

**ASSEMBLY BILL**

**No. 2820**

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**Introduced by Assembly Member Cardoza  
(Coauthors: Assembly Members Aroner, Cardenas, and  
Cunneen)**

February 28, 2000

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An act to add Section 138.5 to the Health and Safety Code, relating to women's health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2820, as introduced, Cardoza. Feminine hygiene products: study.

Existing law imposes various functions and duties on the State Department of Health Services with respect to women's health.

This bill would require the department to contract with the University of California for the preparation and submittal to the department of a study that the department would transmit to the Governor and Legislature on or before January 1, 2002, that determines the extent to which the presence of dioxin, synthetic fibers, and other additives in feminine hygiene products, as defined, pose risks to the health of both women who use the products and their children.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of  
2 the following:

3 (a) Tampons are used by approximately 73,000,000  
4 women in the United States today.

5 (b) The Environmental Protection Agency and the  
6 International Agency for Research on Cancer, an arm of  
7 the World Health Organization, have concluded that  
8 dioxins are a probable human carcinogen.

9 (c) Dioxin is a byproduct of chlorine-bleaching  
10 processes used in the manufacture of paper products,  
11 including tampons, sanitary pads, panty liners, and  
12 diapers.

13 (d) While bleaching processes that do not produce  
14 dioxin in any amount are available, most pulp and paper  
15 manufacturers, which produce raw materials used in  
16 tampons, currently use either elemental-chlorine or  
17 chlorine-dioxide bleaching processes. Both of these  
18 bleaching processes use chlorine and therefore produce  
19 dioxin.

20 (e) The effects of dioxin from various sources are  
21 cumulative and can be measured 20 to 30 years after  
22 exposure. Women may be exposed to dioxin in tampons  
23 and other menstrual products for as long as 60 years over  
24 the course of their reproductive lives.

25 (f) Internal documents of the Food and Drug  
26 Administration suggest the agency has not adequately  
27 investigated the danger of dioxin in tampons, according  
28 to a 1992 staff report of a subcommittee of the Committee  
29 on Government Operations of the House of  
30 Representatives.

31 (g) The Food and Drug Administration has historically  
32 relied on data provided by manufacturers of feminine  
33 hygiene products in determining product safety.

34 (h) Although the Food and Drug Administration  
35 currently requires tampon manufacturers to monitor  
36 dioxin levels in their finished products, the information is  
37 not readily available to the public.



1 (i) Recent studies have produced conflicting  
2 information about the link between dioxin exposure and  
3 increased risks for endometriosis.

4 (j) The Environmental Protection Agency has  
5 concluded that people with high levels of exposure to  
6 dioxins may be at risk for other noncancer effects that  
7 could suppress the immune system, increase the risk of  
8 pelvic inflammatory disease, reduce fertility, and  
9 interfere with fetal and childhood development.

10 (k) An independent study in 1991 found that tampons  
11 commonly included one or more of the following  
12 additives: chlorine compounds, absorbency enhancers  
13 (such as surfactants like polysorbate-20), natural and  
14 synthetic fibers (such as cotton, rayon, polyester, and  
15 polyacrylate), deodorant, and fragrance.

16 (l) Toxic Shock Syndrome (TSS) has been linked to  
17 tampon use and the absorbency of the tampon. TSS is a  
18 rare bacterial illness that occurs mostly in menstruating  
19 women. During 1979 and 1980, the syndrome was  
20 responsible for at least 55 deaths and 1,066 nonfatal cases.

21 (m) In response to a 1988 lawsuit, the Food and Drug  
22 Administration has required tampons to be labeled with  
23 reference to an absorbency standard (for example, super  
24 tampons must absorb between 9 and 12 grams of liquid).

25 (n) Independent research has shown that synthetic  
26 fiber additives in tampons amplify toxin production,  
27 which is associated with toxic shock syndrome.

28 SEC. 2. Section 138.5 is added to the Health and Safety  
29 Code, to read:

30 138.5. (a) The State Department of Health Services  
31 shall contract with the University of California for the  
32 preparation and submittal to the department of a study  
33 that the department shall transmit to the Governor and  
34 the Legislature on or before January 1, 2002, that  
35 determines the extent to which the presence of dioxin,  
36 synthetic fibers, and other additives in feminine hygiene  
37 products pose any risks to the following:

38 (1) The health of women who use the products,  
39 including risks relating to cervical cancer, endometriosis,  
40 infertility, ovarian cancer, breast cancer, immune system



1 deficiencies, pelvic inflammatory disease, and toxic shock  
2 syndrome.

3 (2) The health of children of women who used these  
4 products during or before the pregnancies involved,  
5 including risks related to fetal and childhood  
6 development.

7 (b) For purposes of this section, “feminine hygiene  
8 products” means tampons, pads, liners, and similar  
9 products used by women with respect to menstruation or  
10 other genital tract secretions.

