

CONCURRENCE IN SENATE AMENDMENTS

AB 1603 (Schultz)

As Amended August 19, 2026

Majority vote

SUMMARY

Requires the Department of Pesticide Regulation (DPR) to indicate if a pesticide contains per- or polyfluoroalkyl substances (PFAS) in the pesticide use reporting database; include any use trends of PFAS pesticides in the pesticide use annual report; and publish on its website and submit to the County Agricultural Commissioners (CACs) a list of all registered pesticides that contain PFAS.

Senate Amendments

1) Delete provisions that would have:

- a) Prohibited, commencing January 1, 2035, the marketing, use, manufacture, sale, delivery, holding, or offer for sale in commerce of any pesticide registered for agricultural use that contains PFAS pesticide ingredients, as specified; and, would have prohibited DPR from registering new pesticides that contain PFAS pesticide ingredients for agricultural use.
- b) Prohibited, commencing January 1, 2030, the marketing, use, manufacture, sale, delivery, holding, or offer for sale in commerce of any pesticide registered for agricultural use that contains one of 23 specified PFAS pesticide ingredients, as specified; and, would have prohibited DPR from registering pesticides that contain the 23 specified PFAS pesticide ingredients for agricultural use.
- c) Deemed, commencing July 1, 2028, a pesticide registered for agricultural use that contains PFAS pesticide ingredients to be a restricted material.
- d) Required, commencing July 1, 2028, the use permit for a PFAS-restricted material to state: "This product contains perfluoroalkyl and polyfluoroalkyl substances, or PFAS, and can contaminate produce, groundwater, drinking water, soil, and the environment."
- e) Required, commencing July 1, 2028, any public disclosure by DPR of the use of a PFAS-restricted material, including through DPR's SprayDays California program, to state: "This product contains perfluoroalkyl and polyfluoroalkyl substances, or PFAS, and can contaminate produce, groundwater, drinking water, soil, and the environment."
- f) Prohibited DPR from registering a pesticide that contains PFAS pesticide ingredients that had not been previously registered by DPR.

2) Require, on or before January 1, 2028, or on or before the posting of the pesticide use reporting database containing 2026 data, whichever occurs first, and annually thereafter, DPR to do both of the following:

- a) Indicate if a pesticide contains PFAS pesticide ingredients, as defined, in the pesticide use reporting database on its internet website and include PFAS as a category of interest for purposes of the pesticide use reporting database.

- b) Include any pesticide use trends of PFAS pesticide ingredients from the pesticide use reporting database in the pesticide use annual report and include these pesticide use trends in other relevant pesticide use reporting documents.
- 3) Require, on or before January 1, 2028, DPR to publish a list of all registered pesticides that contain PFAS pesticide ingredients on its internet website and submit this list to each CAC.
- 4) Require DPR, after the publication and submission of the above list, to update the list of all registered pesticides that contain PFAS pesticide ingredients on its internet website, and submit the updated list to each CAC within 60 calendar days of registration of a new pesticide containing PFAS pesticide ingredients.

COMMENTS

Perfluoroalkyl and polyfluoroalkyl substances (PFAS): PFAS are synthetic, highly fluorinated substances that have been widely used in industrial and consumer applications for their heat, water, and lipid resistance properties for more than seven decades. During production, use, and disposal, PFAS can migrate into the soil, water, and air. Some PFAS are volatile, and can be carried long distances through the air, leading to contamination of soils and groundwater far from the emission source. Researchers have found PFAS in indoor and outdoor environments, plants, soil, food, drinking water, wildlife, companion animals, production animals, and humans at locations across the nation and around the globe. PFAS are extremely persistent and degrade very slowly over time, which has resulted in their accumulation in the environment since the onset of their production in the late 1940s. Currently, nearly 15,000 PFAS chemicals are included in the chemicals database CompTox, which is maintained by the United States Environmental Protection Agency (US EPA).

Hazard traits of PFAS: According to the Department of Toxic Substances Control (DTSC), all PFAS display at least one of the hazard traits identified in California's Safer Consumer Products Hazard Traits Regulations. An intrinsic property of PFAS is the extreme environmental persistence of the individual compounds, their degradation products, or both, resulting in their classification as "forever chemicals." Most PFAS are mobile in environmental media such as air and water, and thus are widespread in living organisms and the environment.

Scientific studies have shown that exposure to some PFAS can lead to adverse health outcomes in humans and animals. DTSC states that if humans are exposed to PFAS through diet, drinking water, or inhalation, some of these chemicals remain in the body for a long time. As people continue to be exposed to PFAS, the PFAS levels in their bodies may increase to the point that they suffer adverse health effects. According to the US EPA, current peer-reviewed scientific studies have shown that exposure to certain levels of PFAS may lead to: reproductive effects such as decreased fertility or increased high blood pressure in pregnant women; developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes; increased risk of some cancers, including prostate, kidney, and testicular cancers; reduced ability of the body's immune system to fight infections, including reduced vaccine response; interference with the body's natural hormones; and, increased cholesterol levels and/or risk of obesity. In addition to direct human health impacts, some PFAS may have high global warming potential. Also, several PFAS bioaccumulate significantly in animals or plants and emerging evidence points to their phytotoxicity, aquatic toxicity, and terrestrial ecotoxicity.

The persistence and proliferation of PFAS chemicals makes it challenging to study and assess the cumulative potential human health and environmental risks of PFAS exposure.

PFAS in pesticides: The *Environmental Health Perspective* article, "Forever Pesticides: A Growing Source of PFAS Contamination in the Environment," reveals that of the 471 unique, conventional pesticide active ingredients (AIs) that were then registered in the U.S., 107 (23%) contained at least one carbon-fluorine bond and 66 (14%) are PFAS. The study also found that fluorination is a recent trend among new registrations of pesticide AIs. Of the 54 conventional AIs that had been approved from 2012 to 2021, the proportion of fluorination increased dramatically with 33 (61%) classified as organofluorines and 16 (30%) as PFAS. In addition to the AIs identified by the study as "intentional" PFAS pesticides, eight inert ingredients are PFAS registered for use in pesticides. Additionally, the authors of the study found that pesticides likely further accumulate PFAS contamination from leaching from fluorinated containers and other as-yet-undetermined sources.

DPR indicates there are 53 pesticides with at least one fully fluorinated carbon registered for use in California, and 1,153 products currently registered for use in California that contain at least one of the 53 pesticides. US EPA appears to have registered nearly 20 additional PFAS pesticides that have not yet been approved for use in California.

PFAS pesticide use in California: A 2025 analysis by the Environmental Working Group (EWG) found that California agricultural fields are treated with an average of 2.5 million pounds of PFAS pesticides every year, and that between 2018 and 2023, nearly 15 million pounds of PFAS pesticides were applied to California farmland, according to data from DPR. Through their analysis, EWG found that PFAS pesticides are being used most heavily on some of California's most iconic and lucrative crops, such as almonds, pistachios, wine grapes, alfalfa and tomatoes. The analysis further revealed that 85% of PFAS pesticides used in the state were used for crop production. The remaining 15% were used for various structural practices, such as insecticide for termite control, herbicide for landscape maintenance, and rodenticide. EWG reports that among the most frequently applied pesticides are bifenthrin and trifluralin, which it states have been banned in the European Union due to health and environmental concerns.

Potential impacts of PFAS in pesticides: The authors of the 2021 *Environmental Health Perspective* article state, "It is our view that PFAS in pesticides, particularly PFAS active ingredients, may be having unintended impacts on environmental and public health that must be mitigated or eliminated to prevent irreversible impacts... The long-term impacts of using mixtures of extremely persistent chemicals on potentially hundreds of millions of acres of US land every year is, to us, a cause for concern. Most, if not all, PFAS in pesticide products or their degradates are going to be chronic persistent pollutants for the foreseeable future of humanity, and their ultimate impact on human and environmental health are largely unknown." The authors identified examples of potential consequences of PFAS in pesticides such as immunotoxicity (studies of impacts on the immune system indicate that it is one of the most sensitive targets of PFAS exposure, and both the US EPA and the European Food Safety Authority have identified immunotoxicity as the most potent adverse effect to humans from exposure to certain PFAS); environmental fate (all PFAS contain perfluoroalkyl moieties that are highly stable in the environment); water contamination (PFAS have been found in US streams, lakes, and rivers, often at levels that exceed aquatic safety thresholds); and, total organic fluorine in the environment (new or unidentified PFAS are increasingly contributing to the overall organofluorine exposure to people and the environment).

Intentionally added chemicals in products: This bill largely focuses on PFAS pesticide ingredients that are intentionally added to a pesticide as active, adjuvant, or inert ingredients. Similarly, to protect human health and the environment, several provisions of state law prohibit or limit other substances in specific products. Some of these provisions restrict intentionally added substances, but establish different, potentially less stringent, requirements for unintentionally added substances. These statutes include limitations on, prohibitions of, or disclosure of specified chemicals in cosmetics and cleaning products; PFAS in textiles, juvenile products, and plant-based food packaging; and, Di(2-ethylhexyl) phthalate (DEHP) in intravenous tubing. To a large extent, legislators treated intentionally added and non-intentionally added substances differently to account for unavoidable environmental contamination of products, such as PFAS contamination from municipal water. However, recent discussions about this differential treatment of intentionally added versus non-intentionally added substances have raised critical policy questions, including whether these provisions are enforceable and truly capture the Legislature's intent to protect public health and the environment from harmful substances in products. Discussions should continue about how to ensure that concerning substances in products are restricted or prohibited, regardless of when in the manufacturing and distribution process the substances become present in the product.

According to the Author

"PFAS pesticides are being spread in large quantities across our most valuable agricultural land and on our most popular crops. These chemicals are highly persistent, take a very long time to break down, and can contaminate soil and ground water for years to come. In addition, PFAS are associated with a range of serious health harms. Very low doses of PFAS in drinking water have been linked to the suppression of the immune system and are associated with an elevated risk of cancer, increased cholesterol, and reproductive and developmental harms, among other serious health concerns. For most people, food and drinking water are the primary routes of exposure to PFAS. That makes the use of these chemicals in agriculture especially concerning; PFAS do not belong on our food or dinner tables. We should not eat them. We need to end the use of these very problematic pesticides now."

Arguments in Support

A coalition of over one hundred environmental, environmental justice, labor, public health, public interest, community, and other organizations, write in support of this bill,

"The widespread presence of PFAS pesticides on California-grown produce underscores a concerning and largely unaddressed gap in pesticide oversight and PFAS use reductions. The California Legislature has recognized the need to drastically curb the use of PFAS by enacting numerous laws prohibiting PFAS in various consumer products, food packaging and firefighting foam. However, widespread use of PFAS pesticides—which contaminate our food—has gone unfettered. Assembly Bill 1603 calls for greater transparency around PFAS pesticide usage in California and will set the stage for better oversight of the use of these forever pesticides.

While we were disappointed that in order to secure the necessary Assembly and Senate committee votes, Assemblymember Schultz had to commit to remove sections of AB 1603 that would have banned all agricultural uses of PFAS pesticides, and that would have required county agricultural commission oversight, we strongly believe this bill—with newly required transparency—remains critically important to protecting Californians' health and environment."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee, this bill has minor, if any, costs, and therefore meets the criteria of Senate Rule 28.8.

VOTES:**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 5-2-0**

YES: Connolly, Bauer-Kahan, Lee, McKinnor, Papan

NO: Ellis, Castillo

ASM APPROPRIATIONS: 10-4-1

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

ABS, ABST OR NV: Pacheco

ASSEMBLY FLOOR: 42-21-17

YES: Addis, Ahrens, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Connolly, Dixon, Elhawary, Fong, Gabriel, Garcia, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Papan, Patel, Pellerin, Ransom, Rogers, Sanchez, Schiavo, Schultz, Sharp-Collins, Stefani, Ward, Wicks, Zbur, Rivas

NO: Alanis, Ávila Fariás, Castillo, Chen, Davies, DeMaio, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Pacheco, Patterson, Soria, Ta, Tangipa, Wallis

ABS, ABST OR NV: Aguiar-Curry, Bains, Calderon, Carrillo, Gipson, Irwin, Krell, Nguyen, Petrie-Norris, Quirk-Silva, Ramos, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Solache, Valencia, Wilson

UPDATED

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