



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## HOYLMAN, SIMOTAS AND CONSUMER GROUPS CALL ON PROCTER & GAMBLE TO FIX PACKAGING OF TOXIC TIDE PODS

BRAD HOYLMAN-SIGAL February 6, 2018



Albany, NY - New York State Assemblymember Aravella Simotas (D/WF-Queens) and State Senator Brad Hoylman (D/WF-Manhattan) joined a coalition of consumer groups today, following a letter sent to Procter & Gamble on February 5, calling on the company to overhaul its colorful liquid detergent “Tide PODs,” and urging passage of their bill (S100A/A4646A) to create stronger safety regulations for liquid detergent packets.

Citing over 10,000 incidents involving young children in 2017, Simotas and Hoylman argue that the company's efforts to date – including the addition of a bittering agent, childproof containers, and some warning labels – have fallen short. The legislators state that, “it's time that you recognized the danger to those least able to protect themselves from a poisonous product packaged like candy.” The letter asks Procter & Gamble to remove its products from stores or implement voluntary changes along the lines of their bill including:

- Child-resistant wrappers for liquid detergent packets
- Clear warning labels on packets
- Uniform colors to make packets less visually appealing

**Assemblymember Aravella Simotas** said: “Toxic substances like these laundry pods should not be packaged to look like candy or toys which lure children to put them in their mouths. Even though the industry has adopted voluntary standards, they are not working and it's now clear why we need a law to lessen the risk of poisonings. As a legislator and a mother, I am angry that convenience and marketing have been exalted over the safety of children and people with dementia”

**Senator Brad Hoylman** said: “As the parent of two young kids, I'm very concerned about the safety of liquid detergent packets, which look and smell like candy. It makes no sense to me that with nearly 30 incidents a day, manufacturers still haven't made these products safe. It's way past time to fix these products or remove them altogether from store shelves.”

Children who bite the pods thinking they are toys or candy end up ingesting or inhaling extremely concentrated detergent. This causes vomiting, chemical burns, respiratory distress, seizures, loss of consciousness, fluid in the lungs and even death. Elderly people

suffering from dementia have also been poisoned and have died from eating laundry pods. Simotas and Hoylman's bill would lower the risk of poisonings by banning the sale of detergent pods in New York State unless pods are designed in an opaque, uniform color; not easily permeated by a child's bite; and individually enclosed in a separate child-resistant wrapper containing a warning stating: "WARNING: HARMFUL IF PUT IN MOUTH OR SWALLOWED. EYE IRRITANT. KEEP OUT OF REACH OF CHILDREN."

**Russ Haven, General Counsel for New York Public Interest Research Group**, said: "It's no joke or passing fad that poison control centers get thousands of calls chemicals in single-wash packets. Children and adults with cognitive impairments are at risk of death and serious injury from these items that are attractive to kids and can look like food. The tide is turning and manufacturers need to clean up their marketing practices. The Hoylman-Simotas legislation would make it less likely that kids will get access to detergent pods, and if they do, make the pods less attractive and harder to bite open. The Legislature should move this smart injury prevention legislation to a floor vote this session."

**Bobbi Wilding, Deputy Director of Clean and Healthy New York** said, "The problem of tens of thousands of children being poisoned by brightly colored liquid detergent pods highlights the harmful chemicals present in our homes. We applaud Senator Hoylman and his colleagues in the Senate and Assembly for advancing S.100/A.4646 to establish industry standards that will help prevent children from being lured into accidentally poisoning themselves. We also look forward to New York State implementing its Household Cleaning Product Ingredient Disclosure law so we will know exactly what is in these pods and what health hazards they may pose."

**Elie Ward, MSW, Director of Policy & Advocacy for New York State American Academy of Pediatrics** said, "Pediatricians across the New York support all efforts to educate parents and all children's caretakers about the dangers of laundry pods. We recommend that parents

remove laundry pods from homes with infants and toddlers. Since the pods were brought to market tens of thousands of young children have been poisoned by these very appealing looking, but toxic laundry detergent pods. It is our hope that the clear warnings and requirements for child proof packaging in this bill will help educate parents about this dangerous product and further protect infants and toddlers in NY from accidental poisoning.”

**Shino Tanikawa, Member of the Community Education Council District 2** said: “Manufacturers often release products that are colorful and visually attractive to small children without testing the products for unintended harm, such as accidental ingestion. Detergent pods are such products that have poisoned thousands of children according to a study reported in the New York Times in 2014. The bill introduced by Senator Hoylman will require manufactures to implement measures to safeguard against accidental ingestion by small children. Furthermore, by clearly marking individual packages with a warning message, I hope teenagers will rethink their self-harming behavior.”

A copy of the legislators’ letter can be found below:

David S. Taylor

Chief Executive Officer

Procter & Gamble

909 Third Avenue, 21st Floor

New York, NY 10022

Dear Mr. Taylor:

We write to urge you to alter the appearance and packaging of your Tide PODS detergent packets. We have been concerned about accidental poisonings from detergent pods among young children and people suffering from dementia for over two years and have introduced legislation to lessen poisoning risks. There is renewed opportunity – and urgency – at this moment in time. As you know, teenagers and young adults across the country have been engaging in the “Tide Pod Challenge,” an alarming social media stunt that involves the deliberate ingestion of a detergent packet.

We are encouraged by your willingness to meet with our offices and to take steps to stem child poisoning through voluntary measures such as bittering agents and warning labels on the external packaging. However, these steps have failed. According to the American Association of Poison Control Centers, 10,395 laundry pod injuries were reported in 2013; that number rose to a peak of 12,594 in 2015 before returning to 10,570 in 2017—demonstrating there has been little progress. Pods also continue to be especially dangerous to adults with dementia, according to the Consumer Product Safety Commission, with at least 6 deaths being attributed to them since 2012. The recent “Tide Pod Challenge” has created a new category of victims, with 86 cases of intentional exposure in the first three weeks of 2018 alone. While your recent public service campaign to stem the video “Tide Pod Challenge” is to be commended, it falls far short of what is needed to prevent the continuing problem of accidental poisonings, as opposed to intentional ingestion by teenagers.

We carry legislation in the New York State Legislature (S100/A4646) to prevent poisonings and injuries by requiring child-resistant packaging and individual wrapping for each detergent pod stating: “WARNING: HARMFUL IF PUT IN MOUTH OR SWALLOWED. EYE IRRITANT. KEEP OUT OF REACH OF CHILDREN.” Our legislation also aims to make pods less visually appealing to children, teens, and adults with dementia by requiring

manufacturers to change the design of laundry detergent packets to a uniform color. In addition, you and other manufacturers must use a stronger bittering agent to prevent ingestion of pods, reduce their pleasant smell, and make them feel more firm. All of these changes would make laundry pods less attractive to children, teens, and adults with mental disabilities.

While our legislation would only protect New Yorkers, we urge Procter & Gamble and all manufacturers of colorful detergent pods to offer the same protections to the nation and immediately commit to the precautions set forth in our legislation. It's time that you recognized the danger to those least able to protect themselves from a poisonous product packaged like candy. If not, these products should be removed from store shelves as soon as possible.

Thank you for your consideration of our request.

Sincerely,

Aravella Simotas

Brad Hoylman

NY State Assembly, 36th District

NY State Senator, 27th District