



the dtic

Department:  
Trade, Industry and Competition  
REPUBLIC OF SOUTH AFRICA

## THE NATIONAL ASSEMBLY

### QUESTION FOR WRITTEN REPLY

#### QUESTION NO. 771

#### **Mr S Thambo (EFF) to ask the Minister of Trade, Industry and Competition:**

In light of the recent study confirming that hormone-disrupting chemicals are present even in products marketed as free from harmful chemicals, what regulations has he implemented to ensure manufacturers are transparent and disclose the full chemical composition of their menstrual hygiene products, especially since the National Consumer Commission has already issued a statement confirming that it is conducting its own investigation on the matter.

#### **REPLY:**

I have been advised by the National Consumer Commission (NCC) as follows:

- 1) The NCC initiated an investigation following a study conducted by the University of Free State. According to this study titled "*The presence of endocrine disrupting chemicals in sanitary pads: A study done in South Africa,*" certain sanitary pads and panty liners may contain harmful endocrine disrupting chemicals (EDCs) such as parabens, phthalates, and bisphenols.
- 2) The investigation by the NCC aims to review and assess suppliers' compliance with the provisions of the Consumer Protection Act 68 of 2008 (CPA), in particular, sections 55 and 24.
- 3) Section 55 of the CPA empowers the NCC to investigate general quality of goods, expressly stated under section 55(2) as follows:
  - (2) *Except to the extent contemplated in subsection (6), every consumer has a right to receive goods that—*
    - (a) *are reasonably suitable for the purposes for which they are generally intended;*



- (b) are of good quality, in good working order and free of any defects;*
- (c) will be useable and durable for a reasonable period of time, having regard to the use to which they would normally be put and to all the surrounding circumstances of their supply; and*
- (d) comply with any applicable standards set under the Standards Act, 1993 (Act No. 29 of 1993), or any other public regulation.*

- 4) The CPA in particular states that consumers have the right to receive goods that are reasonably suitable for their intended purposes. Consumers also have the right to goods that are of good quality and in good working order. The goods must be free of defects and usable and durable for a reasonable time.
- 5) Section 24 of the CPA prescribes product labelling and trade description requirements, and section 24(2) states as follows:
  - (2) A person must not—*
    - (a) knowingly apply to any goods a trade description that is likely to mislead the consumer as to any matter implied or expressed in that trade description; or*
    - (b) alter, deface, cover, remove or obscure a trade description or trade mark applied to any goods in a manner calculated to mislead consumers.*
- 6) The CPA therefore provides adequate protection for consumers against suppliers that do not provide safe, properly labelled and quality goods.
- 7) However, I have observed an increase in non-compliant and substandard goods in the market, particularly in the context of cross-border trade and locally manufactured goods. In this regard, we are considering developing, under the CPA, track-and-trace regulations for goods targeting non-compliant imported and domestically produced goods.

**-END-**