

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 2266

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 5, 2026

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 2266.

As amended, the bill prohibits manufacturers from selling, distributing, or offering for sale or use in the State menstrual products with intentionally added PFAS. 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.

The bill defines intentionally added PFAS as PFAS added to a product or a product's component to provide a specific characteristic, appearance, or quality or to perform a specific function and includes any degradation byproducts of PFAS. The term excludes a technically unavoidable trace quantity of PFAS as measured in organic fluorine.

The bill requires the Department of Environmental Protection (DEP) to establish a system to test for intentionally added 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 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.

This bill was prefiled for introduction in the 2026-2027 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) add a definition of and references to “intentionally added PFAS;”

(2) remove the definition and references to “regulated perfluoroalkyl and polyfluoroalkyl substances;” and

(3) make a technical update.