March 16, 2023

Members of the Committee on Health and Welfare, Chairperson Lyons:

Thank you for the opportunity to provide testimony today. My name is Jamie McConnell I am providing this testimony in support of Senate Bill 25 which, among other things would ban some harmful chemicals in menstrual products. I am the deputy director at Women's Voices for the Earth, and have a decade of experience regarding the safety and disclosure of ingredients used in menstrual products.

We support Senate Bill 25 because we know that harmful chemicals, including many of the chemicals listed in this bill, have been detected in menstrual products through independent testing. Specifically, independent testing of menstrual products has detected harmful chemicals including phthalates, PFAS, bisphenols, formaldehyde, , styrene, toluene, parabens, and triclosan among others.[1] Also, both P&G (makers of Tampax and Always) and Kimberly-Clark (makers of Kotex) have filed patents that include the use of PFAS in menstrual product components. We have also seen patents filed including the use of triclosan in menstrual products. These chemicals can cause short-term health problems as well as long-term health risks, including cancer and reproductive harm. This is especially concerning considering menstrual products may be inserted into the body or placed on or around absorbent vaginal tissue.

MI and MCI (lines 23 and 24) are also included in the list of prohibited chemicals in the bill. Allergic reactions to the preservatives methylisothiazilinone (MI) and methylchloroisothiazilinone (MCI) present in menstrual products have also been documented, most commonly included as additives in the adhesives of menstrual pads.[2] Skin allergy to MI and MCI in the United States has increased significantly in the last decade, with dermatologists regularly calling this condition an epidemic.[i] Prohibiting the use of MI and MCI in menstrual products would help numerous people already sensitized to these chemicals to avoid allergic reactions to pads.

Menstrual products like tampons, pads, and menstrual cups are regulated by the FDA as medical devices. The FDA does not require the disclosure of ingredients, and menstrual product labels are not required to get pre-market approval from the FDA. Under federal law (Title 21/Chapter I/Subchapter H) there are only certain labeling requirements for tampons including warnings around toxic shock syndrome and absorbency information.

Manufacturers of menstrual products are required to file a pre-market notification submission (510 (k)) to the FDA that show the product is safe and effective. However, these notifications are

[1] https://www.womensvoices.org/whats-in-period-products-timeline-of-chemical-testing/
[2] https://www.dermatitisacademy.com/wp-content/uploads/2016/05/Update-on-Isothiazolinones.pdf

not readily available. A Freedom of Information Act (FOIA) must be filed to obtain a 510 (k), and even then much of the information is redacted. Manufacturers do not have to submit a 510 (k) for menstrual pads if there is already an established safety profile for a "substantially equivalent" product. It's important to note that premarket notification does not restrict any chemicals. It's basically a notification that tells FDA what the product is - and some basic info about it and even more generally what kind of safety data the company has gathered.

Women's Voices for the Earth supports this bill because it will hold corporations accountable for the ingredients they are using in menstrual products, and help protect users from exposure to harmful chemicals.

[i] Zirwas, M. J., Hamann, D., Warshaw, E. M., Maibach, H. I., Taylor, J. S., Sasseville, D., … Belsito, D. V. (2017). Epidemic of Isothiazolinone Allergy in North America. *Dermatitis*, *28*(3), 204-209. doi:10.1097/der.0000000000000288