

118TH CONGRESS
1ST SESSION

H. R. 5957

To amend the Public Health Service Act to establish a program of research regarding the risks posed by the presence of dioxins, phthalates, pesticides, chemical fragrances, and other components of menstrual products and intimate care products.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 2023

Ms. MENG (for herself, Mr. KHANNA, Ms. CHU, Mrs. WATSON COLEMAN, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, and Ms. CROCKETT) introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a program of research regarding the risks posed by the presence of dioxins, phthalates, pesticides, chemical fragrances, and other components of menstrual products and intimate care products.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Robin Danielson Men-
3 strual Product and Intimate Care Product Safety Act of
4 2023”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds as follows:

7 (1) Menstrual products and intimate care prod-
8 ucts are widely used in the United States today, but
9 there is not enough research on the safety of or po-
10 tential chemical exposure from components of these
11 products.

12 (2) People who menstruate may be exposed to
13 substances in tampons and other menstrual products
14 for as long as 40 years over the course of their re-
15 productive lives. The average person who menstru-
16 ates may use up to 16,000 tampons in their lifetime.

17 (3) Trace amounts of dioxins can be found in
18 tampons and other menstrual products. The Envi-
19 ronmental Protection Agency and the International
20 Agency for Research on Cancer, an arm of the
21 World Health Organization, have concluded that
22 dioxins are a probable human carcinogen (cancer-
23 causing agent).

24 (4) Chemical testing of menstrual products
25 from around the world have detected several addi-
26 tional chemicals of concern including phthalates,

1 volatile organic compounds, pesticides, carbon disul-
2 fide, and per-and polyfluoroalkyl substances
3 (PFAS).

4 (5) Intimate care products frequently contain
5 undisclosed fragrance chemicals, some of which may
6 be allergens, reproductive toxins, and carcinogens.
7 Such products also contain potentially harmful pre-
8 servatives. Research released by Apothercare, Wom-
9 en's Voices for the Earth, and Black Women for
10 Wellness found that some intimate care products
11 specifically inhibit the growth of lactobacillus, a cru-
12 cial type of healthy bacteria found in the vaginal
13 microbiome. Disruption of the vaginal microbiome
14 can lead to significant health problems including
15 bacterial vaginosis, increased risk of sexually trans-
16 mitted diseases, and fertility concerns.

17 (6) Intimate care products (especially douches
18 and powders) have been associated with higher levels
19 of toxic chemicals in the bodies of people who use
20 them. Specifically, phthalate levels in urine were sig-
21 nificantly higher in people who douche frequently.
22 Another study found significantly higher levels of
23 1,4-dichlorobenzene in the blood of people who
24 douche frequently and higher levels of ethylbenzene
25 in the blood of intimate powder users.

1 (7) Research regarding the presence of chemi-
 2 cals in menstrual products and intimate care prod-
 3 ucts plays a role in advancing health equity for pop-
 4 ulations that have historically experienced health dis-
 5 parities, including Black people.

6 (8) Regulatory oversight of the safety of mate-
 7 rials in menstrual and intimate care products is lim-
 8 ited. The Food and Drug Administration has histori-
 9 cally relied on data provided by manufacturers of
 10 menstrual products in determining product safety.
 11 Intimate care products generally do not need ap-
 12 proval by the Food and Drug Administration before
 13 they go on the market, and manufacturers have the
 14 responsibility to ensure the safety of their products.

15 **SEC. 3. RESEARCH ON DIOXINS AND OTHER POTENTIALLY**
 16 **HARMFUL COMPONENTS OF MENSTRUAL**
 17 **PRODUCTS AND INTIMATE CARE PRODUCTS.**

18 Part F of title IV of the Public Health Service Act
 19 (42 U.S.C. 287d et seq.) is amended by adding at the end
 20 the following new section:

21 **“SEC. 486C. RESEARCH ON DIOXINS AND OTHER POTEN-**
 22 **TIALLY HARMFUL COMPONENTS OF MEN-**
 23 **STRUAL PRODUCTS AND INTIMATE CARE**
 24 **PRODUCTS.**

25 “(a) RESEARCH.—

1 “(1) IN GENERAL.—The Director of NIH shall
2 provide for the conduct or support of research to de-
3 termine the extent to which the presence of dioxins,
4 phthalates, titanium dioxide, and other components
5 (including contaminants and substances used as fra-
6 grances, colorants, dyes, and preservatives) in tam-
7 pons and other menstrual products and intimate
8 care products—

9 “(A) poses any risks to the health of peo-
10 ple who use the products, including risks re-
11 lated to gynecologic, breast, and other cancers,
12 endometriosis, infertility and pregnancy out-
13 comes, immune system deficiencies, pelvic in-
14 flammatory disease, toxic shock syndrome, the
15 health of the vaginal microbiome, and other
16 bacterial and yeast infections; and

17 “(B) poses any risks to the health of chil-
18 dren or people who used such products during
19 or before the pregnancies involved, including
20 risks related to fetal and childhood develop-
21 ment.

22 “(2) DEFINITION.—For purposes of paragraph
23 (1)—

24 “(A) the term ‘menstrual products’ means
25 tampons, pads, liners, cups, sponges, and simi-

1 lar products used by people who menstruate
2 with respect to menstruation or other genital-
3 tract secretions; and

4 “(B) the term ‘intimate care products’
5 means douches, wipes, sprays, washes, powders,
6 and similar products used with respect to vulva
7 or vaginal cleansing.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the
9 purpose of carrying out this section, there are authorized
10 to be appropriated such sums as may be necessary for
11 each of the fiscal years 2024 through 2028.”.

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