

Engaging E-Commerce (and Others) in Eliminating Toxic Trade in Mercury Added Cosmetics

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**Mercury
Policy Project**



ZMWG and Hg/Skin Lightening Products Campaign Partners



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


2005
ZMWG
creation

> 55
Countries


> 110
Member
organisations



- **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**
- **EUROPE**- European Environmental Bureau, **Belgium**

Overview



Image credit: Global Environment Facility

- Background
- ZMWG campaign evidence
- E-commerce engagement key
- Detention lists critical for surveillance, enforcement
- Product Safety Pledges can enhance and complement enforcement
- Conclusion and recommendations

Poisoning for Profit: What's Driving Use?

- Usage rooted in systemic racism that promotes Euro-centric beauty standards, marketing to people of color
- Advertisements at retail, television, on billboards, internet shopping platforms, etc.
- Many manufacturing countries are Parties to Minamata Convention, indicating a lack of compliance and government oversight.
- Unregulated production/trade in mercury compounds fosters production of Hg/SLPs



Assessing Exposure Risks from Hg/SLP Usage

- Bastianz et al 2023 systematic review indicated 2/3 of SLP users studied had Hg urine levels exceeding $20\mu\text{g}/\text{L}$, 6 times background levels found in GMA
- Scientists don't know to what extent Hg/SLPs contribute to global mercury burden but will likely be significant. because there are tens, if not hundreds, of millions of people who use these products.(2)
- Most studies analyzed store purchases, review likely missed those advertised on social media and sold online.(2)

(1)<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9651181/>

(2)<https://pubmed.ncbi.nlm.nih.gov/36367779/>

Skin lightening products containing MERCURY are DANGEROUS

Mercury can have profound negative impacts on health and well-being. They can involve different body systems:

BRAIN
The most sensitive target for mercury is the central nervous system. Neurological and behavioural disorders may be observed after inhalation, ingestion or dermal application of mercury in its different forms.

LUNGS
The most commonly reported symptoms include cough, dyspnoea, and chest tightness or burning pains in the chest. Pulmonary function may also be impaired. Long term effects include airway obstruction, airway restriction, as well as decreased vital capacity.

KIDNEYS
Inhalation and ingestion of mercury can impair the renal function leading to urinary excretion of several proteins and degeneration of renal tissues and structures.

SKIN
Dermal exposure to mercury can induce skin rashes, discoloration, blotching, contact dermatitis, heavy perspiration and reddened and/or peeling skin on the palms of the hands and soles of the feet.

MUSCLES
Some long-term exposures to mercury have resulted in unsteady walking and performance decrements in psychomotor skills.

Ask advice and guidance to your dermatologist!

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Logos: EEB, European Union, zeroHg, Mercury Policy Project, Naturstyrelsen, ACPMEAS.

Annual Hg/SLP Global Production Projections (Calculations in Annex A)

- Pakistan alone is estimated to contribute over 17% of global production SWP; 22.5 tons of mercury compounds are used in these products, based on sales of units and concentration in each unit (1)
- Assuming Pakistan represents 20% of global Hg/SLPS, we conservatively estimate that **66 million Hg/SLPs are annually sold globally, using 112.5 metric tons of mercury compounds**

(1) https://minamataconvention.org/sites/default/files/inline-files/Presentation_20231012_14h45_Uganda-ZMWG.pdf

Evidence Gathered by the ZMWG Campaign



Global samplings in 2017- 2018, 2019 & 2022:

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

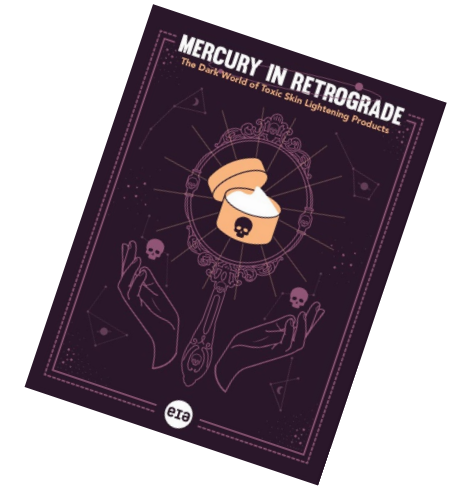


[ZMWG online database](#)



Fourth global sampling in 2022-2023:

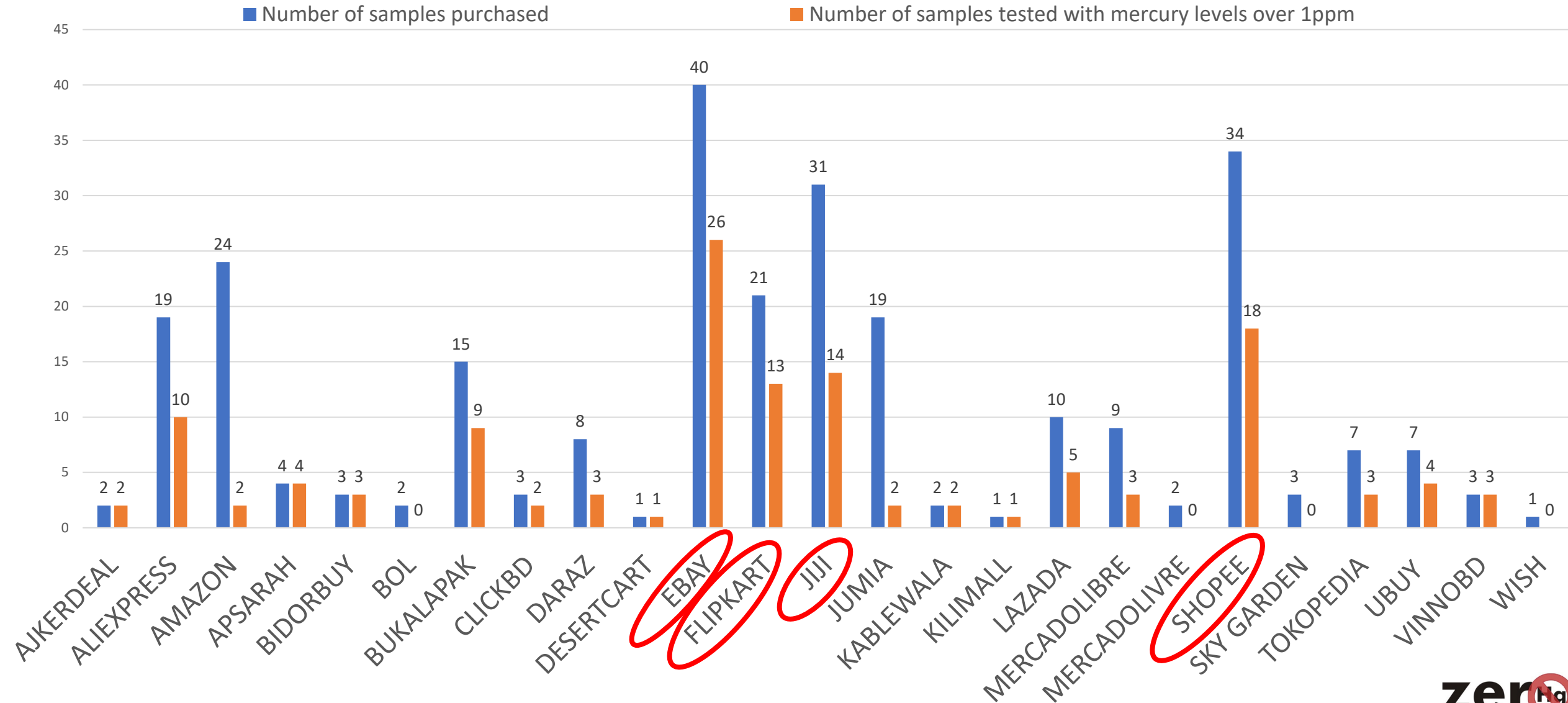
- ☐ Focus on online platforms
- ☐ 213 products tested from 23 platforms
- ☐ **90% (191) of the products (60 different brands) had mercury above 1ppm.**



EIA investigation 2023

- ❖ Mercury compounds added in SLPs
- ❖ Production in Thailand, Jamaica, and Pakistan
- ❖ Intermediary transit ports in Spain, UAE, and USA.

Online platforms found to be selling high mercury skin lightening products (SLPs)



Online sales need reform to protect health

**Product Safety
Pledge removes
thousands of
dangerous items
from online
marketplaces**



- Current laws exempt online retailers from liability for illegal/unsafe product sales
- Liability rules need to be established and enforced
- E-commerce must ensure sellers comply w/health and safety law (labelling, disclosure of ingredients)
- Online platforms should verify foreign third-party sellers, appoint a home-country legal representative
- Online platforms should ensure compliance with third party verification, and disclosure requirements
- EC IT application detects EU Safety gate-listed products still sold or reappear in online markets.



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

Online Regulatory Measures (EU)

The General Product Safety Regulation (2023)

- Register in Safety Gate, a platform set up to quickly circulate information about dangerous consumer products
- Design interface to ensure display of traceability and safety information
- Be subject to random checks
- Provides surveillance authorities with enforcement powers
- Contact point of platform in the EU

The Digital Services Act (2024)

- Promptly remove illegal content
- Verify trader identity, ensure legality
- User Reporting Mechanisms
- Unfortunately: platforms not held directly responsible for sales by third-party traders, weak monitoring

Product Safety Pledges

- EU product safety pledge (since 2018) sets out voluntary actions in 20 areas, some beyond legislation.
- Currently 11 online marketplaces are signatories of the Pledge, including Amazon, eBay, Etsy, Aliexpress, etc.
- Signatories committed to report every six months on the measures, using KPIs.
- Several governments now have pledges, including: Australia (2020), S. Korea (2021), Japan (2023), Canada (2023) and India also considering.

Product Safety Pledge

Voluntary commitment of online marketplaces with respect to the safety of non-food consumer products sold online by third party sellers



Progress Reports on EU Product Safety Pledge

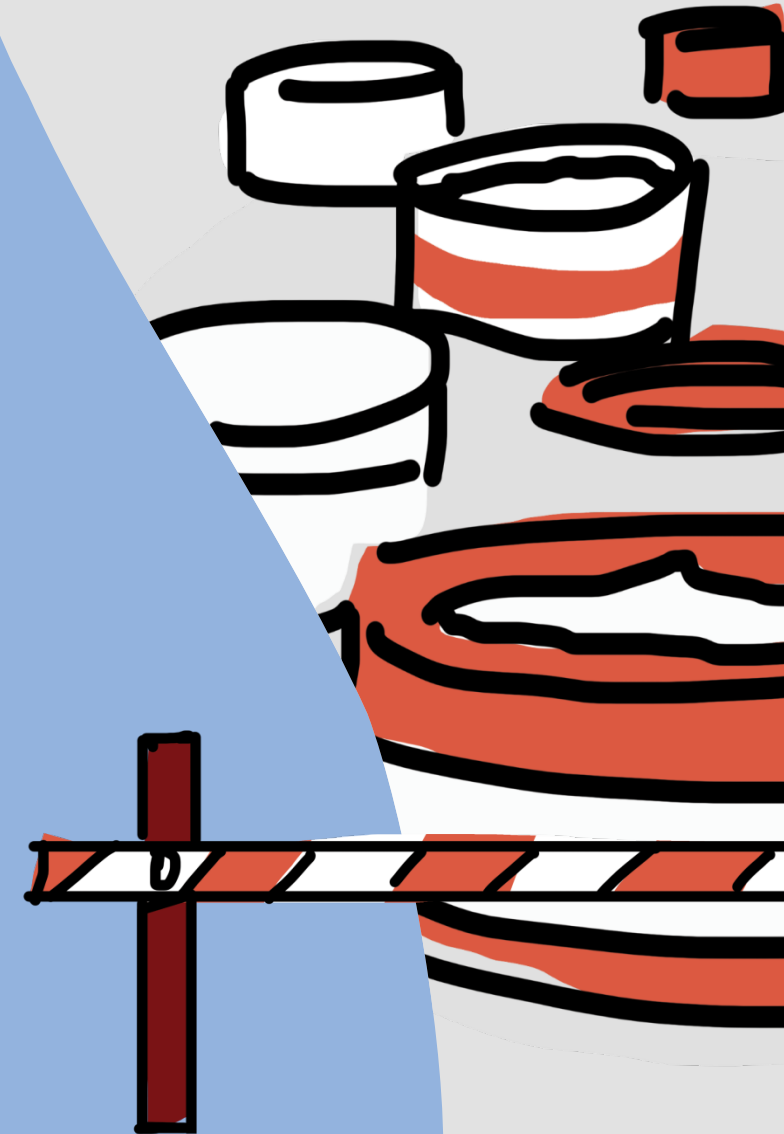
- **All marketplaces confirmed regularly monitoring the EU Safety Gate**
- 87% of government and 73% website (EU Safety gate)- removed within two days.
- **Trusted flagger system** to allow notifications to be treated automatically
- **Information and training activities**
- Improvement in **identification of similar listings** (by enacting penalties, blocking keywords, etc.)
- **Using of new technologies** - AI image algorithms and image recognition tools, etc.
- **Progress in allowing consumers to signal product safety concerns.**
 - 2022 EU Pilot project encourages cooperation with consumer groups
 - Platforms open on Direct notifications from consumers
- **Several elements fed into law; GPSR 2023 – Safety Gate Portal (art.34)**
 - Consumers and others can inform the Commission on unsafe products and notifications to be followed up.

Research Needs

- Exposure patterns (e.g. internet sales and exposure)
- Knowledge gaps and limitations exist (e.g., nonrandom selection bias, geographic regions with no or little data) need to be addressed.
- Larger, multi-centric systemic studies on chronic mercury poisoning are required not just to understand the extent of the problem but also to persuade governments to clamp down.
- The creation of a global database of mercury-added cosmetics, along with a complementary detention list, would provide valuable insights into trends and patterns concerning mercury-added cosmetics.
- Clinicians need to have a high level of awareness of mercury's multisystem effects

Conclusions-Recommendations

- Hg/SLPs are the ASGM of the products area
 - Tens or hundreds of millions of users globally
 - Among highest GMA exposure risks
 - Insufficient awareness of extreme health risks
 - Research/collaboration needed
 - Requires national and global efforts to combat, including interagency and regional coordination
- Online platform engagement is crucial via enforcement and Product Safety Pledges
- Finally, in lieu of production and trade bans, clear need for national bans on the advertising, marketing and retail sales of Hg/SLPs



Thank you!



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

Annex A: Annual Hg/SLP Global Production Projection Calculations

- “Pakistan is producer ,Importer , exporter and contributor of mercury toxicity in cosmetics –Fairness creams. **17.2% of global production of mercury containing SWCs.**”(1)
- According to the Faiza website, they have **80% are Faiza Beauty Creams**10 million customers and **sell 1.1 million (2) creams each month of which.(3)**
- Faiza contains 2 fluid ounces, containing 3% ammoniated mercury(2) or 0.06 ounces.(3)
- Faiza annual production: $13,200,000 \times .06 = 792,000$ ounces of ammoniated Hg per year
 - 792,000 ounces divided by 16 = 49,500 pounds
 - 49,500 pounds divided by 2,200 = 22.5 tons of ammoniated Hg usage per year
- Assuming Pakistan represents around 20% of global Hg/SLPS(1), our assessment indicates **that 66 million Hg/SLPs are annually sold globally using 112.5 metric tons of mercury compounds**

(1) https://minamataconvention.org/sites/default/files/inline-files/Presentation_20231012_14h45_Uganda-ZMWG.pdf

(2) <https://faizabeautycream.com/about-us/>

(3) <https://us.eia.org/report/mercury-in-retrograde/>