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## SENATE COMMITTEE ON HEALTH

Senator Akilah Weber Pierson, Chair

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**BILL NO:** AB 1148  
**AUTHOR:** Sharp-Collins  
**VERSION:** June 22, 2026  
**HEARING DATE:** July 1, 2026  
**CONSULTANT:** Natalie Gehred

**SUBJECT:** Food packaging: hazardous chemicals

**SUMMARY:** Prohibits the manufacture, distribution, sale, or offering for sale in the state any food packaging that contains intentionally added bisphenols or ortho-phthalates. Upon appropriation, requires the Department of Toxic Substances Control (DTSC) to adopt regulations to establish a threshold for bisphenols and ortho-phthalates in food packaging that are not intentionally added, and prohibits a person from manufacturing, distributing, selling, or offering for sale in the state any food packaging that contains bisphenols or ortho-phthalates at or above this threshold. Permits DTSC or the Attorney General to enforce this bill through administrative or civil penalties for any violations.

**Existing law:**

- 1) Prohibits the manufacture, sale, or distribution of certain toys and child care articles, as defined, if those products contain certain types of phthalates in concentrations exceeding 0.1%. Requires manufacturers to use the least toxic alternative when replacing phthalates in their products and prohibits manufacturers from replacing phthalates with certain carcinogens and reproductive toxicants. [HSC §108937 and HSC §108939]
- 2) Prohibits the manufacture, sale, or distribution of juvenile feeding products or sucking or teething products, that contains any form of bisphenol above the practical quantitation limit. Exempts medical devices and food and beverage containers designed or intended primarily to contain liquid, food, or beverages for consumption by the general population. Requires manufacturers to use the least toxic alternative when replacing bisphenols in their products and prohibits manufacturers from replacing bisphenols with certain carcinogens and reproductive toxicants. [HSC §108940 and HSC §108941]
- 3) Prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale any cosmetic product that contains specified phthalates and PFAS, among other specified chemicals. [HSC §108980]
- 4) Prohibits a person from distributing, selling, or offering for sale any food packaging that contains regulated PFAS. Requires manufacturers to use the least toxic alternative when replacing regulated PFAS in food packaging. [HSC §109000]
- 5) Makes findings and declarations about the dangers of di(2-ethylhexyl) phthalate (DEHP) and ortho-phthalates and prohibits a person or entity from manufacturing, selling, or distributing any intravenous solution containers made with intentionally added DEHP. [HSC §109050, *et seq.*]
- 6) Establishes the Safer Consumer Products Program within DTSC, which requires DTSC to adopt regulations to establish processes for identifying, prioritizing, and evaluating chemicals of concern in consumer products, and their potential alternatives, to determine how best to

limit exposure or to reduce the level of hazard posed by a chemical of concern. Requires DTSC, in adopting regulations, to prepare a multimedia life cycle evaluation, as defined. Requires DTSC to establish and appoint members to a Green Ribbon Science Panel, which will take specified actions and advise DTSC on science, technical and policy matters. This is known as the green chemistry program. [HSC §25252 et seq., §25253]

- 7) Permits DTSC to issue formal requests for information on the ingredients and use of a consumer product from product manufacturers and imposes liability for civil penalties that may be brought on persons who fail to respond in the specified period. [HSC §25253.7]

**This bill:**

- 1) Prohibits the manufacture, distribution, or sale, or offering for sale in the state of any food packaging that contains intentionally added bisphenols or ortho-phthalates. Exempts tetramethyl bisphenol F (TMBPF) from this prohibition. Exempts the exterior surface of rigid metal packaging where the primary material is metal, including cans, lids, and closures, that do not come in contact with food, until January 1, 2037.
- 2) Defines the following terms:
  - a) “Food packaging” means a nondurable package, packaging component, or food service ware that is intended to contain, serve, store, handle, protect, or market food, foodstuffs, or beverages. Includes food or beverage containers, take-out food containers, unit product boxes, liners, wrappers, serving vessels, eating utensils, straws, food boxes, and disposable plates, bowls, or trays. Excludes from this definition a durable food contact container that is all of the following:
    - i) Designed for repeated use in commercial food preparation or storage;
    - ii) Subject to specified regulations governing the use of polycarbonate resins; and,
    - iii) Not provided to the end customer.
  - b) “Intentionally added bisphenols or ortho-phthalates” means any bisphenol or ortho-phthalate that a manufacturer has added to a product and that has a functional or technical effect in the product, including if the bisphenol or ortho-phthalate is an intentional breakdown product that has a functional or technical effect in the product. Excludes from this definition any intermediate material that does not have a function or technical effect in the product.
- 3) Requires DTSC, upon appropriations by the Legislature, to adopt regulations to establish a threshold for bisphenols and ortho-phthalates in food packaging that are not intentionally added.
- 4) Prohibits, no sooner than one year after DTSC adopts regulations, a person from manufacturing, distributing, selling, or offering for sale in the state any food packaging that contains bisphenols or ortho-phthalates at or above the established threshold.
- 5) Requires a manufacturer of food packaging that contains bisphenols or ortho-phthalates that are not intentionally added, and that is manufactured, distributed, sold, or offered for sale in the state, to maintain the following information, and make it available to DTSC upon request:
  - a) Information on ingredient chemical identity, concentration, and functional use;
  - b) Existing information, if any, related to the use of the products by children, pregnant women, or other sensitive populations;
  - c) Data on state product sales (or national product sales in the absence of state product sales data); and,

- d) The information required for a premarket notification for a food contact substance described in specified federal regulations that is relevant to the food packaging, including any toxicological and migration studies.
- 6) Deems a manufacturer of food packaging compliant with, and absolves the manufacturer from liability for violating, the information maintenance requirement if the manufacturer maintains a statement in writing that the manufacturer does not have access to this information and that it has attempted to, but cannot, obtain that information from one or more suppliers, chemical manufacturers, or other entities, along with the contact information of these entities.
- 7) Permits DTSC to establish, by regulation, standards for use of bisphenols or ortho-phthalates in food packaging that are more protective of public health, sensitive populations, or the environment than the standards established in this bill.
- 8) Permits DTSC to establish a threshold for TMBPF in food packaging, or limit or prohibit the distribution, sale, or offering for sale any food packaging containing TMBPF in the state.
- 9) Exempts products for which DTSC has adopted a regulatory response under the green chemistry program, as specified, regarding the use of any form of bisphenol or ortho-phthalate if the department has posted a notice on its website that it has adopted the regulatory response.
- 10) Clarifies that DTSC is not restricted from prioritizing or taking action on a product containing any form of bisphenol or ortho-phthalate to limit exposure to or reduce the level of hazard posed by any form of bisphenol or ortho-phthalate.
- 11) Permits DTSC or the Attorney General to enforce the provisions of this bill using administrative or civil penalties not to exceed \$5,000 for the first violation or \$10,000 for subsequent violations, which may be assessed for each day a violation continues.
- 12) Permits DTSC to adopt regulations to implement, enforce, interpret, or make specific provisions of this bill, and permits DTSC to use funds appropriated by the Legislature in the Toxic Substance Control Account to implement this article.
- 13) Encourages voluntary public disclosure of scientific studies regarding chemicals in commerce, including but not limited to, chemical analyses, migration studies, toxicological studies, biological assays, and safety and risk assessments to promote public transparency, engage the scientific community, and advance the development of safer chemistries in food packaging.

**FISCAL EFFECT:** According to the Assembly Appropriations Committee analysis from last year, to implement the provisions of this bill, DTSC estimates costs of approximately \$1.4 million in fiscal year (FY) 2026-27, and, starting in FY 2027-28 and ongoing, an additional \$1.7 million. Additionally, enactment of this bill could result in possible costs to the Department of Justice of an unknown amount.

**PRIOR VOTES:**

Senate Environmental Quality Committee:

5 - 0

Assembly Floor:	55 - 11
Assembly Appropriations Committee:	11 - 3
Assembly Judiciary Committee	9 - 2
Assembly Environmental Safety and Toxic Materials Committee:	5 - 2

**COMMENTS:**

- 1) *Author's statement.* According to the author, every Californian deserves confidence that the food they eat is not being contaminated by harmful chemicals from the packaging that surrounds it. Yet bisphenols and ortho phthalates, chemicals linked to cancer, infertility, developmental harm, and other serious health impacts, continue to be used in food packaging materials, creating an unnecessary source of exposure for millions of families. California has consistently led the nation in protecting public health by restricting these chemicals in toys, children's products, cosmetics, and medical devices. However, they remain present in materials that come into direct contact with our food and beverages, exposing consumers every day. This bill closes this gap by prohibiting the use of bisphenols and ortho phthalates in food packaging beginning January 1, 2028. When the science is clear and safer alternatives exist, California has a responsibility to act.
- 2) *Bisphenols.* Bisphenols are chemical compounds consisting of two hydroxyphenol groups, often used in plastics manufacturing. According to the European Food Safety Authority, bisphenols are components in food packaging substances like polycarbonate plastic (a transparent and rigid plastic used to make water dispensers, food storage containers, and reusable beverage bottles) and epoxy resins (found in protective coatings and linings for food and beverage cans and vats). Bisphenol A (BPA), the most commonly-used and well-studied bisphenol, has been shown to leach from these materials due to incomplete polymerization and lead to degradation of the polymers by exposure to high temperatures, occurring under normal conditions of use, according to a review in *Environmental Science & Technology*. According to the HBM4EU project, which is a consortium of European environmental agencies, Bisphenol F (BPF), Bisphenol S (BPS), and Bisphenol AF (BPAF) are rising as BPA substitutes, and BPS has been detected in many foods at low concentrations. HBM4EU monitoring detected BPS and BPF in the urine of about two-thirds of adult participants from 10 different European countries, with increased levels from 2014 to 2021, compared to 2010 to 2012, reflecting their increased use as BPA substitutes.

BPA is an endocrine disruptor—meaning it can interfere with hormone systems—due to its ability to bind and activate estrogen receptors, bind and inhibit androgen receptors, disrupt enzyme activity, and alter gene expression of hormone receptors, according to a 2007 review in *Reproductive Toxicology*. Animal studies of low-dose BPA exposure have shown that BPA may cause morphological and functional alterations of reproductive systems, increased risk of hormone-related cancers like prostate and breast cancer, metabolic disease, cardiovascular diseases, inflammatory conditions, and neurodevelopmental effects. Data from an inter-agency collaboration between the National Institutes of Environmental Health Sciences, the National Toxicology Program, and the U.S Food and Drug Administration (FDA), called the Consortium Linking Academic and Regulatory Insights on BPA Toxicity (CLARITY-BPA), found that BPA induced statistically significant adverse effects in the brain, prostate, urinary tract, ovary, mammary gland, and heart with 2.5µg/kg of BPA exposure per day, according to an integrative 2020 analysis of the data in *Reproductive Toxicology*.

While less is known about the health effects of other bisphenols, studies have indicated that they may display effects similar to BPA. In 2022, the European Chemicals Agency recommended that more than 30 bisphenols need to be restricted due to their potential endocrine-disrupting effects and reproductive toxicity. In California, BPA and BPS are both listed on the Proposition 65 chemicals list for developmental and reproductive toxicity.

- 3) *What is TMBPF?* This bill exempts TMBPF from the prohibition in this bill, although DTSC is permitted to set a threshold or limit its use through regulations. Tetramethyl bisphenol F is a proprietary chemical that was identified in a screen of bisphenol analogues in an industry-based attempt to develop a bisphenol-based compound without endocrine-disrupting properties. Industry studies demonstrate a lack of estrogen or androgen agonism/antagonism or enzymatic inhibition seen in other bisphenols, both *in vitro* and *in vivo*. A recent independent review in the *International Journal of Molecular Sciences* concludes that research on TMBPF across biological systems is still limited, with few studies and sometimes conflicting results, and highlights a need to strengthen the toxicological evidence base for this chemical.
- 4) *Ortho-phthalates.* Ortho-phthalates (also called phthalates) are diesters of phthalic acid that are commonly added to plastics such as polyvinyl chloride to impart flexibility, pliability, and elasticity, according to the FDA. Because ortho-phthalates are not covalently bound to the polymer matrix of the plastic, they are highly susceptible to leaching, especially into fatty foods and liquids such as dairy, according to a 2020 review in the *American Journal of Public Health*. According to DTSC, in the food packaging context, ortho-phthalates can be found in food wrap, plastic bottles, and bottle cap liners, and can migrate into food from sources like printing inks and adhesives on food packaging, as well as the food manufacturing process like conveyor belts, tubing, and gloves used in the preparation of foods. The U.S. Environmental Protection Agency (EPA) evaluated data from the National Health and Nutrition Examination Survey in 2015 and concluded that, while ortho-phthalate exposure has been widespread among women of childbearing age and children in the U.S., exposures have decreased significantly since 2006. In their examination of ortho-phthalates, DTSC examined several other biomonitoring studies and concluded a similar decline, suggesting that either manufacturers have phased out the use of ortho-phthalates in many consumer products or that regulatory efforts have resulted in lower exposures from certain products (e.g., in children's products), or both.

Similar to bisphenols, the most widely used ortho-phthalates have been characterized as endocrine disruptors. According to the FDA, some ortho-phthalates (DEHP, DCHP, and DINP) may have a common anti-androgenic mechanism of action. Animal studies have shown some ortho-phthalates disrupt sexual organ development and function in males, including testes and the prostate, as well as neurodevelopmental and carcinogenic effects. According to a 2021 review article in *Environmental Health*, studies have associated ortho-phthalate exposure with neurodevelopmental, behavioral, hormonal, and metabolic disorders, and a 2020 review in *the American Journal of Public Health* highlights links between elevated prenatal exposure to ortho-phthalates and altered neurobehavioral development in children.

There is slow federal movement on the regulation of ortho-phthalates. Last month, the FDA released a scientific evaluation that determined, of the eight ortho-phthalates currently authorized for food-contact uses, four of them should be grouped together based on the

evaluation of their chemical structures and toxicodynamic, toxicokinetic, and physiochemical properties for a future cumulative risk assessment.

- 5) *The Safer Consumer Products Program.* DTSC's Safer Consumer Products Program, or the green chemistry program, was established in 2013 with the mission of advancing the design, development, and use of products that are chemically safer for people and the environment. The program maintains a list of Candidate Chemicals with properties of concern, and every three years, determines consumer product categories that they plan to evaluate in a Priority Work Plan. The Priority Work Plan identifies Priority Products, which are specific product-chemical interactions that can expose humans or the environment to one or more Candidate Chemicals. When Priority Products are identified, DTSC requires manufacturers of those products sold in the state to notify DTSC and either remove the product from the California market, substitute the chemical of concern, or conduct a comprehensive Alternatives Analysis that includes identifying if the chemical is necessary for the product and if there are safer alternatives that can be used instead. If deemed necessary, DTSC will issue a Regulatory Response to reduce or eliminate the adverse impacts. These can include actions like issuing product information to consumers, use restrictions or product sales prohibitions, required safety measures, or end-of-life management, but DTSC gives preference to those responses that provide the greatest level of protection to public health and the environment. To ensure compliance, DTSC performs product testing and undertakes enforcement actions as necessary. According to DTSC, the Safer Consumer Products Program process can take between three and seven years, depending on the availability of information, resources, alternatives, and the complexity of the regulatory response adopted.

Both bisphenols and ortho-phthalates are listed as Candidate Chemicals under the Safer Consumer Products Program. In 2016, DTSC received a petition to designate food can linings containing BPA as a Priority Product under the Safer Consumer Products regulations. Although the petition was denied, it prompted DTSC to add food packaging to its 2018-2020 Priority Product Work Plan. As a result, DTSC examined ortho-phthalates in plastic food packaging and did not designate them as new Priority Products due to a lack of knowledge of which food packaging items contains ortho-phthalates, claims from manufacturers that they had switched to alternatives (supported by limited test data), limited hazard data and toxicity endpoint information, and national biomonitoring data that suggested declining human exposures. DTSC stated in the 2024-2026 Priority Product Work Plan that they would begin evaluating food contact articles (a broader definition than food packaging that includes products in contact with food at any stage of a food product's life cycle and applies to the entire product) as a product category during the 2024-2026 cycle dependent upon available resources and policy considerations.

- 6) *Double referral.* This bill was heard in the Senate Environmental Quality Committee on June 17, 2026, and passed with a 5-0 vote.
- 7) *Related legislation.* AB 1604 (Stefani) would prohibit, after January 1, 2028, the provision or manufacture of a receipt containing intentionally added BPA, or after January 1, 2029, containing any intentionally added bisphenol. *AB 1604 is set for hearing on August 3, 2026 in the Senate Appropriations Committee.*
- 8) *Prior legislation.* SB 1266 (Limón, Chapter 790, Statutes of 2024) prohibits the manufacture, sale, or distribution of any juvenile's feeding product or juvenile's sucking or teething product that contains any form of bisphenol, as defined, at a detectable level above

the practical quantitation limit.

AB 2300 (Wilson, Chapter 562, Statutes of 2024) makes findings and declarations about the dangers of DEHP and ortho-phthalates and prohibits a person or entity from manufacturing, selling, or distributing any intravenous solution containers made with intentionally added DEHP.

AB 2244 (Ting of 2024) would have prohibited a receipt provided to a consumer by a business or created by a manufacturer from containing internationally added BPA, and one year later, any bisphenol. *AB 2244 was held on the Senate Appropriations suspense file.*

AB 1347 (Ting of 2023) would have required a business to offer a consumer the option to receive or not receive a receipt and would prohibit a receipt from containing bisphenol. *AB 1347 was held on the Senate Appropriations suspense file.*

AB 1200 (Ting, Chapter 503, Statutes of 2021) prohibits a person from distributing, selling, or offering for sale any food packaging that contains regulated PFAS. Requires manufacturers to use the least toxic alternative when replacing regulated PFAS in food packaging.

AB 2762 (Muratsuchi, Chapter 314, Statutes of 2020) prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale any cosmetic product that contains specified phthalates and PFAS, among other specified chemicals.

AB 1319 (Butler, Chapter 467, Statutes of 2011) prohibits the manufacture, sale, or distribution any bottle or cup that contains BPA at a detectable level above 0.1 parts per billion if the bottle or cup is designed or intended to be filled with any liquid, food, or beverage intended primarily for consumption by infants or children three years of age or younger.

AB 1108 (Ma, Chapter 672, Statutes of 2007) prohibits the manufacture, sale, or distribution of toys and childcare products that contain certain phthalates in concentrations exceeding 0.1%. Requires manufacturers to use the least toxic alternative when replacing phthalates in their products and prohibits manufacturers from replacing phthalates with certain carcinogens and reproductive toxicants.

- 9) *Support.* The Breast Cancer Prevention Partners, Environmental Working Group, and California Public Interest Research Group, the sponsors of this bill, write that chemicals used in food and beverage packaging migrate into the food and our bodies, some of which have been linked to negative health impacts. The chemicals addressed in this bill have been linked in scientific literature to an increased risk of cancer, as well as reproductive disorders, metabolic diseases like diabetes and obesity, cardiovascular disease, immune disorders, neurological disorders in children, and kidney disease. They highlight that this bill will reduce exposures through food to the same harmful chemicals that California has already banned in other product categories: phthalates were banned from toys and children's products in 2006, cosmetics in 2020, and IV bags and tubing in 2024, and last year the Legislature expanded the ban on BPA in baby bottles to include all bisphenols in children's feeding products and sucking or teething products. Because these same chemicals can still be found in some food packaging, including the inner and exterior linings of food cans and beverage bottles and caps, they call on the Legislature to take action where the FDA is failing to

protect public health from toxic chemicals in food packaging. A coalition of more than 45 environmental and public health organizations, including the American College of Obstetricians and Gynecologists, American Academy of Pediatrics—California, Breast Cancer Over Time, Black Women for Wellness Action Project, and California Black Health Network echoes these sentiments.

10) *Oppose unless amended.* A coalition letter from the American Chemistry Council, California Food Producers, California Chamber of Commerce, Can Manufacturers Institute, Consumer Brands Association, and other chemical and materials manufacturers oppose legislation that would ban specific chemicals in products without the benefit of an open, transparent, and science-based process. Rather, they believe the regulatory framework and authority that rests with DTSC and the FDA provide the appropriate forum to assess the safety of food packaging materials, establish appropriate threshold levels for intentionally added ingredients, and if necessary, impose any regulatory requirements. DTSC’s Safer Consumer Products Program includes the ability to request information from product or chemical manufacturers, importers, assemblers, or retailers, and use this information to identify product-chemical combinations to evaluate as potential priority products; identify and analyze alternatives to eliminate or reduce potential exposures and adverse impacts, and filling data gaps to improve understanding and reduce research time. Lastly, they highlight that DTSC has already indicated that they will be considering chemistries used in food packaging in the Safer Consumer Products Program’s most recent three-year workplan, and note that in 2017, DTSC denied a public petition that would have designated food cans with BPA resin linings as a priority product. The specific amendments proposed by the opposition would:

- a) Require DTSC by January 1, 2030 to evaluate the use of bisphenols and phthalates in food packaging applications to determine whether it is necessary to establish a minimum safety threshold level;
- b) If DTSC determines a regulation is necessary, require the department to initiate a formal rulemaking process that establishes such levels by January 1, 2032;
- c) Provide manufacturers and retailers with a 24-month “sell thru” period for existing stocks of food packaging; and,
- d) Modify covered products to exclude reusable containers, those used in commercial or industrial settings, or packaging for dietary supplements.

11) *Amendments.* The author requests an amendment to clarify an amendment taken in the Senate Environmental Quality Committee in the definition of “intentionally added bisphenols or ortho-phthalates:”

HSC §109015 (b)(3) “Intentionally added bisphenols or ortho-phthalates” means any bisphenol or ortho-phthalate that a manufacturer has added to a product and that has a functional or technical effect in the product, including if the bisphenol or ortho-phthalate is ***a component of an intentionally added chemical or is the*** an intentional breakdown product ***of an added chemical*** that ***also*** has a functional or technical effect in the product. “Intentionally added bisphenols or ortho-phthalates” does not include any intermediate ~~material~~ ***substance*** that does not have a functional ***or*** technical effect in the product.

### **SUPPORT AND OPPOSITION:**

**Support:** Breast Cancer Prevention Partners (co-sponsor)

Environmental Working Group (co-sponsor)  
California Public Interest Research Group (co-sponsor)  
350 Southland Legislative Alliance  
7th Generation Advisors  
A Voice for Choice Advocacy  
Active San Gabriel Valley  
Alliance of Nurses for Healthy Environments  
American Academy of Pediatrics, California  
American College of Obstetricians & Gynecologists - District IX  
Black Women for Wellness Action Project  
Breast Cancer Over Time  
California Black Health Network  
California League of United Latin American Citizens  
California Nurses for Environmental Health and Justice  
California Product Stewardship Council  
Californians Against Waste  
Center for Environmental Health  
Clean Water Action  
Cleaneart4kids.org  
Climate Action California  
Consumer Reports  
Defend Our Health  
Facts Families Advocating for Chemical and Toxics Safety  
Friends Committee on Legislation of California  
Friends of the Earth  
GMO Science  
Green Science Policy Institute  
Immaculate Heart Community Environmental Commission  
Indivisible Alta Pasadena  
Indivisible Altadena  
Indivisible California Green Team  
Indivisible Marin  
Just Transition Alliance  
Latino Coalition for a Healthy California  
Long Beach Alliance for Clean Energy  
Long Beach Gray Panthers  
National Stewardship Action Council  
Natural Resources Defense Council  
Non Toxic Communities  
Non-Toxic Neighborhoods  
Recolte Energy  
Salinas Valley Solid Waste Authority  
San Diego 350  
San Francisco Bay Physicians for Social Responsibility  
San Francisco Baykeeper  
Save the Bay  
Sierra Club California  
SoCal 350 Climate Action  
StopWaste  
Story of Stuff Project

Sustainable Rossmoor  
The Last Beach Cleanup  
The Salvador E. Alvarez Institute for Non-violence

**Oppose:** American Chemistry Council (unless amended)  
American Institute for Packaging and the Environment (unless amended)  
California Chamber of Commerce (unless amended)  
California Food Producers (unless amended)  
Can Manufacturers Institute (unless amended)  
Chemistry Industry Council of California (unless amended)  
Consumer Brands Association (unless amended)  
International Bottled Water Association (unless amended)  
National Association of Printing Ink Manufacturers (unless amended)  
Flexible Packaging Association (unless amended)  
Foodservice Packaging Institute (unless amended)  
Printing United Alliance (unless amended)  
Vinyl Institute (unless amended)  
Western Plastics Association (unless amended)

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