

House Bill 1143

By: Representatives Schofield of the 63rd, Buckner of the 137th, Hugley of the 141st, Davis of the 87th, and Scott of the 76th

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding health, so as to provide for safer menstrual products in this
3 state; to provide for definitions; to prohibit restricted substances in menstrual products; to
4 provide for the Department of Public Health to identify restricted substances, establish
5 allowable trace thresholds, and provide for a phased compliance schedule; to require
6 ingredient labeling on packages or boxes; to require third-party testing of ingredients; to
7 provide for public disclosure of such testing results; to provide for a civil penalty; to require
8 the Department of Public Health to establish a public education campaign; to provide for
9 periodic review; to provide for related matters; to provide for a short title; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "Menstrual Product Transparency and
14 Safety Act of 2026."

SECTION 2.

Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, is amended by adding a new Code section to read as follows:

"31-1-27.

(a) As used in this Code section, the term:

(1) 'Ingredient' means an intentionally added ingredient present in any quantity in a menstrual product and any nonfunctional byproduct or nonfunctional contaminant that is present in any quantity in a menstrual product.

(2) 'Intentionally added ingredient' means any element or compound, or intentional breakdown product thereof, that a manufacturer has intentionally added to a menstrual product and which has a functional or technical effect on such product.

(3) 'Manufacturer' means a person or other corporate entity that manufactures a menstrual product or whose brand name appears on the label of such product or a person or entity for whom the product is manufactured or distributed, as identified on the product label pursuant to the federal Fair Packaging and Labeling Act, P.L. 89-755.

(4) 'Menstrual product' means a disposable or reusable product manufactured, distributed, sold, or offered for sale in this state which is used for the purpose of containing menstruation and vaginal discharge. Such term includes but is not limited to tampons, pads, and menstrual cups.

(5) 'Restricted substance' means a chemical or class of chemicals that the department determines, in consultation with the Environmental Protection Division of the Department of Natural Resources, pose a risk to human health when present in menstrual products. Such term includes but is not limited to lead, mercury, and related compounds; formaldehyde and formaldehyde releasing agents; antimicrobial agents such as triclosan and triclocarban; toluene; talc; phthalates and ortho-phthalates; and perfluoroalkyl and polyfluoroalkyl substances (PFAS).

41 (6) 'Third-party testing' means independent laboratory analysis conducted to verify the
42 presence and safety of listed ingredients.

43 (b)(1) Beginning on July 1, 2027, no menstrual product shall contain a restricted
44 substance as an intentionally added ingredient and no menstrual product shall contain
45 restricted substances as ingredients beyond allowable trace thresholds established by the
46 department.

47 (2) No later than January 1, 2027, the department shall identify restricted substances,
48 establish allowable trace thresholds for restricted substances not intentionally added, and
49 provide for a phased compliance schedule reflecting manufacturing feasibility and
50 protection of public health. The department shall review allowable trace threshold levels
51 established pursuant to this subsection at least once every five years and as necessary
52 based on the best available scientific evidence.

53 (3) Nothing in this subsection shall be construed to create a private right of action,
54 impose criminal penalties, or conflict with federal law governing consumer or medical
55 products.

56 (c)(1) Beginning on July 1, 2027, each package or box containing menstrual products
57 shall include a plain and conspicuous list of all ingredients which shall appear in order
58 of predominance by weight or volume. Such list shall be printed on such package or box
59 or affixed thereto.

60 (2) Manufacturers are encouraged to include information on the environmental impact
61 of any menstrual product and to prioritize biodegradable or recyclable materials in
62 menstrual product packaging and design.

63 (d)(1) Beginning on July 1, 2026, and annually thereafter, each manufacturer of a
64 menstrual product shall submit the ingredient list provided for in subsection (c) of this
65 Code section for third-party testing.

66 (2) The results of the third-party testing conducted pursuant to paragraph (1) of this
67 subsection shall be posted in a prominent location on the manufacturer's public website
68 for the purposes of ensuring accuracy and compliance with federal and state standards.
69 (e) Any manufacturer that violates subsection (c) or (d) of this Code section shall be
70 subject to a civil penalty of 1 percent of such manufacturer's total annual in-state sales;
71 provided, however, that such amount shall be no more than \$1,000.00 per package or box.
72 (f)(1) Beginning on July 1, 2026, the department shall develop a public education
73 campaign. Such campaign shall provide for:
74 (A) Consumer education on how to read and interpret ingredient labels;
75 (B) Increased awareness concerning the potential health risks associated with certain
76 ingredients; and
77 (C) Promotion of environmentally sound and sustainable menstrual product options.
78 (2) Such campaign may include, but shall not be limited to, public service
79 announcements, distribution of informational materials, and partnerships with community
80 organizations.
81 (g) Beginning on July 1, 2026, and every three years thereafter, the department shall
82 review and update compliance and safety standards for menstrual product labeling.
83 Stakeholder input, including that of consumer advocacy groups and manufacturers, shall
84 be solicited during such review process.
85 (h) The requirements of this Code section shall be in addition to any other labeling
86 requirements established pursuant to any other provision of state or federal law."

87 **SECTION 3.**

88 All laws and parts of laws in conflict with this Act are repealed.