

SENATE No. 145

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to menstrual product ingredient disclosure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/31/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/18/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/22/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/2/2023</i>

SENATE No. 145

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 145) of Joanne M. Comerford, Jason M. Lewis, John F. Keenan, James B. Eldridge and other members of the Senate for legislation relative to menstrual product ingredient disclosure. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to menstrual product ingredient disclosure.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 330. (a) For the purposes of the section the following words shall have the
4 following meanings:

5 “Ingredient”, an intentionally added substance present in the menstrual product.

6 "Menstrual product”, a product used to collect menstruation and vaginal discharge
7 including, but not limited to, tampons, pads, menstrual cups, disks, sponges and menstrual
8 underwear, whether disposable or reusable.

9 “Manufacturer”, (i) a person or entity that manufactures a menstrual product and whose
10 name appears on the product label; or (ii) a person or entity for whom the product is

11 manufactured or distributed, as identified on the product label pursuant to 15 U.S.C. chapter 39
12 the Fair Packaging and Labeling Act.

13 (b) On each package or box, containing menstrual products manufactured for sale or
14 distribution in the commonwealth, a manufacturer shall have printed a label with a plain and
15 conspicuous list of all ingredients, which shall be listed in order of predominance. The label shall
16 be typed in visible print, a minimum font size of 10 points and displayed on the outside of the
17 package or box.

18 (c) A manufacturer shall change the label on a menstrual product because of a change to
19 an ingredient or addition of a new ingredient. The manufacturer shall make the change within 12
20 months of the change or addition of the ingredient.

21 (d) A manufacturer of a menstrual product that is manufactured for sale or distribution in
22 the commonwealth shall post on an internet website, in an electronically readable format, the
23 ingredient information that is required to be disclosed on a package or box containing menstrual
24 products pursuant to subsection (b).

25 (e) A manufacturer shall revise information disclosed online due to a change in an
26 ingredient or addition of a new ingredient. The manufacturer shall make the revision no later
27 than 6 months after the change or addition of the ingredient.

28 (f) The requirements of this section shall apply in addition to any other labeling
29 requirements established pursuant to the General Laws.

30 (g) Whoever manufactures a menstrual product in violation of this section shall be
31 punished by a fine of \$1,000 dollars.

SECTION 2. This act shall take effect 12 months upon passage.