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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 15. Chemicals of Concern in Food Packaging and Cookware [109000 - 109014]** ( *Chapter 15 added by Stats. 2021, Ch. 503, Sec. 1.*  )

**ARTICLE 1. Plant-Based Food Packaging Containing PFAS [109000- 109000.]** ( *Article 1 added by Stats. 2021, Ch. 503, Sec. 1.*  )

**109000.** (a) For purposes of this article, the following terms have the following definitions:

(1) "Food packaging" means a nondurable package, packaging component, or food service ware that is intended to contain, serve, store, handle, protect, or market food, foodstuffs, or beverages, and is comprised, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers. "Food packaging" includes food or beverage containers, take-out food containers, unit product boxes, liners, wrappers, serving vessels, eating utensils, straws, food boxes, and disposable plates, bowls, or trays.

(2) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(3) "Regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS" means either of the following:

(A) PFAS that a manufacturer has intentionally added to a product and that have a functional or technical effect in the product, including 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.

(B) The presence of PFAS in a product or product component at or above 100 parts per million, as measured in total organic fluorine.

(b) Commencing on January 1, 2023, no person shall distribute, sell, or offer for sale in the state any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS.

(c) A manufacturer shall use the least toxic alternative when replacing regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS in food packaging to comply with this article.

(*Added by Stats. 2021, Ch. 503, Sec. 1. (AB 1200) Effective January 1, 2022.*)