

JAN 19 2018

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# A BILL FOR AN ACT

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RELATING TO COSMETICS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1       SECTION 1. Chapter 328, Hawaii Revised Statutes, is  
2       amended by adding a new section to part I to be appropriately  
3       designated and to read as follows:

4       "§328-   Cosmetics; animal testing; prohibition. (a)  
5       Notwithstanding any other law to the contrary, it shall be  
6       unlawful for any cosmetic manufacturer to knowingly import for  
7       profit, sell at retail, or offer for sale at retail in this  
8       State, any cosmetic if the final product or any component  
9       thereof was developed or manufactured through use of animal  
10       testing that was performed on or after January 1, 2020.

11       (b) This section shall only apply to ingredients used  
12       predominantly for cosmetics.

13       (c) Any violation of this section shall be punishable by a  
14       fine of not more than \$500 for the first violation and a fine of  
15       not more than \$1,000 for each subsequent violation.



1        (d) Violations of this section shall be prosecuted by the  
2 attorney general or prosecutor of the county in which the  
3 violation occurred.

4        (e) When prosecuting a violation of this section pursuant  
5 to subsection (d), the attorney general or prosecutor may review  
6 the testing data upon which a cosmetic manufacturer has relied  
7 in the development or manufacturing of any cosmetic product sold  
8 in the State.

9        (f) For purposes of this section:

10       "Animal testing" means the internal or external application  
11 or exposure of any cosmetic to the skin, eyes, or other body  
12 part of a live non-human vertebrate for the purposes of  
13 evaluating the safety or efficacy of a cosmetic.

14       "Cosmetic" means:

15       (1) Articles intended to be rubbed, poured, sprinkled, or  
16 sprayed on, introduced into, or otherwise applied to  
17 the human body or any part thereof for cleansing,  
18 beautifying, promoting attractiveness, or altering the  
19 appearance, including but not limited to personal  
20 hygiene products such as deodorant, shampoo, or  
21 conditioner; or



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(2) Articles intended for use as a component of any such articles.

"Cosmetic manufacturer" means any individual, partnership, corporation, association, or other legal relationship that produces cosmetics that are sold or offered for sale in this State."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect on January 1, 2020.

INTRODUCED BY:

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# S.B. NO. 2115

**Report Title:**

Cruelty-free; Animal Testing; Cosmetics; Prohibitions

**Description:**

Beginning January 1, 2020, bans the import for profit, sale, and offer for sale of any cosmetic in the State, if the final product or any component of the product was developed or manufactured using animal testing performed on or after January 1, 2020.

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