

# SENATE . . . . . No. 2744

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## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court  
(2025-2026)

SENATE, December 18, 2025.

The committee on Consumer Protection and Professional Licensure to whom was referred the petition (accompanied by bill, Senate, No. 263) of Mark C. Montigny, Michael O. Moore, James K. Hawkins, James B. Eldridge and other members of the General Court for legislation to protect consumers from contributing to inhumane animal testing for cosmetics, report the accompanying bill (Senate, No. 2744).

For the committee,  
Pavel M. Payano

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In the One Hundred and Ninety-Fourth General Court  
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An Act to protect consumers from contributing to inhumane animal testing for cosmetics.

*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, as appearing in the 2022 Official Edition,  
2 is hereby further amended by inserting after Section 174H the following new section:

3           174I. Selling of animal tested cosmetics.

4           1. For the purposes of this section the following terms shall have the following meanings:

5           (a) "Cosmetic", shall mean articles intended to be rubbed, brushed, poured, sprinkled, or  
6 sprayed on, introduced into, or otherwise applied to the human body or any part thereof for  
7 cleaning or for enhancing, concealing or changing the appearance, including but not limited to  
8 personal products such as deodorant, shampoo and conditioner.

9           (b) "Animal testing", shall mean the internal or external application of a cosmetic, either  
10 in its final form or any ingredient thereof, to the skin, eyes, or other body part of a live non-  
11 human vertebrate.

12           (c) "Cosmetic Ingredient", shall have the same meaning as defined in 21 CFR 700.3(e).

(d) "Cosmetic Manufacturer", shall mean any person whose name appears on the label of a cosmetic pursuant to the requirements of 21 CFR 701.12.

(e) "Supplier", shall mean any entity that supplies, directly or through a third party, any ingredient used by a cosmetic manufacturer in the formulation of a cosmetic.

2. Except as otherwise provided in this section, it shall be unlawful for a cosmetic manufacturer to import for profit, sell or offer for sale in the state, any cosmetic which the cosmetic manufacturer knew or reasonably should have known that animal testing was conducted or contracted by or on behalf of the cosmetic manufacturer or any supplier of the cosmetic manufacturer if the animal testing was conducted after the effective date of this section. No provision of this subsection shall be construed to apply to a test method conducted for the purposes of medical research.

3. This section does not apply to animal testing that is conducted:

(a) As a requirement of any federal or state regulatory agency if:

(i) the cosmetic or a cosmetic ingredient in the cosmetic which is being tested is in wide use and cannot be replaced by another ingredient which is capable of performing a similar function; and

(ii) a specific human health problem relating to the cosmetic or cosmetic ingredient is substantiated and the need to conduct animal testing is justified and supported by a detailed protocol for research that is proposed as the basis for the evaluation of the cosmetic or cosmetic ingredient; and

(iii) there does not exist a method of testing other than animal testing that is accepted for the relevant purpose by a federal or state regulatory agency.

(b) As a requirement of any regulatory agency of a foreign jurisdiction, if no evidence derived from such testing was relied upon to substantiate the safety of a cosmetic sold within Massachusetts by the cosmetic manufacturer.

(c) For any product or cosmetic ingredient which is subject to the requirements under 21 USC subchapter V.

(d) For purposes not related to cosmetics as required by any federal, state or foreign regulatory agency, provided that no evidence derived from such testing was relied upon to substantiate the safety of a cosmetic sold within the state by the cosmetic manufacturer, unless:

(i) documentary evidence exists that the intent of the animal testing was unrelated to cosmetics; and

(ii) there is a history of the use of the cosmetic ingredient unrelated to cosmetics for a minimum of twelve months.

4. This section does not apply to a cosmetic:

(a) If, in its final form, such cosmetic was tested on animals before the effective date of this section, even if the cosmetic is manufactured on or after such date.

(b) If a cosmetic ingredient contained in such cosmetic was tested on animals and sold in Massachusetts before the effective date of this section, even if such cosmetic ingredient is manufactured on or after such date.

53           5. This section may not be construed to prevent a cosmetic manufacturer from reviewing,  
54    assessing or retaining data resulting from exempted animal testing or from past animal testing  
55    results.

56           6. No municipality or other political subdivision of Massachusetts may establish or  
57    continue any prohibition on or relating to animal testing for cosmetics, as defined in this section  
58    that is not identical to the prohibitions established in this section.

59           7. The attorney general may, upon a determination that there is a reasonable likelihood of  
60    a violation of this section, review any testing data on which a cosmetic manufacturer has relied  
61    in determining the safety of a cosmetic or a cosmetic ingredient sold in Massachusetts. Any  
62    information related to a trade secret, as defined in section 42 of chapter 93 or 18 U.S.C. §  
63    1839(3) and per Fair Packaging and Labeling Program, 15 U.S.C. § 1454(c)(3), disclosed under  
64    this section shall be protected and the attorney general shall enter into a protective order with the  
65    cosmetic manufacturer before receipt of such information. The attorney general shall take other  
66    appropriate measures as necessary to preserve the confidentiality of the information produced  
67    pursuant to this section. The attorney general may bring an action or special proceeding in the  
68    supreme court for a judgment enjoining the continuance of such violation and for a civil penalty  
69    of not more than five thousand dollars for the first violation and not more than one thousand  
70    dollars per day if the violation continues.

71           SECTION 2. This shall take effect 6 months after the passage of this act.