SENATE COMMERCE COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2437

STATE OF NEW JERSEY

DATED: DECEMBER 12, 2024

The Senate Commerce Committee reports favorably Assembly Bill No. 2437 (1R).

This bill requires every package or box of menstrual products that is sold or offered for sale in the State to include a label listing all of the ingredients contained in the menstrual product, with the ingredients listed in descending order of predominance within the menstrual product. The information is to be displayed in a manner that is conspicuous and easily understandable to consumers.

The bill establishes a civil penalty for menstrual product manufacturers that distribute to or otherwise offer for sale in New Jersey menstrual products in packaging that does not meet the labeling requirements established under the bill. The civil penalty will be equal to one percent of the manufacturer's total annual in-State sales of menstrual products for each noncompliant package or box, not to exceed $1,000 per noncompliant package or box. The civil penalty will be collected by the Division of Consumer Affairs in the Department of Law and Public Safety in summary proceedings before a court of competent jurisdiction pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The bill specifies that the civil penalty may not be assessed for a noncompliant package or box containing menstrual products that was manufactured prior to the effective date of the bill.

Under the bill, "menstrual product" is defined as a product used for the purpose of catching menstruation and vaginal discharge, including but not limited to a tampon, sanitary pad, disc, menstrual cup, and underwear. The term includes both disposable and reusable products. "Package or box containing menstrual products" is defined to mean menstrual products packaged for individual retail sale, and does not include packaging used exclusively for shipping purposes.

As reported by the committee, Assembly Bill No. 2437 (1R) is identical to Senate Bill No. 3643, as amended and reported by the committee on this date.