

# SENATE . . . . . No. 2504

---

## The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court  
(2019-2020)

SENATE, January 31, 2020.

The committee on Environment, Natural Resources and Agriculture, to whom was referred the petitions (accompanied by bill, Senate, No. 505) of Mark C. Montigny, Jack Patrick Lewis, Kay Khan, Mike Connolly and other members of the General Court for legislation to concern the use of animals in product testing; and (accompanied by bill, House, No. 823) of Jack Patrick Lewis and others relative to the use of animals in product testing, report the accompanying Bill (Senate, No. 2504).

For the committee,  
Anne M. Gobi

# SENATE . . . . . No. 2504

---

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act concerning the use of animals in product testing.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after  
2   Section 174F the following new section:-

3           Section 174G.

4           (a) As used in this section, the following words shall have the following meanings unless  
5   the context clearly requires otherwise:

6           "Alternative test method", a process or procedure implemented to obtain information  
7   regarding the biological effects of exposure to a chemical or agent that does not employ the use  
8   of an animal and results in the gathering of valid information that would otherwise be acquired  
9   through the use of a traditional animal test method, including, but not limited to, computational  
10   toxicology, bioinformatics, high-throughput screening methods, chemical substances testing,  
11   tiered testing methods, in vitro studies, and systems biology.

12          “Commissioner”, the commissioner of the department of public health.

"Contract testing facility", a partnership, corporation, association, or other legal relationship that tests chemicals, ingredients, product formulations, or products.

"Manufacturer", a partnership, corporation, association, or other legal relationship that produces products, product formulations, chemicals, or ingredients.

"Medical research", investigations, experiments, and studies to discover, develop, or verify knowledge relating to the causes, diagnosis, treatment, prevention, or control of physical or mental diseases and impairments of humans and animals or relating to the development of biomedical products, devices, or pharmaceuticals.

"Traditional animal test method", a process or procedure using animals to obtain information regarding the biological effects of exposure to a chemical or agent.

(b) (1) When testing a product, product formulation, chemical, or ingredient in the Commonwealth, no manufacturer or contract testing facility shall use a traditional animal test method for which a valid alternative test method exists. No provision of this subsection shall be construed to apply to a test method conducted for the purposes of medical research.

(c) The commissioner shall promulgate regulations to implement, enforce, and administer this section and shall establish standards for alternative test methods to ensure safety and comparable validity of results to traditional animal test methods. The commissioner shall consider the Organization for Economic Co-Operation and Development's Guidelines for the Testing of Chemicals when establishing said standards.

SECTION 2. The commissioner of public health shall promulgate regulations to implement this act no later than 180 days following passage of this act.

34           SECTION 3. Section 1 shall take effect 6 months after the passage of this act and Section  
35   2 shall take effect upon passage.