

**ASSEMBLY BILL**

**No. 319**

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**Introduced by Assembly Member Chan**

February 10, 2005

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An act to add Chapter 11 (commencing with Section 108935) and Chapter 12 (commencing with Section 108940) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as introduced, Chan. Phthalates and bisphenol-A in children's products.

Existing law prohibits the manufacture, processing, and distribution in commerce of products containing chemicals found to raise health risks, including, but not limited to, polybrominated diphenyl ether.

This bill would, on or after January 1, 2007, prohibit the manufacture, sale, or distribution in commerce of (1) products intended for use by a child 3 years of age or younger if that product contains bisphenol-A at levels exceeding \_\_\_\_%, (2) any toy or childcare article that contains DEHP, DBP, or BBP in concentrations exceeding 0.1%, or (3) any toy intended for use by a child under 3 years of age if that product can be placed in the child's mouth and contains DINP, DIDP, or DNOP in concentrations exceeding 0.1%.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Chapter 11 (commencing with Section 108935)
- 2 is added to Part 3 of Division 104 of the Health and Safety Code,
- 3 to read:

1 CHAPTER 11. BISPHENOL-A IN PRODUCTS FOR YOUNG  
2 CHILDREN

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4 108935. (a) Bisphenol-A, an estrogen-mimicking endocrine  
5 disruptor chemical, is used in the production of epoxy resins and  
6 polycarbonate plastics and is the main ingredient in hard  
7 polycarbonate plastics. The plastics are used in many food and  
8 drink packaging applications, and the resins are commonly used  
9 as lacquers to coat metal products such as food cans, bottle tops  
10 and water supply pipes.

11 (b) Bisphenol-A has been shown to have hormone disrupting  
12 effects, and it is used in many products intended for use by young  
13 children, including, but not limited to, toys, pacifiers, baby  
14 bottles, and teethers.

15 (c) On or after January 1, 2007, no person or entity shall  
16 manufacture, sell, or distribute in commerce any product  
17 intended for use by a child three years of age or younger if that  
18 product contains bisphenol-A at levels exceeding \_\_\_\_ percent.

19 SEC. 2. Chapter 12 (commencing with Section 108940) is  
20 added to Part 3 of Division 104 of the Health and Safety Code, to  
21 read:

22  
23 CHAPTER 12. PHTHALATES IN PRODUCTS FOR YOUNG  
24 CHILDREN

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26 108940. (a) Phthalates are chemicals used to plasticize some  
27 food containers, plastic wrap, toys, shampoos, perfumes, and  
28 beauty products.

29 (b) Phthalates have been shown to have hormone disrupting  
30 effects; however, they are used in many products intended for use  
31 by young children, including, but not limited to, toys, pacifiers,  
32 baby bottles, and teethers.

33 (c) On or after January 1, 2007, no person or entity shall  
34 manufacture, sell, or distribute in commerce any toy or childcare  
35 article that contains DEHP, DBP, or BBP in concentrations  
36 exceeding 0.1 percent.

37 (d) On or after January 1, 2007, no person or entity shall  
38 manufacture, sell, or distribute in commerce any toy intended for  
39 use by a child under three years of age if that product can be

- 1 placed in the child's mouth and contains DINP, DIDP, or DNOP
- 2 in concentrations exceeding 0.1 percent.

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