

**HB-1088-HD-1**

Submitted on: 2/11/2021 8:01:13 AM

Testimony for CPC on 2/12/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Asgard	Animal Rights Hawai'i (Cathy Goeggel)	Support	No

Comments:

HB1088 is important and deserves your vote in favor. Outdated medieval torture has been used for testing for over 75 years, causing immense pain to millions of animals for the cosmetics trade. Please pass HB1088 and continue Hawai'i's tradition as a leader on social justice legislation.

Mahalo,

Cathy Goeggel



February 11, 2021

Committee on Consumer Protection and Commerce  
Hawaii State Capitol

**RE: Support for HB 1088**

Aloha Chair Johanson and Committee,

On behalf of Cruelty Free International, I am pleased to support HB 1088 Hawaii Cruelty Free Cosmetics Act, which will prohibit cosmetic manufactures from selling any cosmetic in the state if it was developed or manufactured using an animal test performed after the date of enactment.

The legislation makes exceptions for special safety concerns, drugs used in cosmetics, foreign testing requirements, and allows companies to rely on existing data from testing that was done to address regulatory requirements for non-cosmetic purposes under specific conditions. We worked very hard with industry stakeholders to reach an agreement on these points that consider the complexities of the industry while achieving a primary and shared goal of ensuring that cosmetics are not the cause of new animal testing.

Animal tests for cosmetics are frequently painful and harmful to the animal. Furthermore, alternative testing methods, such as the use of engineered human tissue and the use of computer models, are often cheaper and more accurate than animal testing, in addition to being cruelty-free. Hundreds of successful cosmetics companies of all sizes now rely on non-animal testing methods and support globally consistent rules on this issue.

Passage of HB 1088 would bring Hawaii in line with nearly 40 countries and three US states [California, Illinois and Nevada] that already prohibit the sale of new animal-tested cosmetics. Moreover, ending animal testing for cosmetics is an issue that unites Americans across generations and political affiliations. A 2019 SurveyUSA poll revealed that nearly 8 out of 10 of poll respondents said that they would support a law that would prohibit animal testing for cosmetics. When broken down by self-reported party affiliation 83% of Democrats, 72% of Republicans, and 80% of Independents support or strongly support a law. Likewise, the poll revealed that there is no generational divide: 76% of those aged 50-64 said they are against animal testing for cosmetics, followed by 75% of those 65 and over, 72% of 34- to 49-year-olds and 65% of those aged 18-34.

History has shown that state activity often leads to changes at the federal level. State efforts on this issue have already and helped inform a way forward for the national approach as the agreements reached on state legislation were adopted into the federal Humane Cosmetics Act. The Hawaii Cruelty Free Cosmetics Act reflects the interests of industry, consumers and animal protection organizations and would make Hawaii one of the first states to create a cruelty free cosmetics market and help to move the rest of the nation in the right direction.

Mahalo,

A handwritten signature in black ink, appearing to read "Monica E. Brennan", with a long, sweeping flourish extending to the right.

Head of Public Affairs -North America  
Cruelty Free International

February 12, 2021, 2pm

House Commerce and Consumer Protection Committee

**RE: SUPPORT FOR HB1088; RELATING TO COSMETICS**

Submitted By: Inga Gibson, Pono Advocacy, on behalf of Cruelty Free International  
[PonoAdvocacy@gmail.com](mailto:PonoAdvocacy@gmail.com), 808.922.9910

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Dear Honorable Chair Johanson and Members of the CPC Committee,

We respectfully urge your **support of HB1088**, which would 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 1/1/2022. Effective 1/1/2022. We have reached out to Chair Hashem requesting his concurrence with the proposed amendments.

- 1) After conferring with the Department of Health we request a minor technical amendment, below:

Page 2, line 16 Change to a new section under **Chapter 328, not Chapter 321**  
"~~S321~~**328**— Cosmetics; animal testing; prohibition.

- 2) Delete reference to our state animal cruelty statute as the testing of ingredients on animals DOES NOT occur in Hawaii and amend effective date back to January 1, 2022, given this will NOT impact Retailers so an extended effective date to 2024 is not necessary, as earlier proposed:

Page 3, line 2 strike, supplier of the manufacturer, on or after January 1, ~~2022~~ 2024, in a ~~3 cruel manner, as identified in section 711-1108.5(1) (a).~~

Page 8, line 2, change effective date back to **January 1, 2022.**

Modern cosmetic safety testing standards and practices no longer require the use of animals. These new testing methods are also more reliable, effective and efficient. Three states, California, Nevada and Illinois have already enacted this same legislation, along with more than 30 countries. Manufacturers have therefore already discontinued cosmetic testing on animals. This measure would simply formally align Hawaii with this national trend.

Please see below letters of support from the Personal Care Products Council, representing more than 500 cosmetic companies and manufacturers nationwide, and an additional letter of support from The Body Shop, who is one of the hundreds of companies who have long discontinued the sale of cosmetic products tested on animals,

Please note that this bill **does not prohibit medical or research testing**, only testing for cosmetics, and provides additional exemptions to prevent conflict with any federal laws.

Thank you for your consideration of this testimony.



## STATEMENT IN SUPPORT OF CFI/PCPC ANIMAL TESTING BAN AGREEMENT

In 2019, Cruelty Free International<sup>1</sup>(CFI) and the Personal Care Products Council<sup>2</sup> (PCPC) forged a compromise agreement on state animal testing legislation. The model legislation will ban cosmetics products from being sold in states if those products or their ingredients have been tested on animals. The legislation makes necessary exceptions if, for example, the testing is mandated by federal, state or foreign regulators, and allows companies to rely on existing data from testing that was done to address regulatory requirements for non-cosmetic purposes under specific conditions.

Cosmetics and personal care products companies have been strong leaders in the search for and development of alternative cosmetics testing methods for safety assessments, and have worked with regulators in the U.S. and globally to gain acceptance of these methods. For nearly four decades, PCPC member companies have been at the forefront in significantly reducing the use of animals in product safety testing.

The legislation reflects months of discussions between PCPC and CFI, and represents a shared commitment to address the safety of humans and animals, while preserving access to so many products that consumers trust and rely on every day.

The cosmetics industry has long worked toward eliminating the use of animal testing, and this legislation is an effective measure that balances our common goal to make cosmetics animal testing obsolete globally.

Reviewed 1/13/2021

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<sup>1</sup> Cruelty Free International is the leading organization working to create a world where nobody wants or believes we need to experiment on animals. Our dedicated team are experts in their fields, combining award-winning campaigning, political lobbying, pioneering undercover investigations, scientific and legal expertise and corporate responsibility. Educating, challenging and inspiring others across the globe to respect and protect animals, we investigate and expose the reality of life for animals in laboratories, challenge decision-makers to make a positive difference for animals, and champion better science and cruelty free living.

<sup>2</sup> Based in Washington, D.C., the Personal Care Products Council (PCPC) is the leading national trade association representing the global cosmetic and personal care products companies. Founded in 1894, PCPC's 600 member companies manufacture, distribute and supply the vast majority of finished personal care products marketed in the U.S. As the makers of a diverse range of products millions of consumers rely on and trust every day – from sunscreens, toothpaste and shampoo to moisturizer, lipstick and fragrance – personal care products companies are global leaders committed to product safety, quality and innovation.



January 27, 2021

**RE: Strong Support for HB1088 Hawaii Cruelty Free Cosmetics Act**

Aloha Speaker Saiki,

The Body Shop is pleased to support the Hawaii Cruelty Free Cosmetics Act (HB1088) HB1088 will prohibit the sale of any cosmetic product that has been tested on animals after the date January 1, 2022 thus bringing Hawaii in line with California, Nevada and Illinois as well as with over 40 countries which already prohibit the sale of new animal-tested cosmetics.

As a company that has relied on non-animal safety tests to ensure our products meet cosmetic safety needs, we have direct experience with the utility and success of these modern approaches. With a plethora of ingredients available that have already been proven safe as well as the growth in modern non-animal safety tests available, there is no reason to test cosmetic products or ingredients on animals. Moreover, we know that being cruelty free is deeply important to our customers.

Eliminating the sale of animal tested cosmetics in Hawaii is a move that is welcomed by our company and one that will help the move the US in the right direction helping to ensure that animals are no longer harmed for the sake of cosmetics anywhere in the world.

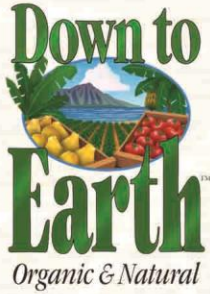
We respectfully urge your support for HB1088.

Sincerely,

Nicolas Debray  
President, Americas  
The Body Shop



Love Life!



HB 1088, HD1 RELATING TO COSMETICS  
House Committee on Consumer Protection and Commerce  
February 12, 2021, 2:00pm State Capitol

Aloha Rep. Aaron Ling Johanson, Chair, Rep. Lisa Kitagawa, Vice Chair, and  
Committee Members,

**Down to Earth Organic and Natural testifies in support of HB 1088, HD1.**

*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 products, and by promoting a healthy, plant-based and vegetarian lifestyle.*

We are in support of HB 1088, HD1, banning the import for profit, sale, and offer for sale of any cosmetic in the State that was manufactured using animal testing performed in a cruel manner.

Down to Earth has been an all-vegetarian store since our first store opened over 40 years ago. We have become a hub for many Hawaii residents that are compassionate to all animals. We appreciate this opportunity to testify on behalf of these community members in support of this bill.

Testing cosmetics on animals involves rubbing the product into the eyes and skin, forced feeding, or "lethal dose" tests. The sale of cosmetics that have been tested on animals has been banned in the European Union, Israel, and India, showing that there are other alternatives. Additionally, all of the cosmetic and natural living products that we sell at our Down to Earth stores are "cruelty-free" and never tested on animals. Cruelty-free products are abundant and preferred by many of our customers.

Thank you for the opportunity to comment on this bill.

Alison Riggs  
Public Policy & Government Relations Manager  
Down to Earth

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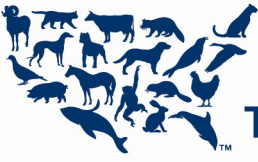
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**THE HUMANE SOCIETY**  
OF THE UNITED STATES

**To:** Representative Aaron Ling Johanson, Chair  
House Committee on Consumer Protection and Commerce members

**In Support Of:** HB 1088

**Date:** February 11, 2021

**Testimony By:** Lindsay Vierheilig, Hawaii State Director, The Humane Society of the United States

Dear Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection and Commerce,

I appreciate the opportunity to submit this written testimony on behalf of our Hawaii members and supporters urging the committee to pass HB 1088, which prohibits a manufacturer from importing for profit, selling, or offering for sale in Hawaii any cosmetic, for which an animal test was conducted or contracted by or on behalf of the manufacturer, or any supplier of the manufacturer, on or after January 1, 2024.

The Humane Society of the United States is very concerned about the insertion of the language “in a cruel manner, as identified in section 711-1108.5(1)(a).” The continued use of animal testing for cosmetics is inherently cruel and unnecessary. Inserting this language seems to suggest that there some animal tests that would not fall under this definition. We also would recommend that the effective date remain January 1, 2022. This gives industry ample to time to comply and has the support of the Personal Care Products Council (PCPC), the largest cosmetics trade association representing approximately 600 companies in the United States.

There is strong corporate support for ending animal testing for cosmetics. HB 1088 has received letters of support from 3 companies based in Hawaii (please see attached): Ao Organics Hawaii (Honoka’a), O’o Hawaii (Oahu), and Pure Mana Hawaii (Kealakekua). In addition, the Humane Cosmetics Act, federal legislation to end the production and sale of animal-tested cosmetics, has been endorsed by more than 325 individual companies in the cosmetics industry and was also introduced with the full support of the PCPC.

In traditional animal tests, rabbits, guinea pigs, mice and rats have substances forced down their throats, dripped into their eyes, or smeared onto their skin before they are killed. These test methods are unreliable predictors of human safety. Different species can respond differently when exposed to the same chemicals. Consequently, animal tests may under- or over-estimate real-world hazards to people. In addition, results from animal tests can be quite variable and difficult to interpret.

Fortunately, animal testing for cosmetics is completely unnecessary. There are no animal testing requirements for cosmetic safety substantiation in the United States. Companies can already create great products using thousands of available ingredients that have a history of safe use and do not require new testing. For new ingredients where animal testing may currently be used, many non-animal methods have been, and continue to be, developed. Non-animal methods can combine human cell-based tests and sophisticated computer models to deliver human-relevant results at less cost and in less time than the animal tests.

HB 1088 contains some exceptions that allow for sale of products with new animal testing under certain conditions including testing: (1) Required by a federal or state agency when there is a specific human health concern and there is no available alternative test or alternative ingredient; (2) Required by a foreign regulatory authority, if no evidence

derived from such test was relied upon to substantiate the safety of a cosmetic sold within Hawaii; (3) Conducted on a product or ingredient classified as a drug by the Federal Food, Drug, and Cosmetic Act; and (4) Conducted for non-cosmetic purposes if no evidence derived from such test was relied upon to substantiate the safety of a cosmetic sold within Hawaii without documented evidence that the testing was done to satisfy non-cosmetic testing requirements and the ingredient was in use in a non-cosmetic product for at least 12 months. These limited exceptions recognize the realities of chemical testing laws around the globe while also creating the incentive for cosmetic companies to push for the development and acceptance of additional non-animal test methods.

There has been a global trend toward eliminating cosmetic animal testing. In 2019, California became the first state in the country to ban the sale of cosmetics newly tested on animals followed by Nevada and Illinois in 2019. All these laws went into effect on January 1, 2020. Historically, the European Union (EU) began the trend in 2013 by finalizing a ban on the sale of cosmetics tested on animals, creating the world's largest cruelty-free cosmetics marketplace. This ban compelled cosmetic companies around the world to end animal testing and invest in the development of non-animal alternatives instead. Similar bans have also been enacted in Israel, Norway, India, and Switzerland and are under consideration in several other countries. In order to sell their products in any of these countries, cosmetic companies must already comply with bans on animal testing.

**The Humane Society of the United States urges the committee to amend and pass HB 1088 and help bring about an end to the use of animal testing in cosmetics.**

Sincerely,



Lindsay Vierheilig  
Hawaii State Director  
[lvierheilig@humanesociety.org](mailto:lvierheilig@humanesociety.org)  
808-462-3561



The Honorable Mark J. Hashem  
Chair, House Committee on Agriculture  
The Honorable members of the House Committee on Agriculture

Hawaii State Capitol  
415 S Beretania St.  
Honolulu, HI 96813

February 3, 2021

RE: Support HB 1088 and SB 345

Dear Chairman Hashem and the members of the House Committee on Agriculture:

My name is Chelsa Davis and I am the owner, founder, and formulator of Ao Organics Hawai'i. We are a company located in Honoka'a that produces natural and organic skincare and body products. We would like to express our strong support of HB 1088 and SB 345 which would prohibit the sale of cosmetic products that have been tested on animals.

As a formulator, I can create innovative products using ingredients that have already been proven to be safe. In addition, for new ingredients, there are many non-animal methods available, which are more relevant to humans, faster and cheaper, that can be used for safety evaluations.

Hawaii has the opportunity to be a leader in creating a cruelty-free cosmetics market. Please support HB 1088 and SB 345.

Thank you.

Sincerely,

Chelsa Davis

A handwritten signature in black ink, appearing to read 'Chelsa Davis', with a large, stylized initial 'C' and a long, sweeping tail.



hawaii

[www.oohawaii.com](http://www.oohawaii.com)

(808) 341-0143

The Honorable Mike Gabbard  
Chair, Senate Committee on Agriculture and Environment  
The Honorable Clarence K. Nishihara  
Vice-Chair, Senate Committee on Agriculture and Environment  
The Honorable members of the Senate Committee on Agriculture and Environment

Hawaii State Capitol  
415 S Beretania St.  
Honolulu, HI 96813

January 31, 2021

RE: Please Support HB 1088 SB 345

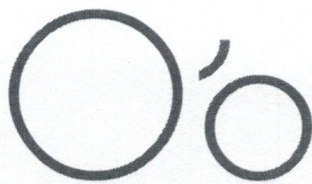
Dear Chairman Gabbard Vice-Chair Nishihara, and the members of the Senate Committee on Agriculture and Environment:

My name is Holly Harding and I am the CEO of O'o Hawaii. We are a company that produces high quality, skincare products without the need for animal testing. We export our products all over the world including Korea, Japan, Hong Kong, Europe, Israel, India and Canada. I am writing to express my strong support of HB 1088 and SB 345 which would prohibit the sale of cosmetic products that have been tested on animals.

Animal testing for cosmetics is completely unnecessary. Cosmetics products can be created using thousands of ingredients that have already been proven to be safe. In addition, there are many non-animal test methods available that can be used for safety evaluations of new ingredients. These alternatives provide data that is more relevant to humans and offer savings in time and cost from traditional animal tests. In addition, most animals have a skin pH that is more neutral than humans at roughly a 7. Human skin is more acidic, thus making testing of human products on animals irrelevant.

More than 30 countries including the European Union, India, Israel, Norway and Switzerland have already banned production and sale of animal-tested cosmetics, and international companies must already be in compliance with bans in those countries. Laws to end the sale of animal-tested cosmetics have also passed in California, Nevada and Illinois. Passage of HB 1088 and SB 345 would help push for harmonization of U.S. cosmetic policy with these states and countries and facilitate the trade of safe and humane cosmetic products worldwide.





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(808) 341-0143

Hawaii can be at the forefront of establishing a cruelty-free cosmetics market in the United States. Please support HB 1088 and SB 345.

Sincerely,

Holly Harding

CEO

# PURE MANA HAWAII

The Honorable Mark J. Hashem  
Chair, House Committee on Agriculture  
The Honorable members of the House Committee on Agriculture

Hawaii State Capitol  
415 S Beretania St.  
Honolulu, HI 96813

February 3, 2021

RE: Please Support HB 1088 and SB 345

Dear Chairman Hashem and the members of the House Committee on Agriculture:

I am writing on behalf of Pure Mana Hawaii located in Kealahou. We are a company that produces organic, cruelty-free skincare products. We would like to express our strong support of HB 1088 and SB 345 which would prohibit the sale of cosmetic products that have been tested on animals.

Animal testing for cosmetics is outdated and completely unnecessary. There are thousands of ingredients that have already been proven to be safe that companies can use to formulate new products. In addition, for new ingredients, there are many non-animal methods available, which are more relevant to humans, faster and cheaper, that can be used for safety evaluations.

Now is the time for Hawaii to lead the way in establishing a cruelty-free cosmetics market in the United States. We urge you to support HB 1088 and SB 345.

Thank you.

Sincerely,

Susan Mandini  
Co-Founder  
Pure Mana Hawaii



## Hawaiian Humane Society

People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • HawaiianHumane.org

Date: Feb. 11, 2021

To: Chair Rep. Aaron Ling Johanson  
Vice Chair Rep. Lisa Kitagawa  
and Members of the  
Committee on Consumer Protection and Commerce

Submitted By: Stephanie Kendrick, Public Policy Advocate  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 1088, HD1: Relating to Cosmetics  
Friday, Feb. 12, 2021, 2 p.m., Capitol room 329

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Aloha Chair Johanson, Vice Chair Kitagawa and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support of House Bill 1088, HD1, which 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 final product was developed or manufactured using animal testing performed on or after 1/1/2022.

Hawaiian Humane believes the use of animals for experimentation should be permitted only when there are no feasible alternatives and only when the experiment is believed likely to produce new and substantial information. That is certainly not the case in testing the chemicals used in cosmetics where modern alternatives are cheaper, faster and can better predict human reactions. These animal-free techniques are required in European Union countries as well as a growing number of states, including California, Nevada and Illinois. We support HB1088, HD1, with the amendments proposed by Cruelty Free International. The provisions of this measure are well vetted, supported by many in the cosmetics industry itself, and include exemptions to address threats to human health.

There is no evidence that any local cosmetics manufacturers will be affected by this law, except that they will no longer have to compete against manufacturers who abuse animals in pursuit of profits. We urge the committee to pass HB1088, HD1, with the proposed amendments. Mahalo for your consideration.

**HB-1088-HD-1**

Submitted on: 2/10/2021 6:37:31 PM

Testimony for CPC on 2/12/2021 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members,

Please support HB1088.

Thank you,

Andrea Quinn