

AMENDED IN ASSEMBLY APRIL 30, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 708

Introduced by Assembly Member Jones-Sawyer

February 25, 2015

An act to add Article 10.92 (commencing with Section 25219.5) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to consumer product safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 708, as amended, Jones-Sawyer. Consumer products: content information.

Existing law regulates the labeling and use of various consumer products, including toys and toxic household products.

Existing law, administered by the Department of Toxic Substances Control, prohibits the management of hazardous waste, except in accordance with the hazardous waste laws or the regulations adopted by the department. A violation of these laws is a crime.

This bill would, commencing ~~July 1, 2016~~, *January 1, 2017*, require the manufacturer of designated consumer products for retail sale in this state to disclose ~~each ingredient~~ *the ingredients* contained in the product on the product ~~label~~, *label, as specified*, post the product ingredient information *and certain additional information about any potential health impacts* on the manufacturer's Internet Web site, and provide the Internet Web site and page address on the product label, along with a prescribed statement. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Article 10.92 (commencing with Section 25219.5)
2 is added to Chapter 6.5 of Division 20 of the Health and Safety
3 Code, to read:

4
5 Article 10.92. Chemically Formulated Consumer Products

6
7 25219.5. For purposes of this article, the following definitions
8 shall apply:

9 (a) “Chemically formulated consumer product” means a
10 consumer product that is manufactured from chemicals or chemical
11 compounds to be used by household, institutional, commercial,
12 and industrial consumers without further processing for specific
13 purposes. For the purposes of this subdivision, dilution by the
14 consumer is not considered further processing.

15 (b) “Consumer product” has the same meaning as is specified
16 in subdivision (e) of Section ~~25251~~. 25251, but does not include
17 home appliances.

18 (c) “Designated consumer product” means any product included
19 in the following categories:

20 (1) “Air care product” means a chemically formulated consumer
21 product designed, or labeled to indicate that the purpose of the
22 product is, to mask odors or to freshen, clean, scent, deodorize the
23 air.

24 (2) “Automotive product” means a chemically formulated
25 consumer product designed, or labeled to indicate that the purpose
26 of the product is, to maintain the appearance of a motor vehicle,
27 as defined in Section 670 of the Vehicle Code, including products
28 for washing, waxing, polishing, cleaning, or treating the exterior
29 or interior surfaces of motor vehicles. “Automotive product” does
30 not include automotive paint or paint repair products.

1 (3) “Cleaning product” means a soap, detergent, or other
2 chemically formulated consumer product designed, or labeled to
3 indicate that the purpose of the product is, to clean or disinfect
4 surfaces, including, but not limited to, floors, furniture, countertops,
5 showers and baths, or other hard surfaces, such as stovetops,
6 microwaves, and other appliances, fabric care, or dish or other
7 ware washing.

8 (4) “Polish or floor maintenance product” means a chemically
9 formulated consumer product, such as polish, wax, or a restorer,
10 designed, or labeled to indicate that the purpose of the product is,
11 to polish, protect, buff, condition, temporarily seal, or maintain
12 furniture, floors, metal, leather, or other surfaces.

13 (d) “Ingredient” means a chemical in a designated consumer
14 product.

15 (e) “Manufacturer” means a person or entity that manufactures,
16 assembles, produces, packages, repackages, or relabels a designated
17 consumer product that is ~~sold, distributed,~~ sold or used in this state.

18 25219.52. The manufacturer of a designated consumer product
19 manufactured after ~~July 1, 2016,~~ *January 1, 2017*, for retail sale
20 in this state, shall disclose each ingredient contained in the product
21 on the product label, post the product ingredient information on
22 the manufacturer’s Internet Web site, and provide the Internet Web
23 site and page address on the label of the designated product along
24 with a statement directing the consumer to the Internet Web site
25 for information concerning ingredients contained in the product.

26 25219.54. (a) For purposes of disclosing each ingredient
27 contained in the designated consumer product on the product label,
28 ~~the ingredients present at concentrations of more than 1 percent~~
29 *20 most prevalent ingredients* shall be listed in order of weight,
30 as measured by the ingredient’s percentage weight of the total
31 weight of all ingredients in the product. ~~Ingredients present at~~
32 ~~concentrations of 1 percent or less may be listed in any order. If~~
33 *there are more than 20 ingredients, the label shall state the number*
34 *of remaining ingredients and that they are available at the*
35 *manufacturer’s Internet Web site, except that if the product*
36 *contains any additional ingredient listed on the informational list*
37 *of candidate chemicals posted on the Internet Web site of the*
38 *department pursuant to Section 69502.3 of Title 22 of the*
39 *California Code of Regulations, that ingredient shall be listed on*

1 *the label.* The manufacturer is not required to list the weight of an
2 ingredient in the product.

3 (b) (1) Ingredients in a designated consumer product shall be
4 identified by the Chemical Abstract Service (CAS) number and
5 either the Consumer Specialty Products Association Consumer
6 Product Ingredients Dictionary (CSPA dictionary) name or the
7 International Nomenclature Cosmetic Ingredient (INCI) name. If
8 there is not a CSPA dictionary name or INCI name, then the
9 ingredients in a designated consumer product shall be identified
10 by the CAS number and the International Union of Pure and
11 Applied Chemistry (IUPAC) name. If there is no CSPA dictionary
12 name, INCI name, or IUPAC name, then the product shall be
13 identified by the CAS number and common chemical name.

14 (2) In identifying the ingredient name, the manufacturer shall
15 also identify which of the nomenclature references were used for
16 ingredient identification.

17 (3) Each ingredient shall have an explanation of its purpose for
18 being in the designated consumer product on the manufacturer's
19 Internet Web site.

20 ~~(e) Information required pursuant to this section shall be in a~~
21 ~~type size no smaller than 6-point.~~

22 (c) *If the product contains a chemical listed on the informational*
23 *list of candidate chemicals posted on the Internet Web site of the*
24 *department pursuant to Section 69502.3 of Title 22 of the*
25 *California Code of Regulations, the manufacturer shall post on*
26 *its Internet Web site a statement that additional information about*
27 *any potential health impacts of the ingredients may be obtained*
28 *from the Internet Web sites for the following and shall post a link*
29 *to the Internet Web sites:*

30 (1) *The informational list of candidate chemicals posted on the*
31 *Internet Web site of the department pursuant to Section 69502.3*
32 *of Title 22 of the California Code of Regulations.*

33 (2) *The Household Products Database of the National Library*
34 *of Medicine.*

35 SEC. 2. No reimbursement is required by this act pursuant to
36 Section 6 of Article XIII B of the California Constitution because
37 the only costs that may be incurred by a local agency or school
38 district will be incurred because this act creates a new crime or
39 infraction, eliminates a crime or infraction, or changes the penalty
40 for a crime or infraction, within the meaning of Section 17556 of

- 1 the Government Code, or changes the definition of a crime within
- 2 the meaning of Section 6 of Article XIII B of the California
- 3 Constitution.

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