



March 14, 2023

Via Electronic Submission – [vlyons@leg.state.vt.us](mailto:vlyons@leg.state.vt.us)

Senator Virginia Lyons  
Vermont State House  
115 State Street  
Montpelier, VT 05633-5301

**RE: S. 25 - An act relating to regulating cosmetic and menstrual products containing certain chemicals and chemical classes and textiles and athletic turf fields containing perfluoroalkyl and polyfluoroalkyl substances**

Dear Senator Lyons:

I am writing on behalf of the Center for Baby and Adult Hygiene Products (BAHP) with regards to provisions in S.25 which would regulate chemicals and chemical classes in cosmetics, menstrual products and textiles.

For background, BAHP represents the personal absorbent hygiene products industry in North America by promoting and supporting the safety, sustainability and integrity of these products through advocacy and education. Our membership represents more than 90 percent of the industry in North America and provides more than 10,000 direct manufacturing jobs for period products, disposable diapers and incontinence products.

BAHP and its members share your goal of ensuring the health and safety of the residents of Vermont. Our objective is to ensure this is done in a way that provides accurate, consistent and clear information to both the public and manufacturers. BAHP respectfully requests your consideration of the below amendments addressing the following points:

- **Clarify the definition of “intentionally added”** (Chapter 36 and Chapter 33)  
BAHP recommends: *“Intentionally added” means a substance that serves a technical or functional purpose in the finished cosmetic or menstrual product.*
- **Clarify the definition of “menstrual product”** (Chapter 36)  
BAHP recommends: *“Menstrual product” means a product manufactured for the purpose of catching menstruation and vaginal discharge, including but not limited to a tampon, sanitary pad, disc, menstrual sponge, menstrual cup, and underwear. The term shall include both disposable and reusable products.*
- **Certificate of Compliance for manufacturers of ski wax, textiles or textile articles** (Chapter 36)  
Certain reusable menstrual products are defined as textiles for regulatory purposes, and as such, may fall under this section of the legislation.

BAHP recommends a slight adjustment to the requirement for certificate of compliance: *The Attorney General may request a certificate of compliance from a manufacturer of ski wax, textiles,*

*or textile articles. Within 30 days after receipt of the Attorney General's request for a certificate of compliance, the manufacturer shall:*

*(1) provide the Attorney General with a certificate attesting that the manufacturer's product or products comply with the requirements of this chapter. The manufacturer may rely on a certificate of compliance from suppliers to comply with this request.*

We greatly appreciate your review of the requested amendments and would be happy to answer any questions or provide further information as needed. I can be contacted at [bnicholson@bahp.com](mailto:bnicholson@bahp.com) or (202) 908-4350.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Nicholson', with a stylized flourish at the end.

Bryan D. Nicholson  
Executive Director  
The Center for Baby and Adult Hygiene Products (BAHP)  
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