

THIRD READING

Bill No: AB 1148
Author: Sharp-Collins (D)
Amended: 7/2/26 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-0, 6/17/26

AYES: Blakespear, Allen, Gonzalez, Hurtado, Menjivar

NO VOTE RECORDED: Valladares, Dahle

SENATE HEALTH COMMITTEE: 7-0, 7/1/26

AYES: Weber Pierson, Durazo, Gonzalez, Menjivar, Padilla, Pérez, Smallwood-Cuevas

NO VOTE RECORDED: Valladares, Caballero, Grove, Rubio

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/13/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 55-11, 6/2/25 - See last page for vote

SUBJECT: Food packaging: hazardous chemicals

SOURCE: Breast Cancer Prevention Partners
California Public Interest Research Group

DIGEST: This bill prohibits a person from manufacturing, distributing, selling, or offering for sale food packaging that contains intentionally added bisphenols or ortho-phthalates and outlines further regulation, as specified.

ANALYSIS:

Existing federal law:

- 1) Establishes the Federal Food, Drug, and Cosmetic Act (FD&C Act) and requires the United States Food and Drug Administration (FDA) to oversee the

safety of food, drugs, and cosmetics. (21 United States Code (U.S.C.) §§ 301 et seq.)

- 2) Defines “food contact substance” (FCS) to mean any substance that is intended for use as a component of materials used in manufacturing, packing, packaging, transporting, or holding food if such use of the substance is not intended to have any technical effect in such food. (21 U.S.C. § 348(h)(6))
- 3) Allows for a manufacturer or supplier of an FCS to notify the FDA of the identity, intended use, and basis of determination that the FCS is safe under a specified standard. (21 U.S.C § 348(h)(1); 21 Code of Federal Regulations (CFR) § 170.100)
- 4) Requires the United States Environmental Protection Agency (U.S. EPA) to create a regulatory framework to collect data on chemicals in order to evaluate, assess, mitigate, and control risks that may be posed by their manufacture, processing, and use. (15 U.S.C §§ 2601 et seq.)

Existing state law:

- 1) Prohibits, a person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual. (Health and Safety Code (HSC) § 25249.6)
- 2) Requires, under Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) to publish a list of chemicals known to the state to cause cancer or reproductive toxicity. (HSC § 25249.8)
- 3) Requires DTSC to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered chemicals of concern, as specified. (HSC § 25252)
- 4) Requires the Department of Toxic Substances Control (DTSC) to adopt regulations to establish a process to identify and evaluate chemicals of concern in consumer products, and their potential alternatives, to determine how to best limit exposure or to reduce the level of hazard posed by a chemical of concern. (HSC §§ 25251 et seq.)

- 5) Specifies, but does not limit, regulatory responses that DTSC can take following the completion of an alternatives analysis, ranging from no action, to a prohibition of the chemical in the product. (HSC § 25253)
- 6) Authorizes DTSC to issue a formal request for information from product manufacturers, including, but not limited to, information on ingredient chemical identity, concentration, and functional use. (HSC § 25253.7)
- 7) Prohibits, beginning January 1, 2023, the sale of any food packaging that contains regulated per- and polyfluoroalkyl substances (PFAS). (HSC § 109000)
- 8) Prohibits, on or after January 1, 2026, the manufacture or sale of any juvenile's feeding, sucking, or teething product that contains any form of bisphenol above the practical quantitation limit determined by DTSC (HSC § 108940(a)). (HSC § 108940(g))
- 9) Defines "bisphenol," as a chemical with two phenol rings connected by a single linker atom. Specifies that the linker atom and phenol rings may have additional substituents. (HSC § 108942)
- 10) Defines "ortho-phthalates" as a class of chemicals that are esters of ortho-phthalic acid, including specified chemicals including, but not limited to, DEHP, DBP, BBP, DINP, DIDP, and DNOP. (HSC § 109051)

This bill:

- 1) Prohibits, on and after January 1, 2028, a person from manufacturing, distributing, selling, or offering for sale in the state any food packaging that contains intentionally added bisphenols or ortho-phthalates, with the exception of tetramethyl bisphenol (TMBPF).
- 2) Prohibits, on and after January 1, 2037, a person from manufacturing, distributing, selling, or offering for sale in the state any food packaging that contains intentionally added bisphenols or ortho-phthalates on the exterior surface of rigid metal packaging, as specified.
- 3) Defines "bisphenol" to mean "a chemical with two phenol rings connected by a single linker atom. The linker atom and phenol rings may have additional substituents."

- 4) Defines “ortho-phthalates” to mean a class of specified chemicals as listed in Section 109051 of HSC.
- 5) Defines “food packaging” to mean a nondurable package, packaging component, or food service ware that is intended to contain, serve, store, handle, protect, or market food, foodstuffs, or beverages, and does not include a durable food contact container, as specified.
- 6) Defines “intentionally added bisphenols or ortho-phthalates” to mean 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 intentional breakdown product of an added chemical where the component or breakdown product also has a functional or technical effect in the product.
- 7) Requires DTSC, upon appropriation by the Legislature, to establish in regulation a threshold for bisphenols and ortho-phthalates in food packaging that are not intentionally added and provide guidance on acceptable analytical methods for demonstrating compliance with the threshold; and prohibits a person from manufacturing, distributing, selling, or offering for sale any food packaging that contains bisphenols or ortho-phthalates at or above the established threshold one year after DTSC adopts this regulation.
- 8) Requires a manufacturer of food packaging that contains bisphenols or ortho-phthalates that are not intentionally added to maintain specified information and make that information available to DTSC upon request.
- 9) Authorizes DTSC to establish standards for use of bisphenols or ortho-phthalates in food packaging by regulation that are more protective of public health, sensitive populations, or the environment than the standards originally established by DTSC.
- 10) Authorizes DTSC to establish a threshold, limit, or prohibit the distribution, sale, or offer for sale in the state any food packaging that contains TMBPF by regulation if DTSC determines that TMBPF poses a significant risk to human health.

- 11) Provides that if DTSC adopts a regulatory response under its Safer Consumer Products program regarding the use of any form of bisphenol or ortho-phthalate, then the provisions of this bill shall not apply to that product.
- 12) Provides that the provisions of this bill shall not be construed to prohibit or restrict the authority of DTSC to prioritize or take action on a product containing any form of bisphenol or ortho-phthalate.
- 13) Authorizes DTSC or the Attorney General to enforce the provisions of this bill.
- 14) Requires a person in violation of the provisions of this bill to be liable for an administrative or civil penalty not to exceed \$5,000 for the first violation and not to exceed \$10,000 for each subsequent violation and authorizes penalties to be assessed for each day that a violation continues.
- 15) Authorizes DTSC to adopt regulations to implement, enforce, interpret, or make specific the provisions of this bill.
- 16) Authorizes, upon appropriation by the Legislature, funds in the Toxic Substances Control Account to be used by DTSC to implement the provisions of this bill.
- 17) Encourages voluntary public disclosure of scientific studies regarding chemicals in commerce, as specified to promote public transparency, engage the scientific community, and advance the development of safer chemistries in food packaging.

Background

The problem with phthalates. Ortho-phthalates, often referred to as phthalates, are ubiquitous, high-volume, synthetic chemicals used in plastic products, most often polyvinyl chloride (PVC or vinyl), to make the material soft, pliable, and less brittle. Historically, certain phthalates have been used in food packaging or other minor food contact uses, such as components of adhesives, lubricants, and sealants. Phthalates have been shown to leach into food from plastic equipment used in dairy operations, lid gaskets, conveyor belts, and food packaging materials.¹ Phthalates are known endocrine disruptors and chronic exposure to these chemicals

¹ Engel, S. M., et al. (2021). Neurotoxicity of Ortho-Phthalates: Recommendations for Critical Policy Reforms to Protect Brain Development in Children.

are associated with adverse impacts to the reproductive system.² Studies have also indicated that exposure to phthalates can impair brain development and increase risks for learning, attention, and behavioral disorders.¹

This bill would ban food packaging that contains intentionally-added phthalates. The bill also requires DTSC to establish a threshold for non-intentionally-added phthalates, subject to an appropriation by the Legislature.

The problem with bisphenols. Bisphenols are a group of synthetic, high-volume chemicals that are used in the manufacturing of polycarbonate plastics and epoxy resins. The most widely used and well-studied chemical in the group is bisphenol A (BPA), but the use of other bisphenols, such as bisphenol S (BPS) and bisphenol F (BPF), is increasing as manufacturers use these chemicals to replace BPA following restrictions on its use. The most human exposure to BPA and its substitutions is through the consumption of food and beverages that have been in contact with epoxy resin linings or polycarbonate plastic containers such as jar lids, drink cans, water bottles, food storage containers, plastic wrap, dishes and utensils.³ Some of these linings are intended to extend the storage time and shelf life of food and protect against food contact with corroded metal.⁴

BPA has been shown to have adverse effects on the endocrine, reproductive, and immune systems.⁵ Even at low doses, studies have indicated that BPA may be associated with an increased risk of fetal development, cardiovascular disease, breast and prostate cancer, and issues with cognitive and behavioral development. While the substitutions for BPA are less studied, research has still indicated that other chemicals within the bisphenol class display hazard traits similar to BPA, and some with worse effects.^{6,7}

This bill would ban food packaging that contains intentionally-added bisphenols, with the exception of tetramethyl-bisphenol F (TMBPF). The bill also requires DTSC to establish a threshold for non-intentionally-added bisphenols, subject to an appropriation by the Legislature.

On the frontiers of TMBPF. TMBPF is a bisphenol derivative that was identified

² Wang, Y. and Qian, H. (2021). [Phthalates and Their Impacts on Human Health](#).

³ HBM4EU. (2021). [Bisphenols: What You Need to Know](#).

⁴ Geueke, B. (2025). [Can coatings](#).

⁵ Ma, Y., et. al. (2019). [The adverse health effects of bisphenol A and related toxicity mechanisms](#).

⁶ Thoene, M., et. al. (2020). [Bisphenol S in Food Causes Hormonal and Obesogenic Effects Comparable to or Worse than Bisphenol A: A Literature Review](#).

⁷ Chen, D., et. al. (2016). [Bisphenol analogues Other Than BPA: Environmental Occurrence, Human Exposure, and Toxicity—A Review](#).

by Sherwin-Williams as part of their efforts to develop a bisphenol-based compound without endocrine-disrupting properties. Unlike BPA and other derivatives of bisphenols, TMBPF has been found to lack the characteristics that would lead to adverse reproductive effects.^{8,9,10} Additionally, coatings that use TMBPF are manufactured in a way that allows for less use of the substance and complete chemical reactions that minimize residuals, and thus reduces the migration of the substances into food and beverages and lowers human exposure.^{10,11}

There are, however, more recent studies that have raised concerns for TMBPF, despite its promising characteristics. Contrary to the findings of earlier studies, some studies still indicate the potential of TMBPF to lead to endocrine disruption and adverse reproductive effects.^{8,12,13} Research has also suggested that TMBPF has the potential to produce adverse skeletal, developmental, and neurological effects.^{8,14,15,16,17} TMBPF has even been found to exhibit greater toxicity compared to BPA when considering cytotoxic effects.¹⁸

A particular concern of TMBPF is that it is persistent, which gives it the potential to accumulate in both humans and the environment. Though exposure levels may be low, repeated exposure over long periods of time may produce similar effects to that of higher exposures.⁸ Experts suggest that caution be taken with TMBPF as regulatory environments restrict other bisphenol-based materials in food packaging.⁸ Although this bill excludes TMBPF from the ban, it does acknowledge the potential hazards associated with the chemical compound by requiring the

⁸ Hwang, I., et. al. (2025). Tetramethyl Bisphenol F: Organ- and System-Specific Toxicity, Current Status, and Perspectives.

⁹ Maffini, M. and Canatsey, R. (2020). An expanded toxicological profile of tetramethyl bisphenol F (TMBPF), a precursor for a new food-contact metal packaging coating.

¹⁰ Soto, A., et. al. (2017). Evidence of Absence: Estrogenicity Assessment of a New Food-Contact Coating and the Bisphenol Used in Its Synthesis.

¹¹ Mallen, T., et. al. (2023). Characterization of a new polymeric food contact coating with emphasis on the chemical analysis and safety assessment of non-intentionally added substances (NIAS).

¹² Fan, H., et. al. (2025). Tetramethyl bisphenol F exposure induces human ovarian granulosa cell senescence and mouse ovarian damage by regulating ESRRB signaling.

¹³ Park, C.G., et. al. (2024). A combined in vitro-in silico method for assessing the androgenic activities of bisphenol A and its analogues.

¹⁴ Kim, H.M., et. al. (2021). Effects of Bisphenol A and Its Alternatives, Bisphenol F and Tetramethyl Bisphenol F on Osteoclast Differentiation.

¹⁵ Harnett, K.G., et. al. (2021). Teratogenicity and toxicity of the new BPA alternative TMBPF, and BPA, BPS, and BPAF in chick embryonic development.

¹⁶ Liang, M., et. al. (2023). TMBPF-induced neurotoxicity and oxidative stress in zebrafish larvae: Impacts on central nervous system development and dopamine neurons.

¹⁷ Hwang, I., et. al. (2026). Effects of Maternal Tetramethyl Bisphenol F Exposure on Neurodevelopment and Behavior in Mouse Offspring.

¹⁸ Harnett, K.G., et. al. (2021). Cytotoxic and apoptotic data of BPA and BPA alternatives TMBPF, BPAF, and BPS in female adult rat and human stem cells.

establishment of a threshold upon appropriation and authorizing DTSC to limit or prohibit TMBPF in food packaging if DTSC determines that it poses a significant risk to human health.

Comments

Purpose of Bill. According to the author, “Thousands of chemicals are used to make the materials that come into contact with our food and beverages. Chemicals from these materials can migrate into the food and our bodies, and some of these chemicals have been linked to negative health impacts ranging from allergic reactions to asthma, obesity, diabetes, male and female reproductive problems including infertility and decreased testosterone, learning disabilities, cardiovascular disease and increased risk of breast cancer. AB 1148 will allow California to act to reduce exposures through food to the same harmful chemicals that our state has already banned in other product categories: Phthalates and Bisphenols.”

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Ongoing costs, potentially in the hundreds of thousands of dollars annually (Toxic Substances Control Account [TSCA]), for DTSC to fully implement the provisions of this bill. Staff notes that portions of this bill would be contingent upon appropriation, and DTSC would be authorized--but not required--to implement other provisions. DTSC notes that, should the bill be fully implemented, the resources needed for implementation may result in an estimated increase to the Environmental Fee by less than 1%.
- Possible costs (General Fund, special funds) to the Department of Justice (DOJ) of an unknown amount. Actual costs would depend on whether the Attorney General pursues enforcement actions, and, if so, the level of additional staffing needed by DOJ to handle the related workload. DOJ anticipates any enforcement-related workload related to this bill to be absorbable within existing resources.

SUPPORT: (Verified 8/14/2026)

Breast Cancer Prevention Partners (co-source)
California Public Interest Research Group (co-source)
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 and Gynecologists District IX
Black Women for Wellness Action Project
Breast Cancer Over Time
Breast Cancer Prevention Partners
CA League of United Latin American Citizens
California Black Health Network
California Nurses for Environmental Health and Justice
Californians Against Waste
Calpirg, California Public Interest Research Group
Center for Environmental Health
Clean Water Action
Cleaneearth4kids.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
Green Science Policy Institute
Immaculate Heart Community Environmental Commission
Indivisible Alta Pasadena
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 Francisco Bay Physicians for Social Responsibility
San Francisco Baykeeper
Save the Bay
Sierra Club California

So Cal 350 Climate Action
 Stopwaste
 Story of Stuff
 Sustainable Rossmoor
 The Last Beach Cleanup
 The Salvador E. Alvarez Institute for Non-violence
 Www.gmoscience.org
 1 Individual

OPPOSITION: (Verified 8/14/2026)

American Chemistry Council
 American Institute for Packaging and Environment
 California Chamber of Commerce
 California Food Producers
 California Manufacturers & Technology Association
 Chemical Industry Council of California
 Consumer Brands Association
 Flexible Packaging Association
 Foodservice Packaging Institute
 International Bottled Water Association
 National Association of Printing Ink Manufacturers
 Printing United Alliance
 The Vinyl Institute
 Vinyl Institute
 Western Plastics Association

ASSEMBLY FLOOR: 55-11, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías,
 Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza,
 Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González,
 Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal,
 McKinnor, Muratsuchi, Ortega, Papan, Patterson, Pellerin, Petrie-Norris, Quirk-
 Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-
 Collins, Solache, Stefani, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NOES: Davies, DeMaio, Dixon, Ellis, Flora, Jeff Gonzalez, Hadwick, Lackey,
 Macedo, Ta, Tangipa

NO VOTE RECORDED: Bains, Castillo, Chen, Gallagher, Hoover, Nguyen,
Pacheco, Patel, Michelle Rodriguez, Blanca Rubio, Sanchez, Soria, Valencia

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