

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 754 (Durazo) – As Amended June 24, 2025

Policy Committee: Environmental Safety and Toxic Materials Vote: 5 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires a manufacturer of disposable tampons or menstrual pads to maintain information regarding the concentrations of lead, arsenic, cadmium, and zinc in their products and to provide that information to the Department of Toxic Substances Control (DTSC) upon request.

Specifically, this bill, among other things:

- 1) Requires a manufacturer of disposable tampons or pad products, by December 31, 2026, to maintain information regarding the concentrations of lead, arsenic, cadmium, and zinc in their products.
- 2) Authorizes DTSC, by January 1, 2027, to determine additional chemicals of concern in disposable tampons or pad products and publish on its website a list of those chemicals. Authorizes DTSC to make its determination pursuant to either, or both, of the following:
 - a) The Safer Consumer Products (SCP) Regulations.
 - b) A finding that both of the following criteria have been met: (i) the chemical of concern has been present or detected in disposable tampon or pad products and (ii) the chemical of concern has been found to have adverse public health impacts.
- 3) Authorizes DTSC, by January 1, 2028, to require a manufacturer of disposable tampons or pad products to maintain information regarding the concentrations of additional chemicals of concern as determined by DTSC, as described above.
- 4) Authorizes DTSC to publish on its website a list of acceptable testing methods (which the department may update as necessary), frequencies for testing, and appropriate third-party laboratory accreditations, for the testing of disposable tampon or pad products for the presence of chemicals of concern, as follows: (a) for lead, arsenic, cadmium, and zinc, by July 31, 2026, and (b) for additional chemicals determined by DTSC, by January 1, 2027.
- 5) Requires a manufacturer, upon request from DTSC, to provide any technical documentation to assess the concentrations of listed chemicals in their disposable tampon or pad products, as specified. Authorizes DTSC to also conduct its own tests to confirm the manufacturer's results, or to contract with third-party laboratories for that testing, and to pay for the costs of DTSC's testing before the testing is conducted.

- 6) Requires any charges collected by DTSC pursuant to this bill be deposited into the existing Take All Menstrual Product-PFAS Out Now (T.A.M.P.O.N.) Act Fund and be made available, upon appropriation, to DTSC for purposes of implementing this bill, as specified.
- 7) Authorizes DTSC to publish any analytical test results received from manufacturers or obtained through its own testing and to provide information regarding the potential health impacts associated with the presence of specific chemicals in disposable tampon or pad products by making the information available to the public in a searchable format on DTSC's website.

FISCAL EFFECT:

Ongoing cost pressure of an unknown but potentially significant amount, possibly in the hundreds of thousands of dollars, should DTSC choose to use some or all of the authorities granted to it by this bill (Toxic Substances Control Account (TSCA), T.A.M.P.O.N. Act Fund, or other fund). While the bill does not mandate anything of DTSC, it authorizes the department to determine additional chemicals of concern, publish acceptable testing methods and third-party lab accreditations, require manufacturers to maintain specified information, conduct its own testing or contract with third-party laboratories for the testing (paid for by the manufacturer), among other tasks.

While the potential costs associated with these tasks are unknown and variable, for context, in fiscal year (FY) 2023-24, DTSC expended about \$20 million on its SCP program (which establishes a process to identify products that contain potentially harmful chemicals and evaluate potential safer alternatives). SCP program expenditures, which are mostly funded by TSCA, are forecasted to rise in FY 2025-26.

COMMENTS:

- 1) **Purpose.** According to the author:

Disposable menstrual products are used by 9 million people in California, including 1 million children, in one of the most sensitive and permeable areas of the body. Yet research consistently finds new chemicals in them. SB 754 requires manufacturers to disclose the concentrations of potentially harmful chemicals in their products to [DTSC]. This bill also allows the DTSC to publish these results along with their own analyses, providing researchers with valuable information about the concentrations of chemicals in these products. By ensuring access to information, SB 754 helps safeguard our public health and empowers consumers to make informed decisions about their personal health products.

- 2) **Background.** As detailed in the Assembly Environmental Safety and Toxic Materials Committee's analysis of this bill, several recent studies, including literature reviews, have found many environmental chemicals and metals in menstrual products – many of which have been associated with cancer, endocrine disruption, and reproductive effects.

Due to increased awareness and concern about toxics in menstrual products, AB 2515 (Papan), Chapter 1008, Statutes of 2024, was recently signed into law. AB 2515 prohibits a

person from manufacturing, distributing, selling, or offering for sale any menstrual product that contains regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS). AB 1989 (Garcia), Chapter 272, Statutes of 2020, requires a package containing menstrual products manufactured on or after January 1, 2023, to have printed on the label (and on a website) a plain and conspicuous list of all ingredients, as defined, in the product, by weight. The author's office contends AB 1989 does not include unintended contaminants, such as lead, that pose significant health risks. DTSC notes it is conducting screening research on menstrual products, including pads and tampons, for the presence of candidate chemicals through its SCP program.

- 3) **Support and Opposition.** Among others in support, the American College of Obstetricians and Gynecologists contends that despite widespread use of menstrual products by millions of Californians, there remains a troubling “gap in testing, regulation, and transparency. SB 754 helps close that gap with a thoughtful and evidence-driven approach that will help protect public health and support informed consumer choice.”

Writing in an oppose-unless-amended position, the California Manufacturers and Technology Association and other organizations argue, among other things, that the bill does not specify how DTSC will determine which chemicals are considered “of concern,” nor does it define the scientific standards or thresholds for these decisions. The coalition also contends the bill's testing requirements are costly and redundant and that the bill leaves manufacturers with little to no time to come into compliance. The coalition requests several amendments, including replacing zinc with another recognized heavy metal (such as mercury) and striking the requirement for manufacturers to pay for DTSC's testing costs.

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