

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act concerning the use of animals in product testing.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Mark C. Montigny

Second Bristol and Plymouth

Jack Patrick Lewis

7th Middlesex

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 505 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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, as appearing in the 2020 Official Edition,
2 is hereby amended by inserting after 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.

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

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

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

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

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

27 (c) The commissioner shall promulgate regulations to implement, enforce, and administer
28 this section and shall establish standards for alternative test methods to ensure safety and
29 comparable validity of results to traditional animal test methods. The commissioner shall

30 consider the Organization for Economic Co-Operation and Development's Guidelines for the
31 Testing of Chemicals when establishing said standards.

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

34 SECTION 3. Section 1 shall take effect 180 days after the passage of this act and Section
35 2 shall take effect upon passage.