

REFERENCE TITLE: animal testing; prohibition

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2537

Introduced by
Representatives Ableser, Lopez, Lujan, Prezelski, Sinema: Bradley, Farley,
Gallardo, Lopes, Meza, Ulmer, Senator Burton Cahill

AN ACT

AMENDING TITLE 11, CHAPTER 7, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 11-1030; RELATING TO THE HANDLING OF ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 7, article 6.1, Arizona Revised Statutes,
3 is amended by adding section 11-1030, to read:

4 11-1030. Animal testing; prohibition; injunctive relief;
5 definitions

6 A. A MANUFACTURER OR CONTRACT TESTING FACILITY SHALL NOT USE
7 TRADITIONAL ANIMAL TEST METHODS IN THIS STATE FOR WHICH AN APPROPRIATE
8 ALTERNATIVE TEST METHOD HAS BEEN SCIENTIFICALLY VALIDATED AND RECOMMENDED BY
9 THE INTERAGENCY COORDINATING COMMITTEE FOR THE VALIDATION OF ALTERNATIVE
10 METHODS AND ADOPTED BY THE RELEVANT FEDERAL AGENCY OR THE PROGRAM IN AN
11 AGENCY THAT IS RESPONSIBLE FOR REGULATING THE SPECIFIC PRODUCT OR ACTIVITY
12 FOR WHICH THE TEST IS BEING CONDUCTED.

13 B. THIS SECTION DOES NOT PROHIBIT THE USE OF ANIMAL TESTS TO COMPLY
14 WITH THE REQUIREMENTS OF STATE AGENCIES.

15 C. THIS SECTION DOES NOT PROHIBIT THE USE OF ANIMAL TESTS TO COMPLY
16 WITH THE REQUIREMENTS OF A FEDERAL AGENCY IF THE FEDERAL AGENCY HAS APPROVED
17 A VALIDATED ALTERNATIVE TEST METHOD PURSUANT TO SUBSECTION A AND THE AGENCY'S
18 STAFF HAS CONCLUDED THAT THE VALIDATED ALTERNATIVE TEST METHOD DOES NOT
19 ASSURE THE HEALTH OR SAFETY OF CONSUMERS.

20 D. THIS SECTION DOES NOT APPLY TO ANY ANIMAL TEST PERFORMED FOR
21 MEDICAL RESEARCH.

22 E. THE ATTORNEY GENERAL OR A COUNTY ATTORNEY IN THE COUNTY WHERE A
23 VIOLATION OCCURS MAY FILE A CIVIL ACTION FOR INJUNCTIVE RELIEF ON BEHALF OF
24 ANY PERSON WITH KNOWLEDGE OF A VIOLATION OF THIS SECTION.

25 F. FOR THE PURPOSES OF THIS SECTION:

26 1. "ANIMAL" MEANS A VERTEBRATE NONHUMAN ANIMAL.

27 2. "CONTRACT TESTING FACILITY" MEANS ANY INDIVIDUAL, PARTNERSHIP,
28 CORPORATION, ASSOCIATION OR OTHER LEGAL RELATIONSHIP THAT TESTS CHEMICALS,
29 INGREDIENTS, PRODUCT FORMULATIONS OR PRODUCTS IN THIS STATE.

30 3. "MANUFACTURER" MEANS ANY INDIVIDUAL, PARTNERSHIP, CORPORATION,
31 ASSOCIATION OR OTHER LEGAL RELATIONSHIP THAT PRODUCES CHEMICALS, INGREDIENTS,
32 PRODUCT FORMULATIONS OR PRODUCTS IN THIS STATE.

33 4. "MEDICAL RESEARCH" MEANS RESEARCH THAT IS RELATED TO THE CAUSES,
34 DIAGNOSIS, TREATMENT, CONTROL OR PREVENTION OF PHYSICAL OR MENTAL DISEASES OR
35 TO THE DEVELOPMENT OF BIOMEDICAL PRODUCTS, DEVICES OR DRUGS. MEDICAL
36 RESEARCH DOES NOT INCLUDE THE TESTING OF AN INGREDIENT THAT WAS FORMERLY USED
37 IN A DRUG AND THAT WAS TESTED USING TRADITIONAL ANIMAL TEST METHODS TO
38 CHARACTERIZE THE INGREDIENT AND TO SUBSTANTIATE ITS SAFETY FOR HUMAN USE IF
39 THE INGREDIENT IS NOW PROPOSED FOR USE IN A PRODUCT OTHER THAN A BIOMEDICAL
40 PRODUCT, MEDICAL DEVICE OR DRUG.

41 5. "TRADITIONAL ANIMAL TEST METHOD" MEANS A PROCESS OR PROCEDURE THAT
42 USES ANIMALS TO OBTAIN INFORMATION ON THE CHARACTERISTICS OF A CHEMICAL OR
43 AGENT.

1 6. "VALIDATED ALTERNATIVE TEST METHOD" MEANS A TEST METHOD THAT DOES
2 NOT USE ANIMALS OR THAT IN SOME CASES REDUCES OR REFINES THE CURRENT USE OF
3 ANIMALS FOR WHICH THE RELIABILITY AND RELEVANCE FOR A SPECIFIC PURPOSE HAS
4 BEEN ESTABLISHED IN VALIDATION STUDIES AS SPECIFIED BY THE INTERAGENCY
5 COORDINATING COMMITTEE FOR THE VALIDATION OF ALTERNATIVE METHODS.