

Office of Policy and Legal Analysis

Date: May 5, 2021
To: Joint Standing Committee on Innovation, Development, Economic Advancement and Business
From: Rachel Olson, Legislative Analyst
Re: LD 1551, An Act To Ban the Sale of Cosmetics That Have Been Tested on Animals (Doudera)

Bill Summary

This bill prohibits manufacturers from selling or offering to sell a cosmetic if the cosmetic was developed or manufactured using cosmetic animal testing on or after November 1, 2021.

Testimony:

Proponents: Representative Doudera, sponsor; Katie Hansberry, The Humane Society of the United States; Jeff Marks, Lillian Amborn; Wendy Andresen; Gina Barre; Colette Bazylinski; Meredith Blanchard, National Anti-Vivisection Society; Beth Gallie, Maine Animal Coalition; Jayne Boulos; Rebecca Buder; Heather Carlton; Elizabeth Clark; Tammy Cloutier, PhD; Jill Cournoyer; Christin Currier; Michelle Davis; Kailey Dubuque; Janet Flaherty; Lynne Fracassi; Bre Furbish; Stephanie Harris, Animal Legal Defense Fund; Valerie Giguere; Suzanne Hamilton; Kate Harris; Simon Hebert, Animal Refuge League of Greater Portland; Barbara Hodges, Humane Society Veterinary Medical Association; Sarah Kelly, SaltyGirl Beauty; Kristal Karatsanos; Timothy Kash; Inger Kopf; Alissa Laitres, One Earth Natural Food Store; Lindsae Lasko; Sara Lennon; Jason Lindstrom, Animal Refuge League of Greater Portland; Heather Lux, True North Beauty; Ann MacMichael; Patsy Murphy, Animal Refuge League of Greater Portland; Kevin Mahoney; Animal Refuge League of Greater Portland, Lynn Manley; Allie McCarthy; Alice Persons, Animal Refuge League of Greater Portland; Patsy Murphy; Bernice Nadler; Cassidy Neal; Kailey Novikov; Carole Orem; Susan Palmer; Libby Perkins; Valerie Philbrick; Tricia Stevens, Lush Cosmetics LLC; Nicholas Porto, Animal Refuge League of Greater Portland; Tamara Thomas, Animal Refuge League of Greater Portland; Susanna Richer; Jane Ronayne; Debra Simonds; Eugenie Sotiropoulos; Cynthia Talbot; Erica Thoms; Mary Kay Tisdale; Lucille Trudeau; Starr Waisanen; Robin Watts; Sonya Weaver; Lynn Young; Sofija Zivulovic;

Opponents: None

Neither for nor against: None

Information Requests:

1. *The Committee requested a side-by-side of state legislation related to or similar to this LD.*

The sponsor provided [a side by side comparison](#) of LD 1551, federal legislation, and currently enacted legislation in other states, including: California, Nevada, Illinois, and Virginia. Similar bills are currently being considered in Hawaii, Maryland, New Jersey, New York and Rhode Island. Links to those bills, as well as the recent status of the bill is included at the bottom of the chart. A PDF of the chart is included in the electronic LD file.

2. *The Committee requested a list of organizations and businesses who support this legislation and/or this type of legislation.*

The sponsor provided this list of companies in Maine that support the Humane Cosmetics Act:

Companies in Maine that Support the Humane Cosmetics Act

The following stakeholders of the personal care products industry are located within Maine and support the Humane Cosmetics Act (HCA), which would prohibit the manufacture and the sale of animal-tested cosmetics in the United States. This federal legislation has the support of 335 independent companies such as COTY, Madison Reed, Overstock.com, Paul Mitchell, Proctor & Gamble, Seventh Generation, and Unilever in addition to nearly 600 member companies of the Personal Care Products Council (PCPC). *An asterisk indicates that these companies have supported through their PCPC membership.

First Impact New York*, New Gloucester

Product formulation for cosmetics companies. Expertise in regulatory compliance to comply with relevant laws, policies, and regulations.

Greentech USA, Inc.*, Yarmouth

Develops and produces active ingredients from plants, algae, micro-algae and biotechnology in cosmetic, pharmaceutical and nutraceutical fields. The active ingredients from local and worldwide raw materials for small local and top cosmetic companies are produced daily in their factory.

Lotus Garden Botanicals, Biddeford

Manufactures and sells essential oil blends used for perfumes, aromatherapy, and bath and body products.

Lush, Portland

Manufactures various personal care products outside of Maine and sells within the state at their brick and mortar store and online.

Maine Hempworks, Naples

They manufacture and sell soaps, lotions, lip balm and beard oil.

One Earth Natural Food Store, Shapleigh

Retailer with a brick and mortar location in Shapleigh. They sell groceries, vitamins/herbal supplements, pet care, gifts, clothing and cruelty-free personal care products.

SaltyGirl Beauty, Biddeford

Cosmetics company that sells foundation, lipsticks, glosses, body care and haircare.

True North Beauty, Milo

Manufactures and sells luxury skincare products.

3. There was a question around whether there were any constitutional issues related to the commerce clause within this LD.

Additional Information:

[PCP Council letter on Humane Cosmetics Act, introduced in the 116th Congress](#)
[Humane Cosmetics Act](#)

Fiscal Impact: Not Yet Determined