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HOUSE BILL NO. 998

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend the Code of Virginia by adding in Article 23 of Chapter 2 of Title 32.1 a section numbered 32.1-73.28:1, relating to menstrual supplies ingredient labeling; restriction of substances; civil penalty.

Patron—Seibold

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 23 of Chapter 2 of Title 32.1 a section numbered 32.1-73.28:1 as follows:

§ 32.1-73.28:1. Menstrual supplies ingredient labeling; restriction of substances; civil penalty.

A. As used in this section:

"Ingredient" means an added substance that is present in menstrual supplies.

"Intentionally added ingredient" means any element or compound that a manufacturer has added to menstrual supplies, including the components of intentionally added fragrance, flavoring, and colorants, and the intentional breakdown products of an added element or compound that have a functional or technical effect on the finished product.

"Label" means a display of written, printed, or graphic material on or affixed to the container in which the menstrual supplies are distributed.

"Menstrual supplies" means a product for use in connection with the menstrual cycle, including tampons, pads, and menstrual cups. Such products may be either disposable or reusable.

"Perfluoroalkyl and polyfluoroalkyl substances" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

"Restricted substance" means an unsafe chemical for inclusion in menstrual products as determined by the Commissioner, including lead, mercury and related compounds, formaldehyde, triclosan, toluene, talc, dibutyl phthalate, di(2-ethylhexyl) phthalate, butylphenyl methylpropional, and isobutylparaben, isopropylparaben, butylparaben, propylparaben, and perfluoroalkyl and polyfluoroalkyl substances.

B. Each package or box containing menstrual supplies sold within the Commonwealth shall contain a label of all ingredients that are included within such supplies. The label shall be displayed by the manufacturer in a manner that is visible and easy to understand for the consumer.

C. Menstrual supplies distributed or sold within the Commonwealth, whether at retail, wholesale, for personal, professional, or commercial use, or for promotional purposes, shall not contain a restricted substance:

1. As an intentionally added ingredient at any level; or

2. At or above a level determined by the Department. The Department shall establish the lowest level that can be feasibly achieved by a restricted substance, provided that the Department shall review such level every five years to determine whether it should be lowered.

E. The requirements of this section shall apply in addition to any other labeling requirements established by any other provisions of law.

F. Any person who violates the requirements of this section is subject to a civil penalty not to exceed \$1,000. Such civil penalty shall be collected by the Commissioner and the proceeds shall be paid into the Breast and Cervical Cancer Prevention and Treatment Fund established pursuant to § 32.1-368.

2. That, by July 1, 2027, the Board of Health shall promulgate regulations establishing the lowest level of each restricted substance that can be feasibly achieved by manufacturers of menstrual products pursuant to subsection D of § 32.1-73.28:1 of the Code of Virginia, as created by this act.

INTRODUCED

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