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UNFINISHED BUSINESS

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Bill No: SB 754  
Author: Durazo (D)  
Amended: 9/3/25 in Assembly  
Vote: 21

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SENATE ENVIRONMENTAL QUALITY COMMITTEE: 8-0, 4/30/25  
AYES: Blakespear, Valladares, Dahle, Gonzalez, Hurtado, Menjivar, Padilla,  
Pérez

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25  
AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab  
NO VOTE RECORDED: Dahle

SENATE FLOOR: 39-0, 5/27/25  
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear,  
Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez,  
Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar,  
Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-  
Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener  
NO VOTE RECORDED: Reyes

ASSEMBLY FLOOR: 52-0, 9/9/25 – Roll call not available.

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**SUBJECT:** Menstrual products: disposable tampons and pad products:  
concerning chemicals

**SOURCE:** Author

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**DIGEST:** This bill requires manufacturers of disposable tampon or pad products to maintain information regarding the concentrations of specified chemicals on and after December 31, 2026, and requires the Department of Toxic Substances Control (DTSC) to conduct relevant oversight.

*Assembly Amendments* of 9/3/25 remove the deadline for DTSC to determine additional concerning chemicals, remove the authorization to determine additional

concerning chemicals through Safer Consumer Products, and authorize DTSC to publish acceptable testing methods on its website.

**ANALYSIS:**

Existing law:

- 1) Requires the Department of Public Health (DPH), under the Sherman Food, Drug, and Cosmetic Law (Sherman Law), to regulate the manufacturing, distribution, and labeling of various drugs, devices, and cosmetics, including menstrual products. (Health and Safety Code (HSC) §109875, et seq.)
- 2) Requires cosmetic manufacturers, under the Safe Cosmetics Act, to submit to DPH a list of its cosmetic products sold in California that contain any ingredient that is a chemical identified as causing cancer or reproductive toxicity. (HSC §111792)
- 3) Under the California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) (HSC § 25249.5 et seq.):
  - a) Prohibits a person, in the course of doing business, from knowingly discharging or releasing a chemical known to the state to cause cancer or reproductive toxicity into water or onto or into land where such chemical passes or probably will pass into any source of drinking water;
  - b) Prohibits a person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual; and
  - c) Requires the Governor to publish a list of chemicals known to cause cancer or reproductive toxicity and to annually revise the list.
- 4) Under the Safer Consumer Products (Green Chemistry) statutes (HSC § 25252 et seq.):
  - a) Requires DTSC to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered chemicals of concern, as specified;
  - b) Requires DTSC to adopt regulations to establish a process to evaluate chemicals of concern in consumer products, and their potential alternatives, to determine how to best limit exposure or to reduce the level of hazard posed by a chemical of concern; and

- c) Specifies, but does not limit, regulatory responses that DTSC can take following the completion of an alternatives analysis, ranging from no action, to a prohibition of the chemical in the product.
- 5) Requires, under the Menstrual Products Right to Know Act of 2020, a package containing menstrual products manufactured on or after January 1, 2023, for sale or distribution in the state to be labeled with all ingredients in the product by weight and this information to be posted on the internet. (HSC § 111822)
- 6) Prohibits any person from manufacturing, distributing, selling, or offering for sale any menstrual product that contains PFAS and requires manufacturers to provide specified information to DTSC. (HSC § 25258)

This bill:

- 1) Requires manufacturers of disposable tampons or pad products to maintain information regarding the concentrations of four specified toxic metals on and after December 31, 2026.
- 2) Authorizes DTSC to determine additional chemicals of concern in disposable tampons or pad products and publish a list on its website.
- 3) Requires manufacturers of disposable tampons or pad products to maintain information regarding the concentrations of any additional chemicals of concern determined by DTSC.
- 4) Authorizes DTSC to public acceptable testing methods, testing frequencies, and third-party laboratory accreditations to its internet website.
- 5) Requires manufacturers to provide technical documentation regarding testing processes and results for the four specified toxic metals and any additional chemicals of concern, upon request from the department.
- 6) Authorizes DTSC to conduct tests or contract with a third-party to confirm manufacturer test results.
- 7) Deposits any charges collected by the department into the T.A.M.P.O.N. Act Fund.

- 8) Requires, upon appropriation by the Legislature, funds from the T.A.M.P.O.N. Act Fund to be made available for the implementation of and oversight requirements within the proposed statute.
- 9) Authorizes the department to publish all available test results and potential health impacts of the specific and present chemicals of concern on the department's website.

## Background

- 1) *What's in menstrual products?* People who menstruate have their period, on average, for about 40 years of their life. In the United States, this is approximately 72.7 million people between the ages of 15-49. During menstruation, they rely on a diverse range of menstrual products, including tampons, pads, menstrual cups, and period underwear. Exposure to harmful chemicals within menstrual products is particularly concerning because the vagina is an area with high blood flow where toxins can be taken up more efficiently than other places on the body. Of further concern, people using menstrual products are of reproductive age, thus exposure could potentially impact unborn children as well.

Harmful chemicals have been detected in menstrual products, including dioxins, polycyclic aromatic hydrocarbons, fragrances, phthalates, parabens, bisphenols, triclocarban, glyphosate, and volatile organic compounds.<sup>1</sup> Processes such as bleaching the materials used in menstrual products may contribute to the presence of some of these harmful substances.<sup>2</sup> Many of these chemicals have been associated with cancer, endocrine disruption, and reproductive effects.<sup>1</sup>

Toxic, heavy metals may also be introduced into menstrual products through a few pathways. Some intentionally-added ingredients that function as antimicrobial agents or lubrication may include cobalt and nickel.<sup>3</sup> Contamination can occur through other metals, such as lead, cadmium, and arsenic, originating from natural sources or industrial/agricultural pollution. These metals bioaccumulate into plants, such as cotton, that are used to make the absorbent core materials within menstrual products.<sup>3</sup> Additionally,

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<sup>1</sup> Upson, K., et. al. (2022). Menstrual products as a source of environmental chemical exposure: a review from the epidemiologic perspective.

<sup>2</sup> Singh, J., et. al. (2019). Tampon use, environmental chemicals and oxidative stress in the BioCycle study.

<sup>3</sup> Shearston, J. A., et. al. (2024). Tampons as a source of exposure to metal(loid)s.

contaminants in the water used during the manufacturing process may end up in menstrual products.<sup>3</sup>

Some heavy metals, including lead, cadmium, and arsenic, are carcinogens and associated with adverse neurological, cardiovascular, respiratory, immunological, reproductive, and developmental health impacts.<sup>4,5,6</sup> There is no safe exposure level to lead, and research has shown that the average amount of lead within tampons is approximately 6 times the action level established by the U.S. Environmental Protection Agency.<sup>3,7</sup>

- 2) *Current regulation of menstrual products.* The Federal Food and Drug Administration (FDA) has broad authority to regulate medical devices for safety and effectiveness. Menstrual products are considered medical devices because they are intended to affect the function of the body. Menstrual products are not FDA approved; rather, they are registered and given clearance for marketing. Federal registration subjects these products to FDA oversight and consumer compliance tracking.

In California, DPH's Food and Drug Branch (FDB) licenses and inspects menstrual products as medical devices. Under the Sherman Law, FDB has broad authority for licensing, inspection, enforcement, and embargoing of products. In addition, the Sherman Act provides DPH broad authority to ensure that consumer goods such as menstrual products are properly manufactured, packaged, labeled and that the products are not adulterated, misbranded, or falsely advertised. DPH adopts federal Good Manufacturing Practices and federal new drug and new device regulations. According to DPH, no violations or enforcement actions have been taken by FDB on menstrual products.

The Menstrual Products Right to Know Act of 2020 was established by AB 1989 (Cristina Garcia, Chapter 272, Statutes of 2020) to require manufacturers to include a label on menstrual products with a list of all ingredients to increase transparency of the toxic chemicals that menstrual products contained. The lists only include ingredients that are intentionally-added by the manufacturer. AB 2515 (Papan, Chapter 1008, Statutes of 2024) bans per- and polyfluoroalkyl substances (PFAS) from menstrual products and provides oversight and enforcement mechanisms through DTSC.

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<sup>4</sup> Abadin, H., et. al. (2007). Toxicological profile for lead.

<sup>5</sup> Ashizawa, A., et. al. (2012). Toxicological profile for cadmium.

<sup>6</sup> Chou, C. H., & Harper, C. (2007). Toxicological profile for arsenic.

<sup>7</sup> US EPA. (2025). Lead and Copper Rule.

- 3) *Ongoing hazard & safety assessments.* Menstrual products are currently undergoing screening research in the Safer Consumer Products (SCP, previously known as Green Chemistry) Program, administered by DTSC. SCP provides science-based criteria and procedures for identifying and evaluating alternatives with the objective of replacing chemicals of concern, known as Candidate Chemicals, with safer chemicals and avoiding the use of substitute chemicals that pose equal or greater harm. Candidate Chemicals have been identified in menstrual products and DTSC intends to release a public background document on the topic this year. Additionally, based on recent studies, the FDA has decided to commission an independent literature review and initiate a bench laboratory study to evaluate metals in tampons.<sup>3,8</sup>

There are still many chemicals of concern contained within menstrual products that are both listed as intentionally-added ingredients and from contamination. Although there is still uncertainty surrounding the ability for toxic chemicals to leach out of menstrual products during menstruation and absorb through the vaginal walls, regulation could be a vehicle to obtain more data on the presence of these chemicals. Research has suggested that requiring manufacturers to test menstrual products for these chemicals could be useful in determining the extent of their presence, while studies evaluating the risks of exposure progress. This bill would increase transparency surrounding these chemicals and their potential health effects, as well as support ongoing research regarding their exposure risks.

## Comments

- 1) *Purpose of Bill.* According to the author, “Tampons have existed for nearly 100 years, and pads for over 150. These 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, every few years, we learn that they might contain a new potentially harmful chemical.”

“SB 754 requires manufacturers to disclose the concentrations of potentially harmful chemicals in their products to the Department of Toxic Substances Control (DTSC). This bill also allows the DTSC to publish these results along with their own analyses, providing menstruators with the information they need about the products they are using in such a sensitive area. By ensuring access to information, SB 754 helps safeguard our public health and empowers

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<sup>8</sup> Berkeley Public Health. (2024). [FDA launches tampon safety investigation after study finds toxic metals.](#)

consumers to make informed decisions about their personal health products.”

- 2) *Transparency is key.* With the introduction of this bill, science led to policy. If this bill is passed, the outcomes of this policy will advance science in support of public health. There are still knowledge gaps regarding the exposure risks to harmful chemicals through menstrual products and concentration thresholds at which these products could be deemed safe. Research in this area would require extensive funding to thoroughly test various products for various chemicals.

This bill shifts the financial burden of testing to the manufacturer, while also providing a mechanism to ensure transparency of all harmful chemicals within these products. This bill expands upon the Menstrual Products Right to Know Act by displaying the amounts of harmful chemicals, both intentionally-added and contamination. If DTSC publishes this information provided by manufacturers, this will allow the public to stay informed of what’s in the products they use. Furthermore, research will be informed and guided by data provided through the manufacturer.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, “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.”

**SUPPORT:** (Verified 9/9/25)

A Voice for Choice Advocacy  
American College of Obstetricians & Gynecologists - District IX  
Environmental Working Group  
Los Angeles County Sanitation Districts  
Natural Resources Defense Council  
Planned Parenthood Affiliates of California  
Womens Voices for the Earth

**OPPOSITION:** (Verified 9/9/25)

American Chemistry Council  
American Forest & Paper Association  
California Chamber of Commerce  
California Manufacturers and Technology Association  
Center for Baby and Adult Hygiene Products  
Consumer Brands Association  
Consumer Healthcare Products Association

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9/9/25 15:00:50

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