

New York Mandates First in Nation Feminine Product Ingredient Disclosure

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October 15, 2019

With the signature of Governor Andrew Cuomo last Friday, October 11 (not coincidentally also the United Nations' "International Day of the Girl"), New York became the first state to require manufacturers of tampons and other feminine hygiene products to include on the product package a full list of ingredients. The [Menstrual Products Right to Know Act](#) (Bill A1664B/S2387) takes effect in 180 days (April 2020), after which product manufacturers will have 18 months to comply (by October 2021).

The new law requires that all menstrual products sold in the state "contain a plain and conspicuous list of all ingredients." The list is to be printed on or affixed to the product package. Ingredients -- defined as "intentionally added substances" -- are to be listed "in order of predominance."

Requiring the disclosure of ingredients in menstrual products will allow women and girls to make more informed decisions about the products they use.

- from Governor Cuomo's Signing Statement

Many tampon manufacturers already provide product ingredient information on their websites. Menstrual products currently are regulated as "medical devices" by the Food and Drug Administration (FDA) to ensure their safety, though FDA does not require ingredient disclosure.

The law comes in response to concerns raised by women's health advocacy groups about the supposed prevalence of toxic substances -- allergens, carcinogens, and endocrine disruptors -- in feminine products. These groups cite to research that found volatile organic compounds (including methylene chloride, toluene, xylenes) and phthalates in testing of 11 brands of menstrual pads sold in the U.S., as well as other products sold in Europe and Asia. Others have raised questions about the use of nano-silver in some products (for its anti-bacterial properties). These groups assert that menstrual products pose particular risks due to the sensitive bodily tissues in which they are in contact, which potentially allows chemicals to absorb readily into the bloodstream.

Violations of the law will be subject to civil penalties equal to one percent of the manufacturer's total annual in-state sales, up to \$1,000 per package or box (sold, presumably).