CENTER FOR BABY AND ADULT HYGIENE PRODUCTS

January 28, 2025

The Honorable Susan Donovan, Chair
House Committee on Health and Human Services
Rhode Island House of Representatives
Providence, RI 02903

Re: Opposition to HB 7110 – The Personal Hygiene Product Safety and Toxic Metal Removal Act of 2025

Dear Chair Donovan and members of the House Committee on Health and Human Services,

The Center for Baby and Adult Hygiene Products (BAHP) represents manufacturers of absorbent hygiene products in North America such as menstrual products, disposable diapers, and incontinence garments and pads and companies that supply materials for those essential everyday products. Our members represent over 85% of the market for absorbent personal hygiene products in North America.

Thank you for the opportunity to submit these concerns regarding HB 7110 – *The Personal Hygiene Product Safety and Toxic Metal Removal Act of 2025*. We want to be unequivocal that BAHP members are not adding lead, arsenic or cadmium to their products and nothing is more important to our members than the safety of their products and the people who use them.

HB 7110 would set limits for detectable concentrations and testing requirements on lead, cadmium and arsenic in hygiene and care products (including menstrual products) and subject products to recall if testing shows amounts over those limits. It would also allow for HHS to determine concentration limits for other metals not listed. Products made with natural materials, such as natural fibers, are exposed to trace contaminants in the earth and in any water used during the manufacturing process. While these metals are not being added to our products, they do naturally occur in the environment and existing FDA regulations of these materials acknowledges this. Additionally, in the definition of "toxic metal" HB 7110 looks to the EPA, but the EPA does not review substances in the context of presence in consumer products. **Any limits set forth in statute for metals must acknowledge this and utilize standards that are science-based.**

We are also concerned with other measures of the bill, including the testing, labeling and recall measures. The testing requirements of HB 7110 are unclear and could result in widely varying results. The bill would require testing in an FDA accredited lab, but menstrual products are medical devices already regulated by the FDA. Additionally, ingredients of menstrual products are already labeled, and to specifically label for compliance with particular state law would be very difficult as packages are sold across the country. Uniformity of key provisions in laws governing product ingredients or labeling is vital to interstate commerce on essential consumer goods.

Finally, recall is a highly impactful remedy to impose in a law where there are many factors unclear and undefined. The thresholds currently in the bill are not science-based and likely outside of the manufacturer's control. The FDA regulates lead in a number of areas and products, and acknowledges the limitations of what can be achieved in each due to the environmental presence.

Thank you for your time and consideration of our input on this legislation. Should you have any questions, please contact us at info@bahp.com.

Respectfully submitted,

Eric Stewart
Executive Director