

Honolulu, Hawaii

FEB 08 2021

RE: S.B. No. 345  
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 S.B. No. 345 entitled:

"A BILL FOR AN ACT RELATING TO COSMETICS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit manufacturers from importing, selling, or offering for sale any cosmetic tested on animals, on or after January 1, 2022, with certain exceptions; and
- (2) Incentivize cosmetic companies to push for the development and acceptance of additional non-animal testing methods.

Your Committee received testimony in support of this measure from Pono Advocacy, Cruelty Free International, The Body Shop, Personal Care Products Council, The Humane Society of the United States, O'o Hawaii, and eight individuals. Your Committee received comments on this measure from the Office of Information Practices.

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. Your Committee further finds that 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, Israel, Norway, India, Switzerland, and the European Union.

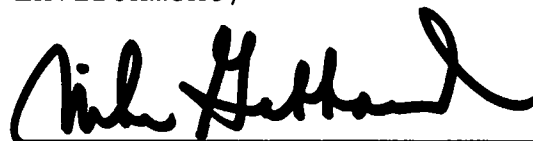
Your Committee further notes that this measure is not intended to penalize retailers or consumers who rely on manufacturers to meet state laws or rules, nor is its intent to prohibit the continued import or export of cosmetic products in the State from or to other countries if the safety of the product sold in the State does not rely on data from animal testing that was performed after 2021.

Your Committee has amended this measure by:

- (1) Placing the new language to prohibit a manufacturer from importing or selling any cosmetic product in Chapter 328, Hawaii Revised Statutes (Food, Drugs, and Cosmetics), rather than Chapter 321, Hawaii Revised Statutes (Department of Health); and
- (2) 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 S.B. No. 345, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 345, 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,



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MIKE GABBARD, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Agriculture and Environment**  
**AEN**

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|--|--|----------------------------|
| Bill / Resolution No.:*<br><b>SB 345</b> | Committee Referral:<br><b>AEN, JDL/CPN</b> | Date:<br><b>02/03/2021</b> |
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312      Pass, with amendments 2311      Hold 2310      Recommit 2313

| Members                     | Aye      | Aye (WR) | Nay | Excused |
|-----------------------------|----------|----------|-----|---------|
| GABBARD, Mike (C)           | ✓        |          |     |         |
| NISHIHARA, Clarence K. (VC) | ✓        |          |     |         |
| ACASIO, Laura               | ✓        |          |     |         |
| RHOADS, Karl                | ✓        |          |     |         |
| FEVELLA, Kurt               | ✓        |          |     |         |
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| <b>TOTAL</b>                | <b>5</b> |          |     |         |

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature:  


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\*Only one measure per Record of Votes