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AB-2762 Cosmetic products: safety. (2019-2020)

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Assembly Bill No. 2762

CHAPTER 314

An act to add Chapter 14 (commencing with Section 108980) to Part 3 of Division 104 of the Health and Safety Code, relating to cosmetics.

[Approved by Governor September 30, 2020. Filed with Secretary of State September 30, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2762, Muratsuchi. Cosmetic products: safety.

Existing law provides the State Department of Public Health with the authority to pursue all actions necessary to protect public health, including areas of product safety.

This bill would, commencing January 1, 2025, prohibit a person or entity from manufacturing, selling, delivering, holding, or offering for sale, in commerce any cosmetic product that contains any of several specified intentionally added ingredients, except under specified circumstances.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 14 (commencing with Section 108980) is added to Part 3 of Division 104 of the Health and Safety Code, to read:

CHAPTER 14. Cosmetic Safety

108980 (a) Commencing January 1, 2025, no person or entity shall manufacture, sell, deliver, hold, or offer for sale, in commerce any cosmetic product that contains any of the following intentionally added ingredients:

- (1) Dibutyl phthalate (CAS no. 84-74-2).
- (2) Diethylhexyl phthalate (CAS no. 117-81-7).
- (3) Formaldehyde (CAS no. 50-00-0).
- (4) Paraformaldehyde (CAS no. 30525-89-4).
- (5) Methylene glycol (CAS no. 463-57-0).
- (6) Quaternium-15 (CAS no. 51229-78-8).

(7) Mercury (CAS no. 7439-97-6).

(8) Isobutylparaben (CAS no. 4247-02-3).

(9) Isopropylparaben (CAS no. 4191-73-5).

(10) m-Phenylenediamine and its salts (CAS no. 108-45-2).

(11) o-Phenylenediamine and its salts (CAS no. 95-54-5).

(12) The following per- and polyfluoroalkyl substances (PFAS) and their salts:

(A) Perfluorooctane sulfonate (PFOS); heptadecafluorooctane-1-sulfonic acid (CAS no. 1763-23-1).

(B) Potassium perfluorooctanesulfonate; potassium heptadecafluorooctane-1-sulfonate (CAS no. 2795-39-3).

(C) Diethanolamine perfluorooctane sulfonate (CAS 70225-14-8).

(D) Ammonium perfluorooctane sulfonate; ammonium heptadecafluorooctanesulfonate (CAS 29081-56-9).

(E) Lithium perfluorooctane sulfonate; lithium heptadecafluorooctanesulfonate (CAS 29457-72-5).

(F) Perfluorooctanoic acid (PFOA)(CAS no. 335-67-1).

(G) Ammonium pentadecafluorooctanoate (CAS no. 3825-26-1).

(H) Nonadecafluorodecanoic acid (CAS no. 355-76-2).

(I) Ammonium nonadecafluorodecanoate (CAS no. 3108-42-7).

(J) Sodium nonadecafluorodecanoate (CAS no. 3830-45-3).

(K) Perfluorononanoic acid (PFNA)(CAS no. 375-95-1).

(L) Sodium heptadecafluorononanoate (CAS no. 21049-39-8).

(M) Ammonium perfluorononanoate (CAS no. 4149-60-4).

(b) If a cosmetic product made through manufacturing processes intended to comply with this chapter contains a technically unavoidable trace quantity of an ingredient listed in subdivision (a) and that trace quantity stems from impurities of natural or synthetic ingredients, the manufacturing process, storage, or migration from packaging, that trace quantity shall not cause the cosmetic product to be in violation of this section.

(c) For purposes of this section, "ingredient" has the same meaning as that term is defined in Section 111791.5.

SEC. 2. It is the intent of the Legislature to enact a prohibition on the presence of intentionally added ingredients in cosmetics that is consistent with the prohibition on the presence of intentionally added ingredients in cosmetics that was enacted by the European Union.