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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 3. Enforcement and Penalties [108075 - 108087] (Chapter 3 added by Stats. 2024, Ch. 932, Sec. 2.)

ARTICLE 4. Notice of Violation [108081- 108081.] (Article 4 added by Stats. 2024, Ch. 932, Sec. 2.)

108081. (a) The department shall issue a notice of violation to a person or entity in violation if any of the following occurs:

(1) The department's testing or test results submitted as a part of the registration process pursuant to subdivision (a) of Section 108079 indicates that a covered product violates one or more applicable covered PFAS restrictions.

(2) The department determines that a covered product violates a covered PFAS restriction after finding PFAS as an ingredient identified on a covered product's label.

(3) The department finds a violation of this chapter or any rule, regulation, standard, or requirement issued or adopted pursuant to this chapter.

(b) A notice of violation shall indicate the nature of the violation and may do any of the following:

(1) Assess an administrative penalty against a person or entity in violation.

(2) Require compliance with the applicable covered PFAS restrictions, including requiring the person or entity to cease the sale or distribution of a covered product in this state.

(c) The department may issue a notice of violation pursuant to Section 108083.

(d) (1) The department shall publish on its internet website information about each notice of violation, including, but not limited to, the relevant product information for each covered product subject to a notice of violation.

(2) The department shall develop a process for keeping interested persons or entities informed about updates to notices of violation published on the department's internet website.

(Added by Stats. 2024, Ch. 932, Sec. 2. (AB 347) Effective January 1, 2025.)