

STAND. COM. REP. NO. 986

Honolulu, Hawaii

MAR 17 2021

RE: H.B. No. 1088
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred H.B. No. 1088, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO COSMETICS,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit manufacturers from importing cosmetics in the State for profit, sale, and offer for sale if the final product or any component of the final product was developed or manufactured using animal testing performed in a cruel manner on or after January 1, 2024.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Animal Defenders International, Pono Advocacy, Cruelty Free United States, Cruelty Free International, The Body Shop, Hawaiian Humane Society, Down to Earth Organic & Natural, The Humane Society of the United States, and nine individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that testing cosmetics on animals is cruel and increasingly unnecessary, as there are now thousands of cosmetic ingredients whose effects have already been tested and compiled. Alternatives to animal testing are available, some of which provide better predictors of adverse human reactions to new chemical compounds than animal testing. Your Committee notes that



the prohibition on the sale of cosmetics tested on animals included in this measure is not unique, as similar prohibitions have already been adopted by California, Nevada, Illinois, India, Israel, Norway, Switzerland, and the European Union.

Your Committee finds that this measure strikes a balance between a complete ban and limited exceptions to the animal testing prohibition, which exceptions recognize the realities of chemical testing commonly done around the globe. Your Committee further notes that this measure is not intended to penalize retailers or consumers who rely on manufacturers to meet state laws or rules, nor is its intent to prohibit the continued import or export of cosmetic products in the State from or to other countries if the safety of the product sold in the State does not rely on data from animal testing that was performed after 2024.

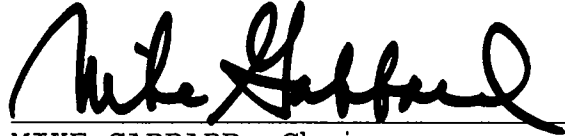
Your Committee has amended this measure by:

- (1) Moving the substantive provisions to chapter 321, Hawaii Revised Statutes, relating to the Department of Health, as chapter 328, Hawaii Revised Statutes, only governs cosmetics related to human health;
- (2) Deleting references to section 711-1109, Hawaii Revised Statutes, as the testing of ingredients on animals does not occur in Hawaii, and thus could not be substantiated as meeting the state law's definition of cruelty;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1088, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1088, H.D. 3, S.D. 1, and be referred to your Committees on Judiciary and Commerce and Consumer Protection.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



