

# States that Ban the Sale of Cosmetics Tested on Animals

By: Janet Kaminski Leduc, Chief Attorney  
August 18, 2023 | 2023-R-0151

## Issue

This report provides an overview of state laws that prohibit the sale of cosmetic products that have been tested on animals. It updates OLR Report [2021-R-0209](#).

## Summary

Eleven states have enacted laws prohibiting manufacturers from selling cosmetic products that were developed or manufactured using animal testing: California, Hawaii, Illinois, Louisiana, Maine, Maryland, Nevada, New Jersey, New York, Oregon, and Virginia.

The laws are similar in many respects, yet do vary some. Generally, each establishes a prohibition, identifies certain exemptions, sets fines, and names enforcement agencies. The below table summarizes these laws. (Not all provisions of each law are included below. For example, most of the laws also have provisions that make certain testing information confidential but disclosable to the enforcing agency.)

See OLR Report [2018-R-0270](#) for more details of California's law, which was the first of its kind to be passed by a state.

**Table 1: Overview of States that Ban Cosmetics Tested on Animals**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>California</p> <p><a href="#">Cal. Civ. Code § 1834.9.5</a></p>	<p>Manufacturer cannot import for profit, sell, or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after January 1, 2020</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, including personal hygiene products like deodorant, shampoo, or conditioner</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal alternative testing method accepted by the regulatory authority</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of Chapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• A cosmetic in its final form or an ingredient if sold in California or tested on animals before January 1, 2020, even if manufactured after that date</li> </ul>	<p>\$5,000, plus \$1,000 for each day the violation continues</p> <p>Fines are paid to the county or city entity who brings the action</p>	<p>County district attorney or city attorney of the county or city in which the violation occurs may enforce the law</p>

Table 1 (continued)

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Hawaii</p> <p><a href="#">Haw. Rev. Stat. § 321-30.4</a></p>	<p>Manufacturer cannot import for profit, sell, or offer for sale in state cosmetics for which it knew or reasonably should have known that an animal test was conducted or contracted on or after January 1, 2022, in a cruel manner</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, including personal hygiene products like deodorant, shampoo, or conditioner</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal alternative testing method accepted by the regulatory authority</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• A cosmetic in its final form or an ingredient if sold in Hawaii or tested on animals before January 1, 2022, even if manufactured after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>\$5,000, plus \$1,000 for each day the violation continues</p> <p>Fines are paid to the county where the violation occurred</p>	<p>Prosecuting attorney of the county in which the violation occurs may enforce the law</p>

**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Illinois</p> <p><a href="#">410 Ill. Comp. Stat. 620/17.2</a> &amp; <a href="#">620/2.6</a></p>	<p>Manufacturer cannot import for profit, sell, or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after January 1, 2020</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, and any component, except that it does not include soap</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal alternative testing method accepted by the regulatory authority</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• An ingredient or cosmetic in its final form if tested on animals before August 9, 2019</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>\$5,000, plus \$1,000 for each day the violation continues</p> <p>Fines are paid to the entity who brings the action</p>	<p>State’s attorney of the county in which the violation occurs may enforce the law</p>

Table 1 (continued)

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Louisiana</p> <p><a href="#">La. Rev. Stat. Ann. § 51:771, et seq.</a></p>	<p>Manufacturer cannot sell or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after August 1, 2022</p> <p>“Cosmetic” is anything intended to be applied to or introduced into the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, and any component, except that it does not include soap</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal alternative testing method accepted by the regulatory authority</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• A cosmetic in its final form or an ingredient if tested on animals before August 1, 2022, even if manufactured after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>Up to \$1,000, plus \$500 for each day the violation continues</p>	<p>Not specified</p>

Table 1 (continued)

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Maine</p> <p><a href="#">Me. Rev. Stat. Ann. tit. 10, § 1500-M</a></p>	<p>Manufacturer cannot sell or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after November 1, 2021</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, and any component, except that it does not include soap</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) there is no non-animal alternative method or strategy recognized,</li> <li>(2) the cosmetic has a widely used ingredient that cannot be replaced, and</li> <li>(3) a human health problem is substantiated and the animal test is justified and supported by research</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of Chapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• An ingredient or cosmetic in its final form tested on animals before November 1, 2021, even if manufactured after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>\$5,000, plus \$1,000 for each day the violation continues</p> <p>Fines, less court costs, are paid to the agency that brings the action</p>	<p>The attorney general or the district attorney for the county in which the violation occurs may enforce the law</p> <p>The state may bring an action in Superior Court to enjoin a manufacturer from violating the law</p>

**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Maryland</p> <p><a href="#">Md. Code Ann., Health-Gen § 21-259.3</a></p>	<p>Beginning January 1, 2022, a person cannot conduct or contract for animal testing in the development of a cosmetic</p> <p>Beginning July 1, 2022, a manufacturer cannot sell or offer for sale in state cosmetics for which it knows or reasonably should have known that the final product or any component was developed or manufactured using animal testing was conducted or contracted on or after January 1, 2022</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory agency requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) animal testing is the only method accepted by the agency</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority's requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority's requirement under certain circumstances</li> <li>• An ingredient or cosmetic in its final form tested on animals before January 1, 2022, even if manufactured after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>Up to \$5,000 for the first offense</p> <p>Up to \$1,000 for each subsequent offense</p> <p>Each violation with respect to a separate animal and each day a violation occurs is a separate violation</p>	<p>Local law enforcement may enforce the law</p>

**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Nevada</p> <p><a href="#">Nev. Rev. Stat. § 598.993</a></p>	<p>Manufacturer cannot import for profit, sell, or offer for sale in state cosmetics for which it knew or reasonably should have known that an animal test was conducted or contracted on or after January 1, 2020</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, including personal hygiene products like deodorant, shampoo, or conditioner</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory agency requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) animal testing is the only method accepted by the agency</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• An ingredient or cosmetic in its final form or an ingredient if sold in Nevada or tested on animals before January 1, 2020, even if manufactured on or after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>A violation is a deceptive trade practice under state law</p>	<p>Violations are enforced as deceptive trade practices</p>



**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>New Jersey</p> <p><a href="#">N.J. Stat Ann. § 4:22-61</a></p>	<p>Manufacturer cannot sell or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after March 1, 2022</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, and any component, except that it does not include soap (21 U.S.C. § 321(i))</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal test method or strategy accepted by the authority</li> </ol> </li> <li>• Animal tests conducted outside the United States to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of Chapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.);</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• An ingredient or cosmetic tested on animals before March 1, 2022</li> <li>• A manufacturer reviewing, assessing, or retaining data from animal testing</li> </ul>	<p>Up to \$1,000 per violation</p> <p>Each day a violation continues is a separate offense</p>	<p>The director of the Division of Consumer Affairs in the Department of Law and Public Safety may (1) enforce the law and (2) institute a civil action for injunctive relief to enforce the law and to prevent violations</p>

**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>New York</p> <p><a href="#">N.Y. Gen. Bus. Law § 399-aaaaa</a></p>	<p>Manufacturer cannot import for profit, sell, or offer for sale in state cosmetics for which it knew or reasonably should have known that an animal test was conducted or contracted on or after January 1, 2023</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, including personal hygiene products like deodorant, shampoo, or conditioner</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal test method accepted by the authority</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• A cosmetic in its final form or an ingredient if sold in New York or tested on animals before January 1, 2023, even if manufactured on or after that date</li> <li>• A manufacturer reviewing, assessing, or retaining evidence from animal testing</li> </ul>	<p>Up to \$5,000, plus up to \$1,000 each day the violation continues</p>	<p>The attorney general may bring an action or proceeding in Supreme Court to enjoin a manufacturer from violating the law</p>

Table 1 (continued)

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Oregon</p> <p><a href="#">HB 3213 (2023)</a></p>	<p>Manufacturer cannot sell or offer for sale in state cosmetics developed or manufactured using animal tests conducted or contracted on or after January 1, 2024</p> <p>The law explicitly allows products that violate its provisions to be donated to food banks, homeless shelters, hospitals, animal shelters, corrections facilities, or emergency shelters</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, except that it does not include soap</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory authority requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal test method or strategy accepted by the authority</li> </ol> </li> <li>• Animal tests conducted outside the United States to comply with a foreign regulatory authority’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory authority’s requirement under certain circumstances</li> <li>• A manufacturer reviewing, assessing, or retaining data from animal testing</li> <li>• A cosmetic or ingredient tested on animals before the act’s effective date, even if manufactured after that date</li> </ul>	<p>Up to \$5,000, plus up to \$1,000 each day the violation continues</p> <p>Penalties are deposited in the Department of Justice Protection and Education Revolving Account</p>	<p>Attorney general may investigate, bring civil actions, impose civil penalties, and obtain injunctions</p>

**Table 1 (continued)**

State	General Prohibition	Exemptions	Fines	Enforcement Agency
<p>Virginia</p> <p><a href="#">Va. Code Ann. § 59.1-571 to 59.1-574</a></p>	<p>Manufacturer cannot: (1) conduct or contract for cosmetic animal testing in the state on or after January 1, 2022; (2) manufacture or import for profit in state any cosmetic or ingredient it knew or reasonably should have known was developed or manufactured using animal testing on or after January 1, 2022; and (3) beginning July 1, 2022, sell or offer to sell in state any cosmetic or component it knew or reasonably should have known was developed or manufactured using animal testing on or after January 1, 2022</p> <p>“Cosmetic” is anything intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or applied to the human body or any part of it for cleansing, beautifying, promoting attractiveness, or altering appearance, including personal hygiene products like deodorant, shampoo, or conditioner</p>	<ul style="list-style-type: none"> <li>• Animal tests a federal or state regulatory agency requires if:               <ol style="list-style-type: none"> <li>(1) the cosmetic has a widely used ingredient that cannot be replaced,</li> <li>(2) a human health problem is substantiated and the animal test is justified and supported by research, and</li> <li>(3) there is no non-animal test method accepted by the agency</li> </ol> </li> <li>• Animal tests conducted to comply with a foreign regulatory agency’s requirement under certain circumstances</li> <li>• Animal tests subject to the requirements of subchapter V of the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 351 et seq.)</li> <li>• Animal tests for non-cosmetic purposes to comply with a regulatory agency’s requirement under certain circumstances</li> </ul>	<p>\$5,000, plus \$1,000 for each day the violation continues</p> <p>Fines are deposited in the Literary Fund</p>	<p>Attorney general collects penalties</p>

JKL:kl