

AMENDED IN ASSEMBLY JUNE 2, 2015

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 Chapter 13 (commencing with Section 108950) to Part 3 of Division 104~~ 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 January 1, 2017, require the manufacturer of designated consumer products for retail sale in this state to disclose the ingredients contained in the product on the product 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~~-no.
State-mandated local program: ~~yes~~-no.

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

1 SECTION 1. Chapter 13 (commencing with Section 108950)
2 is added to Part 3 of Division 104 of the Health and Safety Code,
3 to read:

4
5 CHAPTER 13. *CHEMICALLY FORMULATED CONSUMER PRODUCTS*

6
7 108950. For purposes of this chapter, 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, but does not include home
17 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
23 the 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

1 or interior surfaces of motor vehicles. “Automotive product” does
2 not include automotive paint or paint repair products.

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

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

15 (d) “Ingredient” means a chemical in a designated consumer
16 product.

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

20 108952. The manufacturer of a designated consumer product
21 manufactured after January 1, 2017, for retail sale in this state,
22 shall disclose each ingredient contained in the product on the
23 product label, post the product ingredient information on the
24 manufacturer’s Internet Web site, and provide the Internet Web
25 site and page address on the label of the designated product along
26 with a statement directing the consumer to the Internet Web site
27 for information concerning ingredients contained in the product.

28 108954. (a) For purposes of disclosing each ingredient
29 contained in the designated consumer product on the product label,
30 the 20 most prevalent ingredients shall be listed in order of weight,
31 as measured by the ingredient’s percentage weight of the total
32 weight of all ingredients in the product. If there are more than 20
33 ingredients, the label shall state the number of remaining
34 ingredients and that they are available at the manufacturer’s
35 Internet Web site, except that if the product contains any additional
36 ingredient listed on the informational list of candidate chemicals
37 posted on the Internet Web site of the department pursuant to
38 Section 69502.3 of Title 22 of the California Code of Regulations,
39 that ingredient shall be listed on the label. The manufacturer is
40 not required to list the weight of an ingredient in the product.

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

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

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

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

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

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

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

~~Article 10.92. Chemically Formulated Consumer Products~~

~~25219.5.—For purposes of this article, the following definitions shall apply:~~

~~(a) “Chemically formulated consumer product” means a consumer product that is manufactured from chemicals or chemical~~

1 ~~compounds to be used by household, institutional, commercial,~~
2 ~~and industrial consumers without further processing for specific~~
3 ~~purposes. For the purposes of this subdivision, dilution by the~~
4 ~~consumer is not considered further processing.~~

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

8 (c) ~~“Designated consumer product” means any product included~~
9 ~~in the following categories:~~

10 (1) ~~“Air care product” means a chemically formulated consumer~~
11 ~~product designed, or labeled to indicate that the purpose of the~~
12 ~~product is, to mask odors or to freshen, clean, scent, deodorize the~~
13 ~~air.~~

14 (2) ~~“Automotive product” means a chemically formulated~~
15 ~~consumer product designed, or labeled to indicate that the purpose~~
16 ~~of the product is, to maintain the appearance of a motor vehicle,~~
17 ~~as defined in Section 670 of the Vehicle Code, including products~~
18 ~~for washing, waxing, polishing, cleaning, or treating the exterior~~
19 ~~or interior surfaces of motor vehicles. “Automotive product” does~~
20 ~~not include automotive paint or paint repair products.~~

21 (3) ~~“Cleaning product” means a soap, detergent, or other~~
22 ~~chemically formulated consumer product designed, or labeled to~~
23 ~~indicate that the purpose of the product is, to clean or disinfect~~
24 ~~surfaces, including, but not limited to, floors, furniture, countertops,~~
25 ~~showers and baths, or other hard surfaces, such as stovetops,~~
26 ~~microwaves, and other appliances, fabric care, or dish or other~~
27 ~~ware washing.~~

28 (4) ~~“Polish or floor maintenance product” means a chemically~~
29 ~~formulated consumer product, such as polish, wax, or a restorer,~~
30 ~~designed, or labeled to indicate that the purpose of the product is,~~
31 ~~to polish, protect, buff, condition, temporarily seal, or maintain~~
32 ~~furniture, floors, metal, leather, or other surfaces.~~

33 (d) ~~“Ingredient” means a chemical in a designated consumer~~
34 ~~product.~~

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

38 ~~25219.52. The manufacturer of a designated consumer product~~
39 ~~manufactured after January 1, 2017, for retail sale in this state,~~
40 ~~shall disclose each ingredient contained in the product on the~~

1 product label, post the product ingredient information on the
2 manufacturer's Internet Web site, and provide the Internet Web
3 site and page address on the label of the designated product along
4 with a statement directing the consumer to the Internet Web site
5 for information concerning ingredients contained in the product.

6 25219.54. (a) For purposes of disclosing each ingredient
7 contained in the designated consumer product on the product label,
8 the 20 most prevalent ingredients shall be listed in order of weight,
9 as measured by the ingredient's percentage weight of the total
10 weight of all ingredients in the product. If there are more than 20
11 ingredients, the label shall state the number of remaining
12 ingredients and that they are available at the manufacturer's Internet
13 Web site, except that if the product contains any additional
14 ingredient listed on the informational list of candidate chemicals
15 posted on the Internet Web site of the department pursuant to
16 Section 69502.3 of Title 22 of the California Code of Regulations,
17 that ingredient shall be listed on the label. The manufacturer is not
18 required to list the weight of an ingredient in the product.

19 (b) (1) Ingredients in a designated consumer product shall be
20 identified by the Chemical Abstract Service (CAS) number and
21 either the Consumer Specialty Products Association Consumer
22 Product Ingredients Dictionary (CSPA dictionary) name or the
23 International Nomenclature Cosmetic Ingredient (INCI) name. If
24 there is not a CSPA dictionary name or INCI name, then the
25 ingredients in a designated consumer product shall be identified
26 by the CAS number and the International Union of Pure and
27 Applied Chemistry (IUPAC) name. If there is no CSPA dictionary
28 name, INCI name, or IUPAC name, then the product shall be
29 identified by the CAS number and common chemical name.

30 (2) In identifying the ingredient name, the manufacturer shall
31 also identify which of the nomenclature references were used for
32 ingredient identification.

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

36 (c) If the product contains a chemical listed on the informational
37 list 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, the manufacturer shall post on its
40 Internet Web site a statement that additional information about

1 any potential health impacts of the ingredients may be obtained
2 from the Internet Web sites for the following and shall post a link
3 to the Internet Web sites:

4 (1) The informational list of candidate chemicals posted on the
5 Internet Web site of the department pursuant to Section 69502.3
6 of Title 22 of the California Code of Regulations.

7 (2) The Household Products Database of the National Library
8 of Medicine.

9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.