

Beauty Without Cruelty: Massachusetts' Proposed Ban on Animal Tested Cosmetics

By: Maia Penzer

What if the issue that could finally unite politicians on both sides of the political spectrum was neither power nor policy, but compassion?

Animal welfare is one of the rare causes that transcends partisan divides, bringing progressives and conservatives together in a shared commitment to something bigger than themselves.

Massachusetts State Representative Jack Patrick Lewis, a member of the Democratic Party, credits this bipartisan spirit for inspiring his newly filed bill, “An Act to Protect Consumers from Contributing to Inhumane Animal Testing for Cosmetics.”

"There are few bills that can attract the broad base of support that animal welfare bills can...not only are they supported by moderates but also some of the most pronounced progressive and conservative legislators in Massachusetts," said Lewis.

The bill will prohibit the sale of cosmetic products tested on animals once its effective date is established, advocating for the use of alternative, cruelty-free testing methods.

Similar laws aimed at eliminating animal testing by cosmetic industries are already active in 12 states, including California, New Jersey, and New York. The proposed legislation would bring Massachusetts in line with these efforts.

Supporters of the bill emphasize the importance of Massachusetts joining the cruelty-free movement in the cosmetics industry, with State Representative Brian Ashe, a sponsor, underscoring the state's role in furthering the national shift toward similar policies.

"Massachusetts is a leader in a lot of things...and I hope this is something that we could be a leader on as well," said Ashe.

According to Lewis, the growing momentum in states that have already enacted similar laws is helping to drive the shift toward cruelty-free solutions.

“We live in a very different world than we lived in five or ten years ago when it comes to alternatives to animal testing,” Lewis said. “The fact that other states have already passed similar legislation means that there is a path forward, there is a market.”

That being said, the bill makes allowances for certain cases of animal testing. It includes exemptions for testing required by federal, state, or foreign agencies in situations where no

alternative exists or when the testing is unrelated to cosmetics. Additionally, it does not apply to cosmetics or ingredients tested on animals before the bill's effective date.

While these exemptions address the industry's regulatory complexities, advocates argue that the goal isn't to end all research but to make more ethical choices in cosmetic testing.

"There are some things you have to test on...it's important for medications, for scientific breakthroughs. But cosmetics? I mean, that's one for our advantage. Do we really have to make animals suffer for our pleasure?" Ashe asked, emphasizing the ethical dilemma at hand.

It's a concern that Representative Lewis understands, though he views the bill as just the beginning of the discussion. "Bills that are filed are conversation starters more than anything else," he says, acknowledging that if the bill were to pass, it would likely undergo further revisions.

For local companies that have already embraced alternative testing practices, the bill may not bring major changes. However, for the broader beauty industry, it represents a crucial step toward accountability.

Sarah Herklot, Purchasing Director at Cambridge Naturals, a Boston-based retailer specializing in ethically sourced products, views the bill as an important push for greater transparency within the industry.

"It's not going to directly impact our business because we do not use any cosmetics that have been tested on animals," Herklot said. "I do, though, think it's a great starting place to put pressure on the larger corporations that are using animal testing."

This pressure could be crucial. Kim Paschen, Program Manager at Leaping Bunny, a leading cruelty-free certification organization, explained that in the U.S., the term "cruelty-free" lacks a legal definition. As a result, consumers are left vulnerable to deception, with companies free to mislead their audiences about their commitment to ethical testing practices.

"Companies are able to essentially self-identify as cruelty-free on their website or on their packaging...without having to prove that they, in fact, are," she said. This proposed bill could be an important move toward eliminating this ambiguity.

"It's certainly a first step in garnering the attention at the federal level to hopefully one day pass a law that would ban cosmetics testing all throughout the United States," said Paschen.

Many advocates argue that animal testing is outdated and unnecessary, pointing to scientifically advanced alternatives.

Paschen highlighted one such method, explaining, “Computer modeling... is able to computationally derive endpoints or results much faster than any sort of animal tests.”

Another promising advancement is “organ-on-a-chip,” a device about the size of a USB stick that contains cells mimicking an organ or even an entire organism. This technology allows researchers to study how chemicals interact with the body in a more precise and efficient way.

“Some companies are just really reluctant to change their protocols,” Paschen said. “They rely on this so-called, tried and true method. It’s hard to shift that paradigm.”

Despite this resistance to change, advocacy groups are working toward a shift in how testing is conducted to show that these alternatives are not only saving the lives of animals, but they’re faster, better, cheaper, and more reliable.

The bill is still in the early stages of the legislative process. Over the next several months, there will be an opportunity for the public to weigh in, as the bill will be heard in committee, with a chance for both supporters and opponents to testify. After that hearing, the committee will decide whether to move the bill forward.

Representative Lewis and his co-sponsors are currently working to build support for the bill, seeking additional co-sponsors, and engaging advocacy groups in anticipation of the upcoming legislative hearings.

As the debate continues, Representative Lewis poses a pivotal question: “With 12 states already moving in this direction, do we really want Massachusetts to be left behind?”

The answer now rests in the hands of the state.