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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.*)

PART 3. PRODUCT SAFETY [108040 - 109052] (*Part 3 added by Stats. 1995, Ch. 415, Sec. 6.*)

CHAPTER 12.5. Juvenile Products [108945 - 108947] (*Chapter 12.5 added by Stats. 2021, Ch. 500, Sec. 1.*)

108945. For purposes of this chapter, the following definitions apply:

- (a) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.
- (b) "Regulated perfluoroalkyl and polyfluoroalkyl substances" or "regulated PFAS" means either of the following:
 - (1) PFAS that a manufacturer has intentionally added to a product and that have a functional or technical effect in the product, including, but not limited to, the PFAS components of intentionally added chemicals and PFAS that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product.
 - (2) The presence of PFAS in a product or product component at or above 100 parts per million, as measured in total organic fluorine.
- (c) (1) "Juvenile product" means the following products designed for use by infants and children under 12 years of age: a baby or toddler foam pillow, bassinet, bedside sleeper, booster seat, changing pad, child restraint system for use in motor vehicles and aircraft, co-sleeper, crib mattress, floor playmat, highchair, highchair pad, infant bouncer, infant carrier, infant seat, infant sleep positioner, infant swing, infant travel bed, infant walker, nap cot, nursing pad, nursing pillow, playmat, playpen, play yard, polyurethane foam mat, pad, or pillow, portable foam nap mat, portable infant sleeper, portable hook-on chair, soft-sided portable crib, stroller, and toddler mattress.
 - (2) "Juvenile product" does not include any of the following:
 - (A) A children's electronic product, including, but not limited to, a personal computer, audio and video equipment, calculator, wireless phone, game console, handheld device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit, or power cord.
 - (B) A medical device.
 - (C) An internal component of a juvenile product that would not come into direct contact with a child's skin or mouth during reasonably foreseeable use and abuse of the product.
 - (D) An adult mattress.
- (d) "Medical device" means "device" as defined in subsection (h) of Section 321 of Title 21 of the United States Code.
- (e) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(Amended by Stats. 2024, Ch. 932, Sec. 3. (AB 347) Effective January 1, 2025.)

108946. On and after July 1, 2023, a person, including, but not limited to, a manufacturer, shall not sell or distribute in commerce in this state any new, not previously owned, juvenile product that contains regulated PFAS chemicals.

(Added by Stats. 2021, Ch. 500, Sec. 1. (AB 652) Effective January 1, 2022.)

108947. A manufacturer shall use the least toxic alternative when replacing PFAS chemicals in a juvenile product in accordance with this chapter.

(Added by Stats. 2021, Ch. 500, Sec. 1. (AB 652) Effective January 1, 2022.)