NOFA-NY
NORTHEAST ORGANIC FARMING ASSOCIATION OF NEW YORK

Memorandum of Support: Elimination of Harmful PFAS and Other Toxic Chemicals in Menstrual Products

S.1548 (Fernandez) / A.1502 (Rosenthal)

This legislation bans the sale and distribution of menstrual products that contain or use harmful per- and polyfluoroalkyl substances (PFAS) and other toxic chemicals, such as formaldehyde, synthetic dyes and fragrances.

The Northeast Organic Farming Association of New York (NOFA-NY) urges New York State to restrict the sale and use of products containing PFAS. PFAS chemicals compromise public health, contaminate agricultural land and groundwater, and put the livelihoods and health of farmers and the public at risk.

PFAS and other toxic chemicals have no place in products that come into contact with one of the most sensitive and absorbent parts of the body. Girls, women, and others relying on menstrual products can absorb these chemicals through the use of pads, tampons, liners, period underwear, sponges, aerosolized sprays, powders and deodorizers.[1] In the United States, there are roughly 72 million girls, women and other people of reproductive age (broadly defined as ages 15 to 49) who rely on these menstrual products,[2] and it is estimated that menstruators may use more than 10,000 menstrual products over their lifetime.[3]

Chemicals, like formaldehyde, talc, synthetic dyes and fragrances, are known carcinogens and/or endocrine disrupters.[4][5] Moreover, PFAS has been determined to contribute to reproductive and fertility challenges, reduced immune function, hormone interference, and cancer.[6] Research on the health effects of dermal exposure to PFAS is still growing, but studies suggest, for instance, that PFAS from apparel is absorbed by the skin.[7]

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[1] PubMed: Per- and Polyfluoroalkyl Substances in Personal Hygiene Products: The Implications for Human Exposure and Emission to the Environment
[2] TIME: PFAS 'Forever Chemicals' Are Turning Up in Menstrual Products. Here's What You Need to Know
[3] National Library of Medicine: Menstrual products as a source of environmental chemical exposure: A review from the epidemiologic perspective - PMC
[4] American Cancer Society: Known and Probable Human Carcinogens | American Cancer Society
[5] Environmental Working Group: What are endocrine disruptors?
[6] Environmental Protection Agency: Our Current Understanding of the Human Health and Environmental Risks of PFAS | US EPA
[7] Commission for Environmental Cooperation: Furthering the Understanding of the Migration of Chemicals from Consumer Products

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Since these products are necessary for hygiene purposes, toxic-free items should be made available to consumers, so they are not harmed by products that are used on a regular basis for decades.

Critically, this legislation will help protect vulnerable populations, such as developing and adolescent females, as well as lower-income individuals who have unstable access to the menstrual products, let alone more expensive non-toxic brands and alternatives on the market.

When PFAS chemicals enter the waste stream through wastewater, they travel to treatment facilities that are unable to deal with the contamination adequately. The facilities are not required to test for the presence of PFAS in sludge before it is land-applied. Furthermore, technology for identifying and removing contamination from sludge is prohibitively expensive and its effectiveness is unknown. Without effective remediation opportunities and with increased land application--as is detailed in the Department of Environmental Conservation's 10-year solid waste management plan--PFAS chemicals continue to bioaccumulate. Even in small amounts, continued exposure increases environmental and health risks.

On farms where sludge has been applied to the land, soils, groundwater, animal products, and even produce have tested positive for PFAS at high levels. While sewage sludge application is not allowed in organic production, legacy pollution of soil and groundwater from practices used before a farm became organic can still harm organic producers and consumers.

To mitigate risks to human and animal health, the livelihoods of NY's over 30,000 farms, and NY's 8 billion dollar agricultural industry, NOFA-NY urges swift action to curb upstream PFAS contamination by passing S.1548/A.1502.

Founded in 1983, the Northeast Organic Farming Association of New York (NOFA-NY) is dedicated to growing a strong, regenerative organic agriculture movement in New York State. NOFA-NY provides farmer-to-farmer education and assistance to organic and regenerative growers and is the largest USDA-accredited organic certifier in New York.

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