I

106TH CONGRESS
1ST SESSION

H. R. 890

To provide for research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and similar products used by women with respect to menstruation pose any risks to the health of women, including risks relating to cervical cancer, endometriosis, infertility, ovarian cancer, breast cancer, immune system deficiencies, pelvic inflammatory disease, and toxic shock syndrome, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1999

Mrs. MALONEY of New York (for herself, Mr. WAXMAN, Mr. BROWN of California, Ms. NORTON, Mr. FORD, Mr. SANDERS, Mr. FROST, Mr. KENNEDY of Rhode Island, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Ms. LEE, Mr. MATSUI, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Ms. PELOSI, Mr. SANDLIN, Mr. SHOWS, Mrs. THURMAN, and Mrs. JONES of Ohio) introduced the following bill; which was referred to the Committee on Commerce

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A BILL

To provide for research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and similar products used by women with respect to menstruation pose any risks to the health of women, including risks relating to cervical cancer, endometriosis, infertility, ovarian cancer, breast cancer, immune system deficiencies, pelvic inflammatory disease, and toxic shock syndrome, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tampon Safety and Research Act of 1999''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Tampons are used by approximately 73,000,000 women in the United States today, and the average woman may use as many as 16,800 tampons in her lifetime. A woman on estrogen replacement therapy may use as many as 24,360 tampons in her lifetime.

(2) The Environmental Protection Agency and the International Agency for Research on Cancer, an arm of the World Health Organization, have concluded that dioxins are a probable human carcinogen (cancer causing agent).

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

(4) While bleaching processes that do not produce dioxin in any amount are available, most pulp and paper manufacturers, which produce the

raw materials used in tampons, currently use either elemental-chlorine or chlorine-dioxide bleaching processes. Both of these bleaching processes use chlorine and therefore produce dioxin.

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

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

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

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

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

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

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

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

(13) In response to a 1988 lawsuit, the Food and Drug Administration has required tampons to be labeled with reference to an absorbency standard

(e.g., super tampons must absorb between 9 and 12 grams of liquid).

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

SEC. 3. NATIONAL INSTITUTES OF HEALTH; RESEARCH ON DIOXIN PURSUANT TO OFFICE OF RESEARCH ON WOMEN'S HEALTH.

Part F of title IV of the Public Health Service Act (42 U.S.C. 287d et seq.) is amended by adding at the end the following section:

"SEC. 486C. CERTAIN PROJECTS REGARDING WOMEN'S HEALTH.

''(a) DIOXIN IN FEMININE HYGIENE PRODUCTS.—

''(1) IN GENERAL.—The Director of NIH, in collaboration with the Director of the Office, shall provide for the conduct or support of research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and other feminine hygiene products—

''(A) poses any risks to the health of women who use the products, including risks relating to cervical cancer, endometriosis, infertility, ovarian cancer, breast cancer, immune sys-

tem deficiencies, pelvic inflammatory disease, and toxic shock syndrome; and

''(B) poses any risks to the health of children of women who used such products during or before the pregnancies involved, including risks relating to fetal and childhood development.

''(2) REQUIREMENT REGARDING DATA FROM MANUFACTURERS.—Research under paragraph (1) shall include research to confirm the data on tampons and other feminine hygiene products submitted to the Commissioner of Food and Drugs by manufacturers of such products.

''(3) DEFINITION.—For purposes of paragraph (1), the term 'feminine hygiene products' means tampons, pads, liners, and similar products used by women with respect to menstruation or other genital-tract secretions.

''(b) REPORTS.—Reports on the results of research under subsection (a) shall be periodically submitted to the Congress, the Commissioner of Food and Drugs, the Administrator of the Environmental Protection Agency, and the Chairman of the Consumer Product Safety Commission. Such reports shall be made available to the public through the data system and clearinghouse program es-

tablished under section 486A, or through other appropriate means.''.

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