

Amendment to SB 444-FN

1 Amend the bill by replacing section 1 with the following:

2

3 1 New Chapter; Use of Animals in Product Testing. Amend RSA by inserting after chapter 359-
4 U the following new chapter:

5

CHAPTER 359-V

6

USE OF ANIMALS IN PRODUCT TESTING

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359-V:1 Definitions. In this chapter:

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I. "Alternative test method or strategy" means a test method, including a new or revised
9 method, that:

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(a) Does not use animals;

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(b) Provides information of equivalent or better scientific quality and relevance
12 compared to traditional animal test methods; and

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(c) Includes, but is not limited to, computational toxicology and bioinformatics, high-
14 throughput screening methods, testing of categories of chemical substances, tiered testing methods,
15 in vitro studies, and microphysiological systems.

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II. "Animal" means any living vertebrate other than humans.

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III. "Biomedical research" means the investigation of the biological processes and causes of
18 disease or research conducted to increase fundamental scientific knowledge or to expand the
19 understanding about how processes in living organisms develop and function. "Biomedical research"
20 shall not include testing done to assess the safety or efficacy of chemicals, ingredients, drugs,
21 vaccines, product formulations, or products.

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IV. "Testing facility" means any institution, business, partnership, corporation, association,
23 or other entity that conducts research, studies, tests, or experiments to assess chemicals,
24 ingredients, drugs, vaccines, product formulations, or products in the state.

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V. "Traditional animal test method" means a process, procedure, or experiment using
26 animals to obtain information on the characteristics of a chemical, ingredient, drug, vaccine, product
27 formulation, or product and that generates information regarding the ability of the chemical,
28 ingredient, drug, vaccine, product formulation or product to produce a specific biological effect under
29 specified conditions.

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359-V:2 Animal Testing Prohibited Under Certain Circumstances.

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1 I.(a) No testing facility in the state shall use a traditional animal test method in this state if
2 an agency responsible for regulating the specific product or activity for which the test method is
3 being used has either:

4 (1) Approved an alternative test method or strategy; or

5 (2) Made available or granted a waiver from using a traditional animal test method.

6 (b) Where there is no alternative test method or strategy and no waiver available, a
7 testing facility that employs a traditional animal test method shall employ a method involving the
8 fewest possible number of animals and that reduces the level of pain, suffering, and stress of each
9 animal subjected to testing.

10 (c) No provision of this section shall be construed to apply to any animal research
11 conducted for the purposes of biomedical research that is reviewed and approved by an Institutional
12 Animal Care and Use Committee, nor shall any entity subject to oversight by an Institutional
13 Animal Care and Use Committee be required to make a report under RSA 359-V:2, II.

14 (d) This chapter shall not prohibit the use of any nonanimal test method or strategy that
15 is not defined in RSA 359-V:1.

16 (e) This chapter shall not prohibit the use of traditional animal test methods to comply
17 with requirements of state or federal agencies.

18 (f) This chapter shall not prohibit the use of traditional animal test methods, if needed to
19 comply with a written request from a state or federal agency in circumstances where the agency has
20 approved an alternative test method or strategy but has also expressly concluded that a traditional
21 animal test method is needed to fully assess the impacts on the health or safety of consumers.

22 II. Each testing facility in the state shall report annually to the governor's commission on
23 the humane treatment of animals regarding any traditional animal test method or alternative test
24 method or strategy conducted in the prior calendar year. Such report shall include the number and
25 species of animal used, the type and number of alternative test methods or strategies used, the
26 number of waivers used, and the reason for using any traditional animal test methods, alternative
27 test methods or strategies, and waivers, including an explanation for why a traditional animal test
28 method was required. The governor's commission on the humane treatment of animals shall make
29 the results of this data collection publicly available no later than 90 days after receiving the report.
30 Testing facilities shall submit the report no later than January 20, or the next business day
31 following, beginning on January 20, 2028.

32 359-V:3 Severability. If any provision of this chapter is held invalid, or if its application to any
33 person or circumstance is held invalid, such invalidity does not affect other provisions or applications
34 of this chapter which can be given effect without the invalid provision or application.