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Cancer Society of New Zealand submission to the Therapeutic Goods Administration consultation seeking feedback on improvements to the regulation of sunscreen in Australia.

About the Cancer Society

At the Cancer Society New Zealand | Te Kāhui Matepukupuku o Aotearoa New Zealand, our vision is a future free from cancer. Since 1929, we have been the country's leading organisation dedicated to reducing the incidence and impact of cancer. We stand alongside individuals and the whānau, ensuring no one faces cancer alone. Our commitment is to support anyone, anywhere, with any cancer. Through our divisions across the motu, we deliver vital services including emotional support, practical guidance, transport to treatment, accommodation during treatment, and access to trusted information via our helpline. Beyond direct care, we advocate for better outcomes through prevention, early detection, and equitable access to treatment and care. We also invest in world-class research and innovation to advance knowledge and improve survival. Achieving a future free from cancer requires effort, and we are proud to partner with communities, researchers, and supporters to make this vision possible.

Working together towards a future free from Cancer | Te mahi tahi mō te anamata mate pukupuku kore

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Executive summary

New Zealand has one of the highest rates of skin cancer globally and experiences uniquely high UV exposure.

The Cancer Society, New Zealand (Cancer Society) leads a national skin cancer prevention programme in Aotearoa New Zealand. This includes delivery of nationwide campaigns, the SunSmart Schools programme, review of the evolving evidence base, and sustained advocacy to increase funding and strengthen policy and regulatory settings that protect New Zealanders from the risks associated with our uniquely harsh ultraviolet (UV) radiation conditions.

The Cancer Society also has a range of sunscreen products that are sold through a separate organisation, Daffodil Enterprises Limited (DEL). All Cancer Society sunscreen products are listed by the Australian Therapeutic Goods Administration (TGA), regulated as therapeutic goods, and comply with the AS/NZS 2604:2012 Sunscreen Standard.

This submission has been developed by the Cancer Society (not DEL) as the national leader in skin cancer prevention for New Zealand. We provide our evidence-based advice on the importance, quality, and appropriate use of sunscreen as a key sun protection product, rather than from a commercial standpoint.

Maintaining public trust in sunscreen

Over the past several years, the Cancer Society has become increasingly concerned about eroding public trust in sunscreen as an effective skin cancer prevention tool. Underperforming sunscreens alongside limited or non-standardised information available on their correct usage, not only undermine consumer confidence but also pose a significant population health risk. When sunscreens do not perform as expected, people may unknowingly experience increased UV exposure, resulting in higher rates of sunburn, cumulative skin damage, and ultimately an elevated risk of skin cancer and melanoma.

There is also growing public and regulatory concern about sunscreen ingredients, particularly some organic UV filters, due to emerging evidence suggesting potential endocrine-disrupting effects. Public concerns about these ingredients are also impacting people's trust and confidence in sunscreen as a safe and effective product for skin cancer prevention. These concerns are increasing calls for precautionary review, transparency, and continued research to ensure sunscreen safety while maintaining effective UV protection.

One of the key learnings from our prevention work has been the importance of communicating complex policy, scientific evidence, and regulatory processes in ways that are practical, clear, and relatable for the New Zealand public. Confusion or mixed messaging can weaken protective behaviours, even when high-quality products are available.

We support the TGA's intention to review, commit to and then phase in agreed changes in a way that enables both industry readiness and effective public communication. However, we emphasise that achieving the intended objectives of these regulatory changes will require the TGA to focus not only on regulation itself, but also to invest in public awareness, education, and understanding of the current regulatory system and any changes to it.

Without clear, accessible, and consistent communication for the public, increased regulatory oversight alone is unlikely to rebuild or strengthen public trust in sunscreen or in those involved in its regulation. Nor will it lead to the ultimate public health outcomes sought, namely, increased regular and correct use of sunscreen as a sun protection behaviour, or a sustained reduction in population-level rates of skin cancer.

Public understanding and sunburn risk

In New Zealand, a recent nationally representative survey[1] found significant gaps in public understanding of sunscreen use. Notably:

- 36% of respondents incorrectly believed that SPF 50 sunscreen does not need to be reapplied as often as SPF 30
- 64% of respondents reported experiencing sunburn during the 2024–2025 summer season
- Sunburn prevalence was particularly high among young adults, with 87% of females and 77% of males aged 18–24 reporting sunburn

These findings underscore that sunscreen effectiveness is influenced not only by product quality, but also by consumer understanding, correct use, and trust in product performance.

Cost, accessibility, and equity considerations

While we strongly support improved regulatory oversight to reduce the availability of underperforming sunscreens, it is essential that changes to quality assurance and manufacturing requirements are considered alongside price impacts for consumers. Sunscreen is already significantly more expensive in New Zealand than in Australia, and cost is a well-recognised determinant of sunscreen[2] purchase and use.
Australia and New Zealand share a common product safety standard for sunscreen, and many sunscreens sold in New Zealand are manufactured in Australia. As a result, any changes to TGA

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[1] [1] McNoe B, Gray A, Iousua E. Sunsmart in Aotearoa New Zealand:Knlowledge, Attitudes and Behaviour towards Sun Protection and Ultraviolet Radiation Exposure. Summary of Research Findings. Research contracted by The Cancer Society of New Zeland and Health New Zealand. Dunedin, New Zeland: Te Rōpū Rangahau ō Te Kahui Matepukupuku- Cancer Society Research Collaboration: 2025
Source: SunSmart-in-Aotearoa-Survey-Findings-2025.pdf

[2] https://www.stuff.co.nz/money/360461101/calls-sunscreen-be-gst-exempt-cost-slip-slop-slapping-increases

policy or regulatory requirements in Australia are likely to have direct flow-on effects for sunscreen supply, availability, and pricing in New Zealand.

If regulatory changes lead to higher manufacturing or compliance costs that are passed to the consumer, there is a risk that sunscreen use may decrease particularly among populations already experiencing financial pressure. This outcome would undermine the ultimate goal of regulation, which should be to increase effective sunscreen use as a skin cancer protection tool and ultimately reduce skin cancer risk at a population level.

We therefore ask that any proposed changes to quality standards or manufacturing and testing processes explicitly consider the impact on final product pricing, the accessibility and affordability for consumers, the potential unintended consequence of reduced sunscreen use.

Support for increased oversight and clear transition

In light of the above-mentioned concerns, we welcome measures that increase oversight, transparency, and reliability of sunscreen testing and regulatory processes. Strengthening assurance systems has the potential to rebuild consumer confidence and support informed decision-making by both manufacturers and users.

Aligned with this, we strongly advocate for:

- Clear, consistent, and proactive communication about any regulatory changes
- Review of product labelling requirements
- Alignment of messaging across regulatory, industry, and public health settings
- A phased implementation approach, including defined transition periods
- Education and guidance for manufacturers to support compliance without unnecessary disruption

Consultation question responses

Please see our responses, with additional comments, to the specific consultation questions outlined in the submission below. These responses reflect the Cancer Society's evidence-based public health perspective and are intended to support regulatory settings that improve sunscreen quality, maintain public trust, and promote equitable access and effective use.

1A: Current SPF in vivo testing has variability issues

Which option do you prefer?
Option 2: Enable sponsors to comply with either in vitro or in vivo testing where appropriate

Why is this your preferred option?
- Allows new products to be tested with a potentially more reproducible, and therefore reliable, test method.

- Allowing in vitro methods could encourage innovation, as these methods are generally less expensive, faster, and do not require human testing.
- In vitro testing avoids the ethical concerns associated with exposing human subjects to UV radiation.
- This approach reflects recent international moves to develop and recognise alternative SPF testing methods, such as ISO 23675 (in vitro) and ISO 23698 (hybrid method).

Do you have any other comments or feedback on the issue or proposal?
Because in vitro testing method is likely to be less expensive over time this will potentially increase affordability and drive increased uptake of sunscreen use, particularly for individuals and families where price is a barrier.

As a leading cancer non-governmental organisation with a commitment to cancer prevention, we welcome changes that would reduce human exposure to UV radiation during in vivo SPF testing. Enabling sponsors to comply with either in vitro or in vivo testing strikes a good balance between rigour and practicality, allowing sponsors to supplement in vivo testing with in vitro testing to build a more robust evidence base that accounts for water resistance testing.

Given that combining in vivo with in vitro testing would require sponsors to understand the relationship between in vivo water resistance results and in vitro results, we would strongly recommend additional guidance be provided to support product sponsors in a hybrid scenario.

We also note the potential benefits of testing approaches that are more reliable and less variable than traditional in vivo methods, as greater consistency could help avoid high-profile reports of alleged 'sunscreen failures' that undermine public confidence in sunscreen efficacy.

1B: Limited regulatory oversight for laboratories performing SPF testing

Which option do you prefer?
Option 2: Require that SPF testing results must come from an accredited or certified laboratory

a. Why is this your preferred option?
- Requiring ISO 17025 accreditation through a Global Accreditation Cooperation Incorporated signatory ensures laboratories meeting internationally recognised standards for technical competence and quality management.
- Requiring the use of accredited or certified laboratories provides sponsors with clarity and confidence, while improving consumer trust in sunscreen labelling.
- By restricting sponsors to accredited laboratories, the likelihood of inaccurate SPF claims and unsafe products entering the market is greatly reduced.

Do you have any other comments or feedback on the issue or proposal?
Unaccredited laboratories pose risks of unreliable results whilst accredited laboratories will ensure more rigorous sunscreen testing. This in turn will instil consumer confidence. Of concern, would be if this approach increased the cost of sunscreen significantly as sunscreen in New Zealand is considerably higher than Australia.

With consumer protection and confidence in sunscreen testing in mind, we would advocate for a review period of 2-3 years when more real-world evidence of sunscreen accredited testing might be available to adequately inform the laboratory accreditation scenario for the TGA.

1C: Lack of flexibility to accommodate new testing requirements for sunscreens in a timely manner

Which option do you prefer?
Option 2: Directly reference AS/NZS 2604 in new instrument for sunscreen testing requirements

Why is this your preferred option?
Unlike the current framework, which requires legislative amendments to adopt new versions of AS/NZS standard, a new instrument can be updated more quickly to reflect emerging scientific evidence or safety concerns.

Do you have any other comments or feedback on the issue or proposal?
As both Australia and New Zealand have the highest incidence of skin cancer in the world, we would not want to lose the added protections 'over and above' the International Organisation for Standardization (ISO) industry standards.

Cancer Society advocates for sunscreen in New Zealand to be classified as a therapeutic product rather than its current New Zealand classification as a cosmetic product. Modelling the classification of sunscreen in New Zealand on the Australian standards would ensure that sunscreens meet all therapeutic regulatory requirements for labelling, efficacy, safety and quality.

1D: Sponsor evidence to support SPF claims is generally based on the base formula and not the final finished product

Which option do you prefer?
Option 2: Keep testing requirements for base formulations with guidance to sponsors on when additional product testing is advised

Why is this your preferred option?
Providing specific guidance on when additional testing is expected helps reduce ambiguity and promotes more consistent decision-making among sponsors.

Do you have any other comments or feedback on the issue or proposal?
If further SPF testing is mandated, this will likely increase costs which will flow to the consumer and potentially make sunscreen unaffordable for many.

1E: Sponsors are not required to make their SPF testing data available to the TGA at the time of listing or publicly available to consumers

Which option do you prefer?
Option 2: Require sponsors to provide testing data to the TGA at the time of listing, which will be held in confidence

Why is this your preferred option?
- This provides transparency for the regulator and, by extension, the public.
- Prospective submission allows the TGA to verify SPF claims at the time of listing, reducing the risk of inaccurate or misleading products entering the market.
- This ensures that marketed sunscreens meet performance claims, enhancing trust in regulatory processes and product safety.
- This may also encourage sponsors to have up to date testing from accredited laboratories to ensure compliance with evidence requirements under the Act, and the efficacy of their product.

Do you have any other comments or feedback on the issue or proposal?
This option would allow the TGA to collect data in a standardised way across all sunscreens making it comparable and translatable for anyone who wants to access it.

2: Potential efficacy or quality issues with specific formulations/ingredients

Which option do you prefer?
Option 3: Require pre-market evaluation for safety, quality and efficacy for all sunscreens (e.g. a registered products model)

Why is this your preferred option?
- Moving from self-certification to formal assessment would let the regulator verify SPF, broad spectrum and water resistance claims upfront, instead of relying mainly on post-market checks. This addresses the weaknesses highlighted in current practice where listed therapeutic sunscreens do not undergo pre-market efficacy evaluation.
- Transparent, evidence-based gatekeeping strengthens trust in labelling and in the regulator's assurance, especially given current public concerns about SPF accuracy.
- Evaluated data at registration, including on stability and shelf-life performance, provides a benchmark to compare against any later formulation changes applied for post-market.

Do you have any other comments or feedback on the issue or proposal?
Whilst we acknowledge that this may complicate trade with international partners, more rigorous pre-market evaluation will address the weaknesses identified in current practice. While this option may increase regulatory burden, public confidence and product assurance justify the approach provided affordability impacts are actively monitored.

3: Labelling matter: SPF labelling considerations

Which option do you prefer?
Option 2: Provide additional labelling requirements for the SPF ratings

Why is this your preferred option?
- Adding explanatory statements clarifies what SPF values mean in practical terms.
- Adding explanatory text is less disruptive than replacing the SPF system entirely, making it a practical improvement.
- This approach can be paired with campaigns to explain diminishing returns at higher SPF levels, reinforcing sun safety behaviours.

Do you have any other comments or feedback on the issue or proposal?
As highlighted earlier in our submission, recent New Zealand nationally representative research indicates that one third of respondents believed they need to apply sunscreen less with higher SPF products.

The change in labelling could involve simplifying labels by removing redundant information and standardising SPF minimums to improve consumer understanding and safe use.
Targeted public education campaigns present opportunities to dispel misinformation and re-assert facts related to sun protective behaviour including adequate application (amount) re-application (regularity) and solar exposure (UVR exposure and need for shade).

It is essential that additional labelling is consistently applied across product owners. Changing labelling that is internationally recognised has the potential to cause confusion for consumers although the campaign would need to help consumers understand what UVB rays are.

4: Cosmetic sunscreens able to make high SPF claims

Which option do you prefer?
Option 3: Amend the Excluded Goods Determination to provide a consistent limit of the SPF rating that can be claimed for all secondary (cosmetic) sunscreens

a. Why is this your preferred option?

- Establishing a uniform SPF claim limit for excluded sunscreens aligns with primary sunscreen regulations and reduces ambiguity.
- Limiting SPF claims reduces consumer reliance on products that are marketed with a high SPF in circumstances where there is minimal regulatory oversight of that testing when compared to the testing of primary sunscreens.
- This promotes appropriate sun safety behaviours, such as using primary sunscreens for high UV protection.
- Sunscreens are recommended for reapplication every two hours, whereas makeup and lip balms aren't typically used at that frequency. This option would align with that practical reality.

Do you have any other comments or feedback on the issue or proposal?

We would strongly encourage inclusion of statements such as 'this does not provide the recommended UV protection' or 'to be used in conjunction with SPF 30 or above sunscreen' for all secondary cosmetic sunscreens.

5: Opportunities to enhance sunscreen manufacturing guidance

Which option do you prefer?

Option 2: Review sunscreen GMP guidance to incorporate contemporary information and address any additional risks

Why is this your preferred option?

- This option permits an open review process to consider any developing or additional manufacturing risks for sunscreens.
- It addresses manufacturing risks in a proportional and practical manner.

Do you have any other comments or feedback on the issue or proposal?

Our preference is for less ambiguity and more transparency. Improved GMP guidance would offer clarity on responsibilities to product owners promoting greater consistency across manufacturers.