SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 3669

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 17, 2025

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 3669.

As amended, the bill limits the use of regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS) in menstrual products.

The bill defines menstrual products as those manufactured 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.

Under the bill, as amended, regulated PFAS are defined as:

(1) "intentionally added PFAS," which means PFAS added to a product or one of the product's components to provide a specific characteristic, appearance, or quality or to perform a specific function and includes any degradation byproducts of PFAS; or

(2) the presence of PFAS in a product or product component above a technically unavoidable trace quantity, as measured in total organic fluorine.

The bill requires the Department of Environmental Protection (DEP) to establish a system to test for regulated PFAS and approve of laboratories to conduct the tests. Results of any test conducted pursuant to the bill are required to be available to the Department of Health (DOH) for inspection, either from the manufacturer or the laboratory.

A violation of the bill's provisions would be an unlawful practice under the "Consumer Fraud Act," P.L.1960, c.39 (C.56:8-1 et seq.), and would be punishable by a monetary penalty of not more than $10,000 for a first offense and not more than $20,000 for any subsequent offense. Additionally, a violation of the "Consumer Fraud Act" can result in cease and desist orders issued by the Attorney General, the assessment of punitive damages, and the awarding of treble damages and costs to the injured.

The bill would be effective two years after enactment, but permits the commissioners of DEP and DOH to take anticipatory administrative action.

As amended and reported by the committee, Senate Bill No. 3669 is identical to Assembly Bill No. 4767 (2R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) amend the definition of regulated PFAS;

(2) prohibit the level of PFAS present to an amount above a technically unavoidable trace quantity;

(3) require the DEP to publish on its Internet website a list of approved laboratories and acceptable testing methods to be used to satisfy the testing requirements of the bill;

(4) extend the effective date an additional six months; and

(5) and make technical changes.