

SB 239

SB-239

Submitted on: 1/30/2019 12:36:13 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Balazs	Testifying for Department of Education	Support	No

Comments:

SB-239

Submitted on: 2/4/2019 10:38:33 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	Testifying for West Hawaii Humane Society	Support	Yes

Comments:

AEN/CPC 2-6-19 115pm

Dear Chairs Gabbard & Baker and Members of the Committees on Agriculture, Environment and Commerce and Consumer Protection

Please accept this testimony on behalf of the West Hawaii Humane Society in strong support of SB239.

SB239 would prohibit manufactures and contract testing facilities in the state from using animal testing methods for the testing of cosmetics or household products WHEN a scientifically valid alternative to the animal test is available. Medical research is exempted from the requirement. Fortunately Hawaii, and specifically the University of Hawaii, do not currently perform testing on animals for cosmetics or household products.

In the past 35 years, due to innovations in science, animal tests for cosmetics and household products and other chemicals are increasingly being replaced with alternatives that are cheaper, faster and can better predict human response.

This bill is need as unfortunately, there is no US law that requires that available non-animal tests be used in favor animal tests. In contrast, the European Union has required that available scientifically satisfactory non-animal tests be used instead of animal tests since 1986. Hawaii would join California, New York, New Jersey and Virginia in ensuring that animals are not harmed in outdated cosmetic and chemical product tests when accepted modern alternatives are available.

Thank you for the opportunity to testify in support of this measure.

Inga Gibson

On behalf of West Hawaii Humane Society

SB-239

Submitted on: 2/1/2019 11:08:51 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Monica Engebretson	Testifying for Cruelty Free International	Support	Yes

Comments:

Dear Committee members,

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 239. This bill will provide clear state guidance to any manufactures 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. 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 239 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 manufactures 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.

Unfortunately, there is no US law that requires that available non-animal tests be used in favor of animal tests. In contrast, the 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. Four other states, CA, NY, NJ and VA have enacted similar laws.

By setting forth a clear regulatory mandate to implement modern non-animal methods whenever they are available SB 239 can prevent animal suffering and ensure that the best available scientific tests are utilized in Hawaii now and in the future.

Me ka 'oia'i 'o

Monica Engebretson
North America Campaign Manager



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Testimony in Support of Bill SB 239

Senate Committees on Agriculture and Environment/Commerce,
Consumer Protection and Health
February 5, 2019

To the Honorable Mike Gabbard and Rosalyn Baker, Chairs,

And members of the combined Committees:

On behalf of the National Anti-Vivisection Society and our supporters in Hawaii, **I would like to state our strong support for SB 239**, legislation that would end the use of live animals for chemical safety testing when a non-animal alternative is available.

The Federal Food, Drug and Cosmetic Act does not *require* manufacturers of cosmetics, personal care and other household products to test their products and ingredients on animals for safety. In fact, the Food and Drug Administration (FDA), which administers the Act, actually encourages the use of testing techniques that do not use whole living animals.

While some progress has been made at the federal level with regard to fostering the development of alternatives to animal testing, especially through the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM), the U.S. Congress has failed to act to require manufacturers to end the use of animals where alternatives already exist to establish reliable safety standards. We applaud the Hawaii legislature for taking up this issue and joining other states to move forward on this matter.

NAVS' opposition to the use of animals in cosmetics testing is based on credible scientific evidence that animal testing can produce invalid, misleading results that can ultimately be harmful to people. Animals are used in scientific experimentation based on a presumption that similarities between animals and humans enable data from animal models to be extrapolated to humans. However, the differences between other species and humans make translating data from animals to people problematic, as different species can respond to the same chemicals in different ways. Therefore, overreliance on animal models is actually counterproductive; it often sidetracks meaningful scientific progress while wasting millions of taxpayer dollars and other resources.

Innovative, animal-free alternative cosmetics testing methods, including human cell-based tests and sophisticated computer models, are available and offer advantages over traditional animal tests. Animal-free alternatives offer significant cost savings benefits over animal models, are able to generate data more quickly and are better able to predict how these products will affect people.

NAVS' opposition to the use of animals in cosmetics testing is also based on compelling ethical arguments against animal testing, as these tests are cruel and unnecessary and can cause high levels of animal suffering.

We commend the sponsors of this legislation and urge members of both committees to follow the example of California, New Jersey, New York and Virginia, as well as the entire European Union and countless other countries around the world, in ending the unnecessary cruelty of using animals for chemical safety testing.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Marcia Kramer". The signature is written in black ink and is positioned above the typed name and title.

Marcia Kramer
Director of Legal/Legislative Programs
312-427-6073

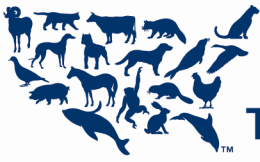
SB-239

Submitted on: 2/3/2019 2:28:41 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	Yes

Comments:



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Senator Mike Gabbard, Chair
Senate Agriculture and Environment Committee members

Senator Rosalyn H. Baker, Chair
Senate Commerce, Consumer Protection and Health Committee members

In Support Of: SB 239

Date: February 4, 2019

Testimony By: Heather Carpenter, Western Regional Director, The Humane Society of the United States

My name is Heather Carpenter. I am the Western Regional Director for The Humane Society of the United States (HSUS) and I appreciate the opportunity to submit this written testimony on behalf of our Hawaii members and supporters urging the committee to pass SB 239, which requires the use, where available, of methods that avoid or reduce the use of animals for testing of cosmetics and household products.

HSUS strongly supports both animal protection and public health. We have active programs to promote what are known as the three R's: to **reduce** the number of animals used for research purposes; **refine** research so it causes less suffering; and ultimately **replace** animals with non-animal methods that are faster, less expensive and more relevant to human health than animal studies.¹

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,² the leaders at EPA³ and by a panel of scientists convened by the National Academy of Sciences to design a better chemical assessment program that resulted in the now seminal report: *Toxicity Testing for the 21st Century: a vision and a strategy*.⁴ 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

¹ See HSUS statement on animals in biomedical research, testing and education

http://www.humanesociety.org/about/policy_statements/statement_animal_research.html#Uwth76Mo69I

² 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.

³ 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.

⁴ 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

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.⁵ Hawaii should join California, New Jersey, New York and Virginia, which have all passed laws requiring companies to use alternative test methods. By applying the best available science to protect human health and transition away from outdated animal testing, SB 239 will benefit both the science and animals in Hawaii.

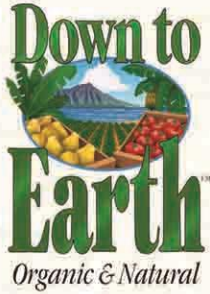
The Humane Society of the United States requests that SB 239 be reported favorably.

A handwritten signature in cursive script that reads "H Carpenter".

Heather Carpenter
Western Regional Director
702-929-2999

⁵ 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>

Love Life!



HB 239 RELATING TO CONSUMER PROTECTION
Senate Committees on Agriculture and Environment/
Commerce, Consumer Protection, and Health
February 6, 2019, 1:15pm State Capitol

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Aloha Sen. Mike Gabbard, AEN Chair, Russell E. Ruderman, AEN Vice Chair, Rosalyn H. Baker, CPH Chair, Stanley Chang, CPH Vice Chair, and Committee Members,

Down to Earth *Organic and Natural* testifies in support of HB 239.

Down to Earth *Organic and Natural* has six locations on Oahu and Maui. Since we opened in 1977, we have supported healthy lifestyles and preservation of the environment by selling local, fresh, organic and natural food, and by promoting a vegetarian lifestyle.

We support SB 239 as it will prevent animal suffering in laboratories and encourage the use of alternative testing methods for cosmetics and household products. Thank you for drafting this bill that will send a clear message that in Hawaii non-animal tests are given priority and are strongly preferred whenever possible.

Thank you for the opportunity to comment on this bill.

Alison Riggs
Public Policy & Government Relations Manager
Down to Earth

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SB-239

Submitted on: 2/5/2019 12:21:22 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-239

Submitted on: 1/29/2019 3:40:07 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Gonce	Individual	Support	No

Comments:

SB-239

Submitted on: 1/29/2019 11:12:42 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Bitonio	Individual	Support	No

Comments:

I support SB239 because I support the ethical and humane treatment of animals. They should not be subject to cruel testing for cosmetic or household products for human consumption. Animal testing results in wasteful experiments on animals that are reported to fail to lead to human treatments over 90% of the time. Each animal that is subject to torment, experiments, and living conditions in tiny cages/enclosures and deprived of natural living and relationships is a conscious living, sentient being. It's an archaic practice that needs to be left in the past.

According to a Pew Research Center survey, they found that 52% of Americans oppose all tests on animals.

Mahalo for your support of the kind treatment of animals.

Joy Bitonio
Resident of Kaneohe, HI

References: <https://www.peta.org/blog/oppose-experiments-animals/>

SB-239

Submitted on: 1/29/2019 1:35:06 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Support	No

Comments:

When other methods are available, why submit innocent animals to the torture?? We are better than that.

SB-239

Submitted on: 1/30/2019 12:30:52 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Conrad Morgan	Testifying for Kaiser High School Wipeout Crew	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:32:54 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alden	Testifying for Kaiser High School Wipeout Crew	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:35:10 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Will Sato	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:35:42 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence Komo	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:35:49 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cassidy	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:35:59 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamryn Conway	Testifying for Wipeout Crew Kaiser High School	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:36:16 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jayna Westbrooks	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:36:29 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jordan May	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:36:30 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
emily ramirez miranda	Testifying for wipeout crew	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:36:35 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashtyn Cummings	Individual	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:39:25 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Isa	Testifying for Wipeout Crew	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:40:15 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Osa	Testifying for Wipeoutcrew	Support	No

Comments:

SB-239

Submitted on: 1/30/2019 12:41:17 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Haberman	Individual	Support	No

Comments:

SB-239

Submitted on: 1/31/2019 12:03:26 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren DelaCalzada	Individual	Support	No

Comments:

SB-239

Submitted on: 2/4/2019 12:24:58 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Boyne	Individual	Support	No

Comments:

SB-239

Submitted on: 2/4/2019 1:34:41 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

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

Comments:

Dear Honorable Committee Members:

Please support SB239, which would prohibit manufacturers and contract testing facilities from using laboratory animals to test cosmetics and household products if alternative methods are available.

The use of alternatives does not mean putting human patients at risk or halting medical progress.

Reduction practices to animal testing are often cheaper and quicker. Many are also more reliable since results of animal tests may not apply to humans.

Due to innovations in science, animal tests are being replaced in areas such as toxicity testing, neuroscience and drug development. Cruel and unreliable shellfish toxin testing on live mice, for example, has now been fully replaced with a far superior analytical chemistry method that is better at protecting humans.

Another alternative is the use of cell cultures. Many types of human and animal cells can be grown in the laboratory, including the culturing of "organs-on-chips," which are used instead of animals to study biological and disease processes, as well as drug metabolism.

Donated human tissues by volunteers who have undergone surgery or post mortem are also available. Companies now produce these types of tests in easy to use kits for companies to use to test their cosmetics and other substances. Volunteer studies are also used in scanning machines, microdosing, to safely study human volunteers.

Also used are computer models that replicate cells and organs in the human body in 3D. Improved statistical design allows investigators to get the most out of the data generated by each animal they use and so need fewer animals. Another type of reduction method involves sharing research animals and control groups.

Although some important kinds of testing can't be done without animals at this time, researchers have a variety of alternatives to reduce the number of animals used in a given study.

The EU has refined lab animal standards to make it more humane for animals routinely subjected to pain or distress, and four states now have similar standards in place as well. There's no reason why Hawaii can't join in reducing needless animal suffering.

Replacing animal testing will improve the quality as well as the humaneness of our science.

Thank you for your time,

Andrea Quinn
Kihei, Hawaii

SB-239

Submitted on: 2/4/2019 3:48:50 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lori	Individual	Support	No

Comments:

Aloha Chair Gabbard, Vice Chair Ruderman, and members of the committee,

I strongly SUPPORT SB239 relating to animals. There is no reason Hawaii should be supporting animal cruelty by allowing companies to inhumanely test products on animals here in Hawaii. Many states have already decided that this is cruel and have acted by banning animal testing for cosmetics such as California, New Jersey, New York, and Virginia. There are other methods that can and should be used that do not require any living being to suffer. Thank you for allowing me to testify on this matter.

Lori Mallini,

A concerned citizen.

SB-239

Submitted on: 2/5/2019 9:14:17 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Monrudee Osa	Individual	Support	No

Comments:

MY SON IS A MEMBER OF A WIPEOUT CREW AT KAISER HIGH SCHOOL. I SUPPORT THIS BILL WITH THEM BECAUSE I DO BELIVE IT IS NOT FAIR TESTING ANYTHING ON ANIMALS. IF THAT PRODUCTS GOING TO BE USING WITH HUMAN SHOULD TESTING ON HUMAN. ANIMALS NOT GOING TO USE THOSE PRODUCTS WHY TESTING ON THEM. IT IS WRONG ANY WAY. THE BEST WAY STOP USING CHEMICALS ON EVERYTHING. NATURAL PRODUCTS IS BETTER.

SB-239

Submitted on: 2/5/2019 10:18:17 PM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Shields	Testifying for Board Member, Animal Rights Hawai'i	Support	No

Comments:

To the Committee proposing SB239:

I have been advocating on behalf of cosmetics and household products that are not tested on animals for over 30 years, simply because it's the humane thing to do. Inflicting excruciating pain on creatures that don't have the ability to refuse is equivalent to the Jews at Auschwitz being used for cruel experiments. From personal experience, the products I've used that are not tested on animals are safe, if not safer, than products with ingredients that are toxic and harsh. Additionally, products not tested on animals not only spare the lives of millions of non-human creatures, but are gentler on humans and the environment, yet do the job even better.

Mahalo for your consideration.

SB-239

Submitted on: 2/6/2019 3:18:13 AM

Testimony for AEN on 2/6/2019 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Individual	Support	No

Comments: