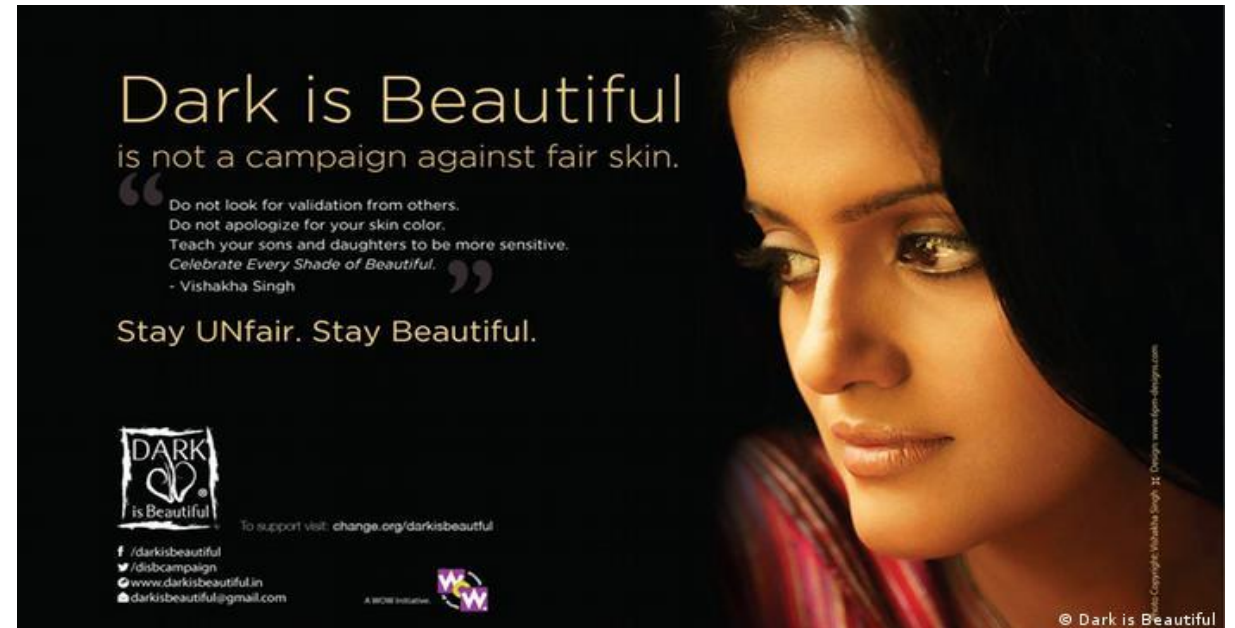
https://esurveillance.ec.europa.eu/product_safety/home



Backlash against 'fairness creams' ads



Trend Of Obsession With Skin Colour in Pakistan
<https://www.youtube.com/watch?v=SyeOE8mgnig>



Why Do Indians Love 'Fair' Skin?
<https://www.youtube.com/watch?v=hDDJabnirTM>

Pakistan's Mercury Problem Women? Who Cares Fairer is Better; The Government Approves

Muhammad Saad Waqas, Falqa Iqbal, Syeda Shafiq Zahra Muneer



Backlash against 'fairness creams' cont.

Introduction

- Pakistan: One of the biggest contributors to mercury toxicity in cosmetics, particularly fairness creams. The overwhelming majority of factories of this toxicity are known women and their values of living.
- Pakistan is a signatory to the Minamata Convention regulating the import, export and utilization of mercury. It reacted after the Japanese city of Minamata where scores of children became victims of mercury toxicity.
- Our paper aims to identify mercury-containing cosmetics of Pakistani origin as a remedy in circulation and government policy toward curbing the illicit cosmetics industry.

Methods

- Online databases of The Zero Mercury Working Group (ZMWG) and the European Safety Gate Alert System was used to identify mercury-containing skin-lightening products originating from Pakistan.
- A local survey of cosmetics shops in Islamabad, Lahore, Karachi and Peshawar was conducted to find the presence of said condemned products via [ZMWG](#).
- Online search of various news articles and regulatory platforms was conducted to identify instances where these said products were banned internationally.
- Government websites and databases were searched for action plans and activities planned to curb the illegal cosmetics industry.

Pakistan's women contemplating her beauty created by DALL-E



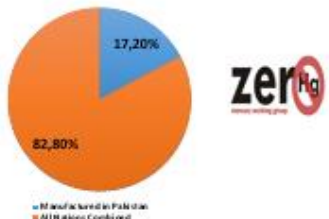
Takiko Inayama, a 12-year-old girl (congenital) victim of the Minamata disease, with her mother, Minamata, Japan, 1972



Results & Discussion

- 64 Mercury containing Skin Lightening Products of Pakistani origin were identified in the ZMWG database.
- These products have been banned in multiple countries, including the UK, Europe, Ivory Coast, Bangladesh, the Philippines, and many more owing to the presence of mercury and in some cases hydroquinone in the fairness creams.
- Locally we were able to document the presence of 97 of these products in the market.
- We were unable to identify concrete steps taken in regulating the industry.
- In summary, The government has been unable to effectively halt the proliferation of this illegal industry, and the issue is currently in a state of escalation. This has resulted in production and consumption of the country internationally.
- Furthermore, the health and safety of women all over Pakistan is continuously being compromised.

Pakistan's Contribution to the Global Bank of Mercury-Containing Cosmetics: Courtesy the ZMWG database



Report ID	Alert Number	Product	Risk
Report:2023-46 171112020	A120141528	Skin-lightening product	Serious Chemical
Report:2023-37 10592020	A120122020	Skin-lightening cream	Serious Chemical
Report:2023-17 30592020	A120122020	Skin-lightening product	Serious Chemical

Future Directions

- We recommend imposing binding agreements on local mercury importing companies making them legally liable for sourcing from a prohibited end-user agreement.
- This measure will restrict the supply of mercury to the cosmetics industry.
- By curbing the industry of mercury, a resolution can be achieved.
- We, the authors present ourselves in collaboration with any governmental or non-governmental organizations willing to collaborate in the formulation of [policy-oriented](#) the legislators to achieve the above-mentioned goals.

Conclusion

- Pakistan's cosmetics industry practices constitute a major violation of Article 3, Paragraph 7 of the Minamata Convention which requires mercury-importing entities to provide assurances regarding the ultimate use of mercury.
- The existing situation predominantly reflects a manifestation of the ineffectiveness of the state machinery in regulating this industry, despite being a signatory to the Minamata Convention.

References

- Zero Mercury Working Group Database –Mercury in Skin Lightening Products
- Minamata Convention/Parliament Pakistan
- European Safety Gate Alert System
- Chartered Trading Standards Institute - United Kingdom
- https://en.wikipedia.org/wiki/Indus_gulph?curid=4001
- Invega country: W. Lagos Jamb.
- Passive Women created by DALL-E

Acknowledgments

Dr. Khizer Hamza



Minamata disease child



The hand of Tomoko Kawamura, Minamata Disease



Poster Presentation:

A Pakistani pathology instructor at Khyber Girls Medical College, Peshawar worked with his students in developing a poster, utilizing ZMWG data outlining concerns about mercury SLPs originating from Pakistan.

One of the students said:

“The research was motivated by the suffering of women in my village who were using whitening creams containing toxic heavy metals like mercury. These creams were leading to deterioration of their skin over the long term. My aim is to raise awareness about the toxicity and the harm associated with these products and I recommend that the government should ban such whitening creams”





Conclusions and Recommendations

- Mercury SLPs are a global crisis warranting concerted international action
- Enforcement is key to stopping manufacturing
- All mercury compounds determined for potential use in SLPs should be banned
- Online platform liability reform is needed
- Collaboration between government agencies, domestically and internationally is key
- African Region's proposed COP5 amendment seeks to address challenges
- Sales and advertising ban on Hg SLPs would complement existing Convention provisions





ZMWG Skin Lightening Campaign Partners

- AFRICA- Bio Vision Africa, **Uganda**; Center for Environment Justice and Development, **Kenya**; Centre Africain pour la Santé Environnementale, **Cote d'Ivoire**; groundWork, **South Africa**; Sustainable Research and Action for Environmental Development, **Nigeria**
- AMERICAS- Casa Cem, **Mexico**; Mercury Policy Project & WE-ACT **United States**; Integrated Health Outreach (IHO), **Antigua and Barbuda**; Toxisphera Environmental Health Association, **Brazil**
- ASIA- BAN Toxics, **the Philippines**; Center for Public Health and Environment, **Nepal**; Earth, **Thailand**; Environmental and Social Development Organization, **Bangladesh**; NEXUS3Foundation, **Indonesia**; Toxics Link, **India**
- MIDDLE EAST- Environment Friends Society, **Bahrain**
- EUROPE- European Environmental Bureau, **Belgium**



Thank you!



<https://www.zeromercury.org/mercury-added-skin-lightening-creams-campaign/>