

STAND. COM. REP. NO. 766

Honolulu, Hawaii

MAR 05 2021

RE: S.B. No. 345  
S.D. 2

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

Sir:

Your Committees on Judiciary and Commerce and Consumer Protection, to which was referred S.B. No. 345, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COSMETICS,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit the import for profit, sale, and offer for sale of any cosmetic in the State if the final product or any component of the final product was developed or manufactured using animal testing performed on or after January 1, 2022.

Your Committees received testimony in support of this measure from the Humane Society of the United States, Cruelty Free International, Personal Care Products Council, The Body Shop, Ao Organics Hawai'i, O'o Hawaii, Pure Mana Hawaii, and three individuals. Your Committees received comments on this measure from the Department of Health and Office of Information Practices.

Your Committees find that animals have been used to test cosmetic products for over fifty years. Your Committees further find that this practice has been widely condemned as cruel and unnecessary, and that it is now banned in numerous jurisdictions, including California, Nevada, Illinois, Israel, Norway, India, Switzerland, and the European Union. This measure establishes a prohibition on the sale of cosmetic products in the State that have been tested on animals.

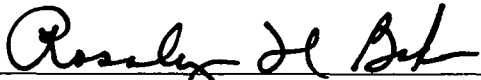


Your Committees have amended this measure by:

- (1) Requiring a manufacturer to disclose testing data for the prosecuting attorney's review upon the determination of a reasonable likelihood that a violation has been committed;
- (2) Clarifying that any information disclosed by a manufacturer shall be treated as confidential and is only disclosed for enforcement purposes;
- (3) Consolidating language providing exemptions to the animal testing prohibition into a single statutory subsection;
- (4) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 345, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 345, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Commerce and Consumer  
Protection,

  
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ROSALYN H. BAKER, Chair

  
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KARL RHOADS, Chair





