



September 19th, 2026

WE ACT for Environmental Justice to Alister F. Martin, MD, MPP Commissioner New York
City Department of Health and Mental Hygiene
**Regarding Proposed Rules Implementing Local Law 136 of 2025 (New Chapter 42 of Title
24 of the Rules of the City of New York) — Restricted Substances in Menstrual and
Intimate Care Products**

Dear Commissioner Martin,

I am writing to you with nearly a decade's long career in environmental justice advocacy, and as a personal care products policy expert in New York State. I have a Master's degree from the Columbia Climate School in Climate Science and Policy. I am writing on behalf of WEACT for Environmental Justice, a community-based organization that since 1988 has been building healthy communities by ensuring that people of color and/or low-income residents participate meaningfully in the creation of sound and fair environmental health and protection policies and practices.

WE ACT for Environmental Justice supports the New York City Department of Health and Mental Hygiene (DOHMH)'s proposed rules implementing Local Law 136 of 2025 (Local Law 136) regarding restricted substances in menstrual and intimate care products because many of the same toxic ingredients found in cigarettes are also found in period products. We have conclusive research demonstrating consumer health risks associated with long-term menstrual product use.

In August 2024, a study published in *Environment International* tested for 16 metals in 30 tampons from 14 brands. Key findings of their study concluded that metals were found in all tampons tested, the presence of lead was higher in non-organic tampons, arsenic was higher in organic tampons, and no tampon type had consistently lower levels of all metals. United States' tampons had higher levels of cadmium, lead, and cobalt than those purchased in the European Union. Lead exposure is particularly concerning, as it is a neurotoxin with no safe exposure level. No regulations currently require tampon testing for metals in the U.S., EU, or UK. Tampons are widely used. 52–86% of menstruators in the U.S. rely on them, with long-term exposure¹. Moreover, in a series of lab analyses commissioned between 2020 and 2022 by the consumer watchdog site Mamavation and Environmental Health News, 48% of sanitary pads,

¹ Shearston, Jenni A., et al. "Tampons as a Source of Exposure to Metal(loid)s." *Environment International*, vol. 190, 2024, p. 108849. ScienceDirect, <https://doi.org/10.1016/j.envint.2024.108849>



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incontinence pads, and panty liners tested were found to contain PFAS, as were 22% of tampons and 65% of period underwear.²

PFAS has been determined to contribute to reproductive and fertility challenges, reduced immune function, hormone interference, and cancer. Lead has been linked to reduced fertility in both men and women, hormonal changes and menstrual irregularities. When used in the genital area, talc can potentially migrate into the reproductive system and be linked to an increased risk of ovarian cancer, especially if contaminated with asbestos. Mercury is a neurotoxin that has serious health effects in people, especially in young children. Mercury exposure leads to tremors, memory problems, developmental delays, kidney failure, and, in serious cases, can lead to death. “Fragrance” in tampons, pads, and other menstrual products may contain any number of toxic chemical ingredients. These fragrance formulas are considered trade secrets, so companies have no obligation to say what’s in them. We know from product testing that synthetic fragrances may contain any number of harmful chemicals, including allergens, sensitizers, phthalates, neurotoxins, and synthetic musks. Phthalates are linked to hormone disruption and can affect development and fertility³. The vaginal mucosa is highly permeable, meaning many of these toxins could enter the bloodstream.

Please take action to regulate this industry in order to protect menstruators. Thank you for the opportunity to submit a public comment. Feel free to contact me if you have any questions.

Sincerely,

Briana Carbajal

State Legislative Manager

briana.carbajal@weact.org

6465740773

² <https://mamavation.com/beauty/pfas-forever-chemicals-sanitary-pads-incontinence-pads.html>

³ <http://safecosmetics.org>