

SB-2113-SD-2

Submitted on: 3/13/2018 9:14:28 AM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frances Pueo	Hui Pono Holoholona	Support	No

Comments:

I support SB2113 SD2- To prohibit all testing on animals specifically for cosmetic and or household products. Without penalties, without fines, such practices will continue on animals which is absolutely animal abuse!

Frannie Pueo (808) 769-1128



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Agriculture
Wednesday, March 21, 2018 at 8:30 a.m.

by

Vassilis L. Syrmos, Vice President for Research and Innovation
University of Hawai'i System

SB 2113 SD2 – RELATING TO ANIMALS

Chair Creagan, Vice Chair DeCoite, and members of the Committee:

The University of Hawai'i (UH) supports the intent of the measure.

The University of Hawai'i is appreciative of the Legislature's willingness and understanding to make the necessary amendments to previous versions of this measure -- to help dispel the existing misinformation from public testimony that resulted in misconceptions about UH's federally compliant animal research practices.

While UH is authorized to conduct research on animals for the purpose of science, medicine and education, it has not ever and nor does it intend to use vertebrate animals for cosmetic or household product testing. The animal studies conducted by UH is solely intended to help the people of Hawai'i and to advance scientific knowledge. Examples of these studies include, but are not limited to controlling rat lung worm and eradicating the coqui frog and other invasive species.

The University of Hawai'i appreciates the opportunity to comment on this measure.

SB-2113-SD-2

Submitted on: 3/17/2018 11:44:27 PM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Parra	Keiko Conservation	Support	No

Comments:



March 19, 2018

COMMITTEE ON AGRICULTURE

Rep. Richard P. Creagan, Chair

Rep. Lynn DeCoite, Vice Chair

RE: Support for SB 2113 – An Act concerning the use of animals in product testing.

Dear Representatives:

On behalf of Cruelty Free International, a leading organization working to promote the use of modern non-animal testing methods around the world, I write in support of SB 2113. This bill to prohibit the use of animals for the testing of cosmetics or household products when modern non-animal methods are available. Clarifying amendments to the bill have addressed concerns raised on the original version of the bill.

This bill will provide clear state guidance to any manufacturers or contract testing facilities in the state now or in the future that modern non-animal tests are to be given priority thus ensuring that animals are not harmed in outdated tests in Hawaii for cosmetics or household products.

Historically, animals have been used in painful tests to assess the safety of certain chemicals used in products cosmetics and household cleaners. However, in the past 35 years, due to innovations in science, animal tests are increasingly being replaced with non-animal approaches that use engineered three-dimensional human skin tissues or other types of cells and sophisticated computer models.

Modern approaches that are cheaper, faster and better able to predict human reactions are now widely available. For example, the alternative test for eye irritation can be conducted in a day, whereas the corresponding rabbit tests take two to three weeks. Similarly, one of the skin sensitization tests can be conducted in one day, whereas the corresponding animal test takes at least six times that. The availability and options are growing. Internationally, the in-vitro toxicology testing market is expected to reach \$8.74 billion (USD) by 2022 – up from an estimated \$6.34 billion (USD) in 2017 with the US expected to hold the largest share.

Modern alternatives are required to go through a rigorous process to demonstrate that they are as or more effective than the animal tests they replace. SB 2113 requires the use of alternatives that have been approved for use by regulatory agencies or validated for use by bodies such as the U.S. Inter-Agency Coordinating Committee for the Validation of Alternative Methods (ICCVAM), or the Organization for Economic Co-operation and Development (OECD) which publishes international test guidelines relevant for safety testing of chemicals. This published list of accepted alternatives makes it simple for manufacturers and contract testing facilities to determine whether an accepted alternative to an animal test is available. The availability of this list also provides a resource for the enforcement of the law. Since the most common safety tests have validated alternatives that do not use any animals, an enforcement agency would simply need to determine whether the alternative test was used or not. The bill states that in cases where a validated alternative that completely replaces animals is not available the facility must opt for the option that reduces the number of animals or degree of suffering. In

addition to publishing accepted validated alternatives ICCVAM also publishes guidelines, and recommendations for reducing and refining animal tests and could be used as a further resource for determining whether or a violation of the law has occurred.

Unfortunately, there is no US law that requires that available non-animal tests be used in favor animal tests. In contrast, European Union has required that available scientifically satisfactory non-animal tests be used ahead of animal tests since 1986. Inaction at the federal level compels states like Hawaii to lead the way in ensuring that animals are not needlessly harmed in outdated tests. Three other states, CA, NY and NJ, enacted similar legislation over ten years ago. Vermont and Massachusetts have similar legislation pending and in Virginia a bill passed both houses this year and is awaiting the Governor's signature.

By setting forth a clear regulatory mandate to implement modern non-animal methods whenever they are available SB 2113 can prevent animal suffering and ensure that the best available scientific tests are utilized in Hawaii now and in the future. We urge swift passage and implementation of this bill.

Thank you for your consideration.

Sincerely

A handwritten signature in black ink, reading "Monica Engebretson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Monica Engebretson
North America Campaign Manager
Cruelty Free International
(916) 800 5735 : Monica.Engebretson@crueltyfreeinternational.org

SB-2113-SD-2

Submitted on: 3/19/2018 9:48:08 AM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	West Hawaii Humane Society	Support	No

Comments:



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Honorable Chair Creagan, House Agriculture Committee members
In Support Of: SB 2113 SD2, with amendments
Date: March 21, 2018, 8:30 a.m.
Testimony By: Keith Dane, Hawaii Policy Advisor, The Humane Society of the United States

I appreciate the opportunity to submit this written testimony on behalf of the Hawaii members and supporters of The Humane Society of the United States, urging the committee to amend and pass SB 2113 SD2, which requires the use, where available, of methods that avoid or reduce the use of animals for testing of cosmetics and household products.

SB 2113 SD2 compels cosmetics and household products' manufacturers and their contract testing facilities to use test methods that replace, reduce, or refine the use of animals. The amended bill includes an abundance of exemptions including compliance with state and federal agency requirements, medical research, drug development, neuroscience, basic science teaching, education and research, and basic science teaching, education and research, to prevent the introduction and establishment of plants, animals, and diseases that are detrimental to the State's agricultural industry and the environment, or for national defense.

HSUS is concerned that the exemption in §142(c)(3), as written, would allow all product manufacturers and contract testing facilities to utilize animal test methods even when non-animal methods that provide "information of equivalent or better scientific quality" are already available. Therefore, we urge the committee to make the following amendment, in strikethrough:

"(c) Nothing in this section shall prohibit the use of animal test methods:

- (1) To comply with requirements of state agencies;
- (2) To comply with requirements of federal agencies when the federal agency concludes that the alternative method does not assure the health or safety of consumers; or
- (3) That are necessary to prevent the introduction and establishment of plants, animals, and diseases that are detrimental to the State's agricultural industry and the environment, ~~to protect the health and safety of people,~~ or for purposes of national defense."

Technologies will continue to improve while animal tests will always have massive constraints. By minimizing animal testing and focusing on the use of faster, cost effective, and more reliable testing methods, companies can save lives, time and money. 21st century science is rapidly moving away from outdated animal tests. Many effective alternatives to animal testing exist including 3-D printing, construction of artificial human tissue, and the generation of sophisticated computer programs that can make accurate predictions about chemical safety. With more and better data comes the promise of improved risk-based chemical assessments and more predictive information on safety. This view is supported by the head of NIH,¹ the leaders at EPA² and by a panel of scientists convened by the National Academy of Sciences to

¹ Dr. Francis Collins, Director, National Institutes of Health: "I predict that 10 years from now, safety testing for newly developed drugs, as well as assessment of the potential toxicity of numerous environmental exposures, will be largely carried out using human biochips that are loaded with cells accurately representing heart, liver, kidney, muscle, brain, and other tissues. This approach, made possible by the dramatic development of induced pluripotent stem cells (iPS cells) will mostly replace animal testing for drug toxicity and environmental sensing, giving results that are more accurate, at lower cost and with higher throughput." Delivered in testimony to Congress regarding an appropriations hearing regarding the 2017 budget on April 7, 2016.

² Dr. Jack E. Housenger, previous Director of Office of Pesticide Programs, EPA: "Rapid advancements in science and new technologies give us the opportunity to evaluate more pesticides across a broader range of potential effects in less time, using fewer animals and reducing costs for everyone...With these new tools, the EPA will enhance the quality of its risk assessments and risk management decisions and better ensure protection of human health and the environment from pesticide use." In a letter to stakeholders, available from the Federal Register, document number: EPA-HQ-OPP-2016-0093-0003.

design a better chemical assessment program that resulted in the now seminal report: *Toxicity Testing for the 21st Century: a vision and a strategy*.³ This report calls for the development of human-based cell and tissue assays instead of whole-animal tests for hazard assessment and regulatory decision-making.

The HSUS is a member organization of the Coalition for Consumer Information on Cosmetics, which administers the Leaping Bunny Program. Cosmetics and household product companies certified through the Leaping Bunny Program must verify that none of their finished products, formulations, or ingredients have been subjected to new animal testing. More than 1,000 companies in North America have obtained Leaping Bunny approval by either using ingredients with a history of safe use or testing new ingredients with non-animal alternative test methods. These companies are able to produce safe products without animal testing.

In 2016, Congress took action to minimize animal testing through bipartisan support and passage of the “Frank R. Lautenberg Chemical Safety of the 21st Century Act”, which revised the Toxic Substances Control Act and included provisions to minimize animal testing and to continually update scientific best practices.⁴ Hawaii should join New Jersey, New York and California, which have all passed laws requiring companies to use alternative test methods. Earlier this month, Virginia also passed legislation requiring the use of available alternatives and is now awaiting the Governor’s signature. By applying the best available science to protect human health and transition away from outdated animal testing, SB 2113 SD2, if amended to remove unnecessary exemptions, will benefit both the science and animals in Hawaii.

The Humane Society of the United States requests that SB 2113 SD2 be amended as proposed and reported favorably.

Keith Dane
301-312-1489

³ NRC (Committee on Toxicity Testing and Assessment of Environmental Agents, National Research Council). 2007. *Toxicity Testing in the 21st Century: A Vision and a Strategy*. National Academies Press, Washington, DC. Retrieved from: http://www.nap.edu/catalog.php?record_id=11970. Accessed 25 January 2009

⁴ Pub. L. No. 114-182 (2016). *The Frank R. Lautenberg Chemical Safety for the 21st Century Act*. Retrieved from: <https://www.congress.gov/114/plaws/publ182/PLAW-114publ182.pdf>

SB-2113-SD-2

Submitted on: 3/12/2018 6:07:26 PM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Nandoskar	Individual	Support	No

Comments:

Please support SB2113! Animal testing is cruel, unnecessary and should be banned worldwide. In this age of high tech science there are a myriad of alternatives available to appease those who have oppsed this ban in the past. Please protect our precious sentient beings from senseless cruelty.

Mahalo for your consideration.

SB-2113-SD-2

Submitted on: 3/17/2018 3:42:26 PM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jaunette Itsuno	Individual	Support	No

Comments:

I strongly support SB2113 SD2 to reduce the use of animal testing in cosmetic or household products and to establish fines for violations. Animal testing is not only cruel but it is also not reliably predictive of human responses. In addition, cosmetics are not necessary for human survival in the first place. There are more advanced methods of testing available today that have become the standard for toxicology testing such as the "organ on a chip" technology that is a multfluidic 3D cell culture chip . It is currently the most reliable test method for predicting human responses. I personally would never knowingly support or purchase any products from companies who would rely on unscientific and cruel animal tests. I hope that Hawaii can follow the lead of California, New York and New Jersey and become one of the first states to pass this type of bill. Please amend so that the effective date is closer to 2018.

SB-2113-SD-2

Submitted on: 3/14/2018 10:30:49 AM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

SB-2113-SD-2

Submitted on: 3/19/2018 3:18:44 PM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Jisa	Individual	Support	No

Comments:

Please support this bill. We would never inflict unnecessary suffering on the cats and dogs in our lives. Let's not inflict unnecessary suffering on any animal. Let's have empathy for all animals.

SB-2113-SD-2

Submitted on: 3/19/2018 5:16:34 PM

Testimony for AGR on 3/21/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
M. Markl	Individual	Support	No

Comments:

Hello Chair(s) And Committee Members:

Please support this compassionate bill. If someone wanted to test cosmetic or household products on us, that would be very painful. The innocent animals also feel as much pain as us, and seems such frivolous products to do such trauma for. Many tests are needlessly repeated. Please let's stop animal testing and yes, use a alternative one or report instead of causing pain, and yes fine those who do such things. Thank you.



Hawaii Cattlemen's Council, Inc.

LATE

**COMMITTEE ON AGRICULTURE
Rep. Richard P. Creagan, Chair
Rep. Lynn DeCoite, Vice Chair**

DATE: Wednesday, March 21, 2018
TIME: 8:30 AM
PLACE: Conference Room 312

SB 2113, SD2 – RELATING TO ANIMALS.

Prohibits manufacturers and contract testing facilities in Hawaii from using animal test methods for the purpose of testing cosmetics or household products for which an alternative test method is available. Imposes a civil fine and authorizes the attorney general to seek injunctive relief and any other recovery of damages. Effective 7/1/2050. (SD2)

Chair Creagan, Vice Chair DeCoite, and Members of the Committee:

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the four county level Cattlemen's Associations. Our 150+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **opposes** SB 2113, SD2 in its current form as it could limit the potential for some research breakthroughs within the livestock industry.

The animal's health and well-being is considered the utmost priority in all livestock research and is often done in the consultation with a veterinarian's counsel and oversight. When performing research within the livestock industry, there are few options for alternative research methods that provide the same insights. The ability to replicate some research tests within our industry can become very cost-prohibitive and could discourage further research.

Therefore, we recommend adding a provision to allow an exemption for agricultural research to the language of the bill.

While we can appreciate and agree that animal health and well-being should be protected, we believe that research concerning livestock should be allowed when in consultation with a veterinarian. We respectfully ask for this exemption be included in the bill's language and we appreciate the opportunity to testify on this important matter.

