

Amendment to SB 202-FN

1 Amend RSA 359-T:1, VI as inserted by section 1 of the bill by replacing it with the following:

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3 VI. "Non-functional constituent" means any incidental ingredient as defined in 21 C.F.R.  
4 section 701.3(1).

5  
6 Amend RSA 359-T:2, II(d)(2) as inserted by section 1 of the bill by replacing it with the following:

7  
8 (2) The cosmetic ingredient or non-functional constituent poses a risk of causing a  
9 specific human health problem that is substantiated and the need to conduct cosmetics animal  
10 testing is justified and supported by a detailed research protocol proposed as the basis for the  
11 evaluation of the cosmetics ingredient or nonfunctional constituent; and

12  
13 Amend RSA 359-T:2, III as inserted by section 1 of the bill by replacing it with the following:

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15 III. This section shall not apply to the following:

16 (a) A cosmetic, if the cosmetic in its final form was tested on animals before the effective  
17 date of this chapter, even if the cosmetic is manufactured on or after that date, provided that no new  
18 animal testing in violation of this chapter occurs after its effective date.

19 (b) An ingredient in a cosmetic if the ingredient was tested on animals before the  
20 effective date of this chapter, even if the ingredient is manufactured on or after that date provided  
21 that no new animal testing in violation of this chapter occurs after its effective date.

22 (c) A cosmetic manufacturer reviewing, assessing, or retaining evidence from a cosmetic  
23 animal test.

24 (d) A retailer in the state of New Hampshire who sells cosmetics.