

A motion by New Jersey to amend Appendix C, Library of Definitions, Part II, Product Definitions to add the defined term “oral healthcare products for human use.”

“Grooming and hygiene products” are soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of “over-the-counter-drugs.”

A state may exclude oral healthcare products for human use from the definition of “grooming and hygiene products.”

“Oral healthcare products for human use”-means

- toothbrushes (electric and manual),
- toothpaste,
- mouthwash,
- dental floss,
- dental floss picks,
- dental picks (does not include multipurpose toothpicks),
- interdental brushes,
- tooth powders, and
- oral irrigators

designed to maintain oral health, regardless of whether the items meet the definition of “over-the-counter-drugs.” “Oral healthcare products for human use” does not include “food and food ingredients,” “dietary supplements,” or “durable medical equipment.”

A member state may limit its exemption for “oral healthcare products for human use” to:

- (a) those sold only to individuals for personal use; or
- (b) by requiring a prescription;:

A member state may limit the exemption using any combination of the above but in no case shall an exemption certificate be required.