



american cleaning institute®



March 4, 2025

The Honorable Julie Pazina, Chair
Senate Committee on Commerce and Labor
Nevada State Legislature
401 S. Carson St.
Carson City, NV 89701

RE: Opposition to SB 167 — Prohibiting the Importation and Sale of Household Cleaning Products Tested on Animals

Dear Chair Pazina and Members of the Senate Committee on Commerce and Labor:

We, the undersigned organizations, respectfully oppose Senate Bill 167 (Scheible), relative to animal testing. While we support the goal of reducing unnecessary animal testing, we have significant concerns that the bill as drafted puts manufacturers in conflict with federal rules and guidelines, introduces supply chain challenges, and brings economic burdens that could negatively impact consumers and manufacturers in Nevada. SB 167 presumes cleaning products operate under the same legal framework as cosmetics and thereby creates compliance conflicts and redundancies.

Federal Regulatory Framework for Cleaning Products

It is important to recognize that federal agencies such as the Environmental Protection Agency (EPA) and the Consumer Product Safety Commission (CPSC) already regulate and enforce the safety of cleaning products and their ingredients – including policies to reduce animal testing.^{1, 2, 3} The EPA's

¹ EPA New Approach Methods: Efforts to Reduce Use of Vertebrate Animals in Chemical Testing:
<https://www.epa.gov/chemical-research/epa-new-approach-methods-efforts-reduce-use-vertebrate-animals-chemical-testing>

² About Test Guidelines for Pesticides and Toxic Substances:
<https://www.epa.gov/test-guidelines-pesticides-and-toxic-substances/about-test-guidelines-pesticides-and-toxic>

³ CPSC's Policy on Animal Testing:

New Approach Methodologies (NAMs) initiative actively works to phase out animal testing in favor of alternative methods. The industry has aligned with these efforts, investing in new methodologies and transitioning away from animal testing wherever feasible.

Under the Toxic Substances Control Act (TSCA), the EPA is mandated to prioritize non-animal testing methods for chemical safety assessments, with the ultimate goal of eliminating vertebrate testing. Additionally, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) provides certain animal-testing waivers for antimicrobial products, supporting the use of validated non-animal methods.

The Federal Hazardous Substances Act (FHSA) also permits the use of alternative testing methods, allowing manufacturers to leverage computational modeling and existing data for safety substantiation. SB 167 would impose additional regulatory burdens that conflict with or are redundant to federal efforts and could complicate compliance with existing EPA guidelines and requirements. Furthermore, FIFRA establishes preemption over states when it comes to certain aspects of products under its jurisdiction. Under these federal provisions, SB 167 potentially creates a legally unconstitutional burden on manufacturers.

Some EPA guidelines and rules do rely on animal testing to assess the potential health risks of chemicals. The tests are designed to provide data on how substances affect living organisms, helping the EPA evaluate hazards like toxicity, carcinogenicity, and reproductive harm.

For example, to substantiate the safety and efficacy of registered disinfectants with scientific data, the EPA testing guidelines for both oral and inhalation toxicity requirements continue to rely on certain testing protocols that use animal testing. As a result, companies cannot register products unless they follow those standards. While the science for non-animal testing has made progress, without updated federal guidelines citing non-animal methods, companies will not have clear direction from the EPA on what alternative testing methods they will approve.

Similarly, according to a 2024 report by the EPA:

“OCSPP’s [Office of Chemical Safety and Pollution Prevention] regulatory requirements, 40 CFR Part 158 and 40 CFR Part 797-799, prescribe test methods utilizing vertebrate animals to predict the human health and environmental hazard potential of a chemical substance...”⁴

Supply Chain Complexity and Industry Standards

SB 167 – which is built off an existing law regulating cosmetics – does not account for the fundamental differences between these product categories. Many upstream ingredients are sourced from industries outside of household and commercial cleaning, making verification of historical animal testing data extremely challenging—and in some cases not possible - creating an impediment to product formulation.

In some cases, one ingredient might be supplied from several sources, and ensuring all suppliers are free from animal testing will create a massive burden on manufacturers. SB 167 also does not account for a situation where a supplier is no longer in business and the manufacturer has no way to

<https://www.cpsc.gov/FAQ/CPSCs-Policy-on-Animal-Testing>

⁴ EPA: *Statutory and Regulatory Requirements for Vertebrate Animal Testing and Flexibility for Implementing New Approach Methods (NAMs)*, July 2024:

https://www.epa.gov/system/files/documents/2024-09/epa-regulatory-review-report_final_508_0.pdf

verify testing protocols. The bill's broad requirements would create unnecessary compliance burdens without advancing animal welfare.

Economic and Practical Implications

SB 167's requirement that manufacturers confirm every ingredient has never been tested on animals at any point in the supply chain would impose significant costs on both manufacturers and suppliers. Many companies already have policies against animal testing unless legally required, but retroactively verifying historical testing data for each ingredient is an unworkable demand. These added compliance costs could force manufacturers to reformulate or discontinue products, limiting consumer choice and raising prices for essential household cleaning products in Nevada.

State Resource Burden

Enforcing SB 167 would require additional state resources to monitor and ensure compliance. Given that federal agencies and the industry are already collaborating to eliminate unnecessary animal testing, a redundant state-level enforcement mechanism would be an inefficient use of resources. It would divert attention away from more impactful efforts that could support both innovation and animal welfare.

Potential Impact on Public Health Protections

Finally, any restrictions on testing requirements must not compromise public health protections. Scientific evaluation and regulatory review are critical for identifying and mitigating risks associated with cleaning products. Policies should support effective, risk-based decision-making rather than hinder the industry's ability to conduct necessary public health safety assessments.

Conclusion

We share the goal of transitioning away from animal testing, however, SB 167 does not contemplate the unique federal rules governing cleaning products and imposes unrealistic supply chain demands. We appreciate your consideration of our concerns and welcome the opportunity to work collaboratively on this important issue.

Sincerely,

Christopher Finarelli

Sr. Director, State Government Relations & Public Policy
Household & Commercial Products Association

Tim Shestek

Senior Director, State Affairs, Western Region
American Chemistry Council

Brennan Georgianni

Associate Vice President, Government Affairs and Strategy
American Cleaning Institute

Erin Raden

Senior Director, State Affairs
Consumer Brands Association