

## California Bill to Ban PFAS in Children's Products for Feeding, Sucking, Teething

A bill (SB-1266) in California was introduced by Senator Limón on 15 February 2024, to be an act to amend Sections 108940 and 108941 of, and to add Section 108942 to, the Health and Safety Code. The main purpose is to add *PFAS (Per- or polyfluoroalkyl substances)* – in addition to bisphenol A in the existing law – for the chemicals to be prohibited in Children's products for feeding, sucking, and teething.

### Substantial Changes

In the amendments, it is required that: *no person shall manufacture, sell, or distribute in commerce any children's feeding product or children's sucking or teething product that contains any form of bisphenol or perfluoroalkyl or polyfluoroalkyl substances unless the bisphenol or perfluoroalkyl or polyfluoroalkyl substance is a temporarily essential chemical<sup>1</sup>.*

### Comparisons with the original Safety Code

Items	Existing Requirements	Proposed amendments
Product Scope	Bottles and cups designed or intended for food contact primarily for children three years of age or younger	Children's feeding products, Children's sucking and teething products
Controlled Substance	Bisphenol A (BPA)	Any form of bisphenol or PFAS (Per- or polyfluoroalkyl substances)
Requirement	≤ 0.1 parts per billion (ppb)	Prohibited, unless these are a temporarily essential chemical <sup>1</sup>

Note: <sup>1</sup> "Temporarily essential chemical" means a chemical for which all of the following are true:

- (1) There are no safer alternatives to the chemical available.
- (2) The chemical is necessary for the product to work as intended.
- (3) The chemical is being used in a product that is critical for the health, safety, or function of society.

### Effective Date

1 January 2025

### References

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240SB1266](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB1266)

### FOR MORE DETAILS, PLEASE CONTACT US:

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