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Testimony of Representative Victoria Doudera on LD 1551 "An Act To Ban the Sale of Cosmetics That Have Been Tested on Animals"

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Good Afternoon Senator Curry, Representative Roberts, and members of the Committee on Innovation, Development, Economic Advancement and Business. I am Representative Vicki Doudera, and I represent House District 94, the towns of Camden, Islesboro and Rockport. I'm here today to introduce **LD 1551 "An Act To Ban the Sale of Cosmetics That Have Been Tested on Animals."**

Testing products such as lotions, shampoos and makeup on rabbits, guinea pigs, mice and rats is cruel and outdated. In these tests, substances are forced down the animals' throats, dripped into their eyes, or smeared onto their skin before they are killed. Not only is this practice inhumane, but it is unnecessary. Cosmetics companies have the ability to use existing ingredients with a history of safe use, or, if they choose to use new ingredients, they can choose from a wide range of new non-animal test methods. These new methods do not only spare animal lives, but they also represent the best that science has to offer, and can provide data more relevant to human exposure ensuring that cosmetics are safe.

It is important to note that there are no animal test requirements for cosmetics in the United States and many companies already use non-animal testing. If that is the case, why have four states (California, Nevada, Illinois, and -- just a few weeks ago -- Virginia) passed laws similar to the one before you? Why is a comparable bill on the governor's desk in Maryland and soon to be in Hawaii, with Rhode Island, New Jersey, and New York also exploring this ban? Why are consumers and cosmetic companies, including many in Maine, voicing their support for our state to join the global push to ban animal-tested cosmetics?

The answer is China, which requires that cosmetics sold in its large and lucrative market undergo testing on animals by Chinese regulators. Passing laws such as LD 1551 will help persuade the U.S. government to join Europe, India, and other countries in putting in place a nationwide ban that will in turn help end China's animal-testing requirement.

Federal legislation is supported by the Personal Care Products Council, the leading national trade association representing 90% of the U.S. cosmetics industry. LD 1551 was carefully drafted to mirror the provisions in this federal legislation.

LD 1551 will prohibit a manufacturer from selling a cosmetic product that has been tested on animals in the state of Maine after November 1, 2021.

The bill contains some limited exemptions that address the realities of the global cosmetics marketplace.

1. The first exemption is to address requirements in place in other countries where manufacturers may need to conduct new animal tests to sell cosmetics.
2. The second exemption is for testing done on products or ingredients that are classified as drugs by the Federal Food, Drug, and Cosmetic Act, such as antiperspirants or sunscreens.
3. The third is to address testing that is done on ingredients that are being tested for non-cosmetic purposes. Most ingredients are not developed just for use in cosmetics and therefore animal testing may be done to meet other legal requirements, such as for chemical registration laws. However, LD 1551 prevents a cosmetic manufacturer from using this new animal test data unless the ingredient was in use in a non-cosmetic product for at least 12 months and there is no non-animal test that could have been used instead.
4. The fourth allows for new animal testing if an ingredient poses a risk of causing a human health problem and there is no non-animal test or an alternative ingredient available.

I first learned of this issue in February of 2020 in an article in the *Maine Sunday Telegram*. I read that a growing number of U.S. states were considering a ban on the sale or import of animal-tested cosmetics, and I knew that Maine had to be a part of it. We have a proud tradition in the Pine Tree State of conservation, of stewardship of our wildlife, of animal rescue centers that bring pets from kill shelters in other parts of the country and unite them with Mainers who have waited patiently on lists. We are a state that cares for animals - so much so that we have to put out signs this time of year so that well-meaning people don't "rescue" what they perceive as abandoned baby seals and fawns.

By passing LD 1551, Maine would align with the other states and countries who recognize that it is cruel and unnecessary to have animals suffer for the sake of shampoo. Please vote to pass LD 1551 so that our state can help put an end to this outdated practice.