

Date of Hearing: April 7, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 1604 (Stefani) – As Amended March 12, 2026

SUBJECT: PRODUCT SAFETY: PROOFS OF PURCHASE: INTENTIONALLY ADDED BISPHENOLS

KEY ISSUE: SHOULD INTENTIONALLY ADDED BISPHENOLS BE PROHIBITED FOR USE IN PAPER PROOFS OF PURCHASE?

SYNOPSIS

Bisphenol A, or BPA, as well as other bisphenols are a widely produced chemical that can be utilized in the production of polycarbonate plastics and epoxy resins. Although the adverse health impacts of BPA and other bisphenols are well known, many consumer products still use bisphenols. Among other uses, bisphenols are used in the resins that are utilized in many paper receipts given to consumers across a myriad of transactions. The use of bisphenols in paper receipts is tied back to the way in which ink is heated to quickly print the receipt. However, because of the use of bisphenols in receipts, retail clerks have a disproportionately high level of BPA and other bisphenols in their blood stream.

Recognizing the danger of bisphenols, this bill would ban the intentional addition of the chemical to paper proofs of purchase. The bill requires retailers to utilize the least toxic alternative to bisphenols and authorizes the Department of Toxic Substances Control to adopt regulations to carry out the bill. The bill makes a violation of the bill enforceable by a civil penalty of up to ten thousand dollars.

The bill is supported by a broad coalition of environmental advocates who highlight the potential harms of bisphenols and the need to reduce retailer employees' exposure to the toxic chemical. The bill is opposed, unless amended, by the California Restaurant Association who appear to contend that the civil penalties impose strict liability on restaurants, despite the fact that the bill seems to utilize a preponderance of the evidence standard which is the default standard in all civil penalty enforcement bills. The Restaurant Association also contends the bill does not allow businesses to utilize existing inventory and does not account for the market availability of alternative products. The latter two issues were considered by the Assembly on Environmental Safety and Toxic Materials, which passed this bill unanimously.

SUMMARY: Prohibits paper proof of purchase receipts from containing intentionally added bisphenols. Specifically, **this bill:**

- 1) Prohibits, commencing January 1, 2027, a paper proof of purchase provided to a consumer by a business or created by a manufacturer from containing intentionally added bisphenol A.
- 2) Prohibits, commencing January 1, 2028, a paper proof of purchase provided to a consumer by a business or created by a manufacturer from containing any form of intentionally added bisphenol.

- 3) Authorizes the Department of Toxic Substances Control to adopt any regulations necessary to implement the prohibitions specified in 1) and 2).
- 4) Requires a manufacturer to use the least toxic alternative, and prohibits any alternative that is known to be carcinogenic to humans, when replacing any form of bisphenol in a paper proof of purchase product.
- 5) Requires the Department of Toxic Substances Control to post any violation or enforcement based on the prohibitions of 1) and 2) on its internet website.
- 6) Authorizes the Department of Toxic Substances Control, the Attorney General, a district attorney, a county counsel, or a city attorney to enforce the prohibitions of 1) and 2) and for a violation to be punishable by a civil penalty not to exceed five thousand dollars (\$5,000) for a first violation, and not to exceed ten thousand dollars (\$10,000) for each subsequent violation.
- 7) Defines the following terms:
 - a) “Bisphenol” means a chemical with two phenol rings connected by a single linker atom, although the linker atom and phenol rings may have additional substituents;
 - b) “Business” means a person that accepts payment through cash, credit, or debit transactions but does not include a health care provider, as defined, or an entity organized as a nonprofit institution that has annual gross sales receipts of less than two million dollars (\$2,000,000);
 - c) “Consumer” means a person who purchases, and does not offer for resale, food, alcohol, other tangible personal property, or services;
 - d) “Intentionally added bisphenol A” means bisphenol A (CAS no. 80-05-7) that a manufacturer has intentionally added to a product and that has a functional or technical effect in the product, including bisphenol A that is an intentional breakdown product of an added chemical that also has a functional or technical effect in the product;
 - e) “Intentionally added bisphenols” means bisphenols that a manufacturer has intentionally added to a product and that have a functional or technical effect in the product, including bisphenols that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product;
 - f) “Manufacturer” means the person that makes the paper for the paper proof of purchase using raw materials, machinery, or both;
 - g) “Person” means any individual, firm, association, organization, partnership, limited liability company, business trust, corporation, or company; and
 - h) “Proof of purchase” means a receipt for the retail sale of food, alcohol, or other tangible personal property, or for the provision of services, provided at the point of sale.
- 8) Makes various findings and declarations.

EXISTING LAW:

- 1) Defines "bisphenol," as it relates to a juvenile's feeding product or juvenile's sucking or teething product, as a chemical with two phenol rings connected by a single linker atom, even if the linker atom and phenol rings may have additional substituents. (Health and Safety Code Section 108942.)
- 2) 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 the Department of Toxic Substances Control. (Health and Safety Code Section 108940 (a).)
- 3) Requires a manufacturer to use the least toxic alternative when replacing any form of bisphenol in a juvenile's feeding product or juvenile's sucking or teething product. Prohibits a manufacturer from replacing any form of bisphenol pursuant to these provisions with chemicals known to cause cancer or reproductive harm, or with any chemical identified by the Department of Toxic Substances Control as a Candidate Chemical through its Safer Consumer Products Program. (Health and Safety Code Section 108941.)
- 4) Requires, in accordance with the Safer Consumer Products Program, the Department of Toxic Substances Control 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. (Health and Safety Code Section 25252.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: For well over a decade, a growing body of scientific evidence demonstrates the potential harms to human health that emanate from exposure to certain chemicals frequently found in plastics and other forms of packaging. Specific to this measure, bisphenols are plastic resins frequently used in a range of consumer products that have been associated with endocrine disruptions in humans and other mammals. (Rudel et al, Food Packaging and Bisphenol A and Bis(2-Ethyhexyl) Phthalate Exposure: Findings from a Dietary Intervention (Jul. 2011) 119 *Enviro. Health Prospective* 7, available at:

<https://drive.google.com/file/d/1ZNwH5x4EzjPbi0u4n9GzILWsRpjY3csi/view?usp=sharing>.)

One particularly dangerous, yet seemingly innocuous, form of exposure to bisphenols stems from the chemicals use in thermal papers used in paper consumer receipts. Because these receipts use thermal printing, the bisphenols are heated when the ink is applied and the chemical can then leech off the receipt onto a consumer hands, come into contact with the consumer's purchased goods, or spread onto a consumer's clothing should they stick the receipt in their pocket. Seeking to eliminate this avenue for exposure to toxic bisphenols, this bill would prohibit the use of any intentionally added bisphenols in consumer receipts by 2028. In support of this bill, the author states:

AB 1604 will better protect public health and the environment in California by eliminating harmful bisphenol chemicals from paper receipts. Beginning January 1, 2027, manufacturers and businesses will no longer be allowed to use BPA in receipts, with a full phase-out of all bisphenol chemicals by January 1, 2028. These chemicals have been linked to detrimental health issues for women and children, which are known to cause reproductive, developmental, and behavioral harm. By removing bisphenols from receipts, this legislation helps reduce daily exposure to toxic substances and prevents contamination in recycling and

composting systems – prioritizing health, safety, and environmental responsibility for all Californians.

Bisphenols and the risk to human health. Bisphenol A, or BPA, is a widely produced chemical that is utilized in the production of polycarbonate plastics and epoxy resins. (Banadekakshan et al, *Bisphenol A and its alternatives in Austrian thermal paper receipts, and the migration from reusable plastic drinking bottles into water and artificial saliva using UHPLC-MS/MS* (Jan. 2022) 286 Chemosphere 3, available at:

https://www.sciencedirect.com/science/article/pii/S0045653521023146?dgcid=rss_sd_all.) As the health impacts of BPA became more widely understood, many environmental regulators began to restrict the chemical's use in consumer products. Indeed, scientific studies noted that BPA impacted the endocrine system and threatened reproductive, developmental, neurological, immune, metabolic and cardiovascular toxicity, mammary gland changes, carcinogenicity, genotoxicity and epigenetic changes. (Dong et.al, *Parental exposure to bisphenol A and its analogs influences zebrafish offspring immunity* (2018) 610 Sci. Total Environ. 291, 297, available at: <https://doi.org/10.1016/j.scitotenv.2017.08.057>.)

Seeking alternatives to BPA, many plastic manufacturers moved toward using other classes of bisphenols. However, recent European studies are beginning to suggest other categories of bisphenols posed risks to human health similar to BPA. Indeed, one study noted that 14 bisphenols migrated from plastic beverage containers into the beverages themselves.

(Banadekakshan et al, *Bisphenol A and its alternatives in Austrian thermal paper receipts, and the migration from reusable plastic drinking bottles into water and artificial saliva using UHPLC-MS/MS, supra.*) Given that evidence suggests the BPA replacements continue to leach into food and drink products and that these chemicals pose similar risks to BPA, a growing scientific consensus suggests that bisphenols as a class of chemicals needs further regulation. (*Ibid.*)

One particularly insidious way that many Californians are exposed to bisphenols is through touching paper receipts utilized in virtually every in-person consumer transaction. In order to expedite the printing of consumer receipts, many retailers utilize thermal printers. These printers heat the ink and paper for the receipt to expedite the printing process. Because of the chemical's durability, many consumer receipts are coated in bisphenols. However, because bisphenols are absorbed through the skin, these heated receipts can transmit the chemical from a paper receipt onto human skin in seconds. Indeed, one study noted that retail clerks have 30 percent higher concentrations of bisphenols in their blood than those who do not have regular contact with receipts. (John Warner, *BPA Coats Cash Register Receipts*, Environmental Working Group (July 27, 2010) available at: <https://www.ewg.org/research/bpa-coats-cash-register-receipts>.)

This bill would eliminate the use of bisphenols in consumer receipts. Recognizing the harm that bisphenols can pose to human health, this bill would ban the use of bisphenols in consumer receipts by 2028. Recognizing that BPA is particularly harmful to human health, and steps are already being taken to phase out BPA's use across the economy, the bill would immediately ban the use of BPA in receipts. The bill adopts various definitions and limits its application to large businesses that are not non-profits or in the healthcare field. The bill would impose civil penalties, brought in a civil action instituted by public prosecutors, of \$5,000 for a first violation and \$10,000 for all subsequent violations of the bill's prohibitions. Finally, the measure makes various findings and declarations regarding the harm bisphenols pose to human health.

Recognizing the highly toxic nature of bisphenols in receipts, unlike several prior bills related to the chemical, this bill outright bans their use. This bill is the latest in a series of bills heard by this Committee in recent years seeking to provide the Department of Toxic Substances Control with the authority to regulate the concentration of harmful chemicals in consumer products. In 2024, this Committee heard and approved both AB 2515 (Papan) Chap. 1008, Stats. 2024, which tasked the Department with regulating the use of PFAS chemicals in menstrual products, and SB 1266 (Limon) Chap. 790, Stats. 2024, which regulated the use of bisphenols in baby products. Both AB 2515 and SB 1266 adopted a regulatory framework that tasked the Department of Toxic Substances with determining safe chemical exposure levels and then prohibiting products with chemical concentrations above the Department's established limits. Similarly, AB 1148 (Sharp-Collins, 2025) would have required the Department to establish a safe level of exposure to BPA and other bisphenols in food packaging.

However, this bill recognizes the extreme, and needless, risk of bisphenol exposure from touching consumer receipts. Given that paper does not have to be treated with bisphenols to create an effective receipt, this bill outright bans the substance's presence in receipts. Unlike other consumer products where bisphenols provide some benefit to the products' integrity, and thus should be minimized but not outright banned, the author and sponsors of this measure posit that no amount of bisphenols are merited in consumer receipts. Given the extensive research on the harms of bisphenols provided to the Committee by the author, this approach appears prudent.

Opposition appears to adopt an overly broad interpretation of the bill's enforcement provisions. The bill is opposed, unless amended, by the California Restaurant Association. Of note to this Committee, they contend the enforcement provisions create unnecessary liability. On this topic the Restaurant Association writes:

We are concerned that AB 1604 allows unnecessary liability to exist. Despite restaurants having no control over what receipt paper is sold, labeled, and manufactured, AB 1604 still holds them liable for penalties of \$5,000 for the initial instance, and \$10,000 for all subsequent instances where a restaurant may (unknowingly) provide a proof of purchase containing BPA & S, respectively. This is true even if they purchased receipt paper that was marketed or labeled as being bisphenol-free.

By arguing that a restaurant would be liable even if they unknowingly utilize receipts containing bisphenols, it appears that the Restaurant Association is contending this bill imposes strict liability. However, the bill itself uses the term "intentionally added" through the prohibitions described in the bill and authorizes "civil penalties." Traditionally, absent additional language in a bill imposing strict liability, civil penalties are still treated as traditional civil actions that must be proved by a preponderance of the evidence. This does not equate to strict liability. This is compounded by the repeated references to the intent of adding bisphenols to receipts. The use of "intent" signals the bill is designed to predicate liability on an intentional act and not an unknowing violation of the law. Nonetheless, *if additional clarity to the enforcement provisions of the bill will satisfy the concerns of the opposition, should this bill advance, the author is strongly urged to consider clarifying amendments to ensure liability is not unnecessarily imposed on retailers.*

ARGUMENTS IN SUPPORT: This bill is supported by a coalition of environmental advocates including Californians Against Waste and the Environmental Working Group. A coalition letter in support of this measure states:

Exposure to bisphenols is widespread and continuous. Center for Disease Control data show that roughly 90% of Americans carry bisphenol A (BPA) and bisphenol S (BPS) in their bodies. These chemicals disrupt hormonal systems that regulate growth, fertility, and development, even at very low levels. Because BPA and BPS closely resemble estrogen, they are often described as “estrogen mimickers,” with early-life exposures posing the greatest risk.

Thermal receipt paper is a major and preventable source of exposure, as bisphenols are readily absorbed through the skin. While everyone who shops is affected, cashiers face the highest risk. Occupational studies show that cashiers have significantly higher BPA and BPS levels. According to 2024 U.S. Bureau of Labor Statistics data, nearly 70% of cashiers are women and over 75% are of childbearing age, a population especially vulnerable to endocrine-disrupting chemicals.

Bisphenols are linked to serious health harms, including low birth weight, infertility, obesity, and increased cancer risk, and both BPA and BPS are listed under California’s Proposition 65 for reproductive harm. The shift from BPA to BPS in receipt paper represents a regrettable substitution. The 2023 Ecology Center report Receipt Deceit found that nearly 80% of receipts tested contained BPS, even as BPA declined to about 1%, underscoring the need to regulate bisphenols as a class. Encouragingly, the same study found that non-bisphenol alternatives increased from 2% of receipts in 2017 to 20% in 2023, demonstrating that safer options are feasible.

Not only are intentionally added bisphenols incredibly toxic, but they also render the receipt paper unrecyclable and a persistent, hazardous contaminant in paper bales. California recycling guidance commonly instructs residents to trash thermal receipts because the bisphenol coating makes them unrecyclable and toxic; when mixed into fiber bales it can spread bisphenols into the recycled pulp stream. This undermines fiber quality, the viability of recycling markets, and the safety of materials containing recycled content. Peer-reviewed evidence has shown that paper recycling can carry bisphenols into recycled paper products (e.g., detectable BPA in recycled tissue/napkins), demonstrating how receipt paper acts as a contaminant in recycled fiber systems and imperils broader recycled feedstock.

ARGUMENTS IN OPPOSITION: As noted, the bill is opposed, unless amended, by the California Restaurant Association. In addition to the above articulated concerns, the Restaurant Association notes:

In its current form, AB 1604 does not allow for the use of existing stock. Allowing the use of manufactured stock before the effective date of the restriction would limit unnecessary waste and contribute to a smooth transition to bisphenol-free receipt products. Those products will have already been produced, so any environmental impact from that production has already occurred. Without this allowance, all existing stock of paper receipts that do not comply with AB 1604 would be discarded, resulting in double the waste sent to landfills and double the cost for restaurants to purchase receipt paper in compliance with AB 1604. This is a sensible fix and would ease compliance.

The above-mentioned points are modeled after the upstream intervention strategy deployed by the Washington Department of Ecology’s regulations concerning Bisphenol use in consumer products, which AB 1604 directly mentions.

Chapter 173-337 WAC - Safer Products Restrictions And Reporting Regulations explicitly levies fines against manufacturers, not consumers, and provides an allowance for the use of existing stock. Additionally, Washington's Department of Ecology also has a program that helps small businesses transition away from the use of these products.

We would welcome a collaborative approach over a punitive one. Ultimately, focusing on upstream solutions and allowing existing stock usage would accomplish the shared goal of phasing out the use of this paper while eliminating unwarranted harm to neighborhood restaurants, who already grapple with operating in one of the nation's toughest restaurant operating environments.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
350 Contra Costa Action
A Voice for Choice Advocacy
American College of Obstetricians & Gynecologists - District IX
American Sustainable Business Network
Ban SUP
Between the Waters
Beyond Plastics
Blue Ocean Warriors
Breast Cancer Prevention Partners
California Black Health Network
California Climate Action Now!
California Communities Against Toxics
California Health Coalition Advocacy
California Product Stewardship Council
Californians Against Waste
CALPIRG, California Public Interest Research Group
Clean Earth 4 Kids
Clean Water Action
Community Environmental Council
Courage California
Earthday.org
Ecology Center
Endangered Habitats League
Environmental Action Committee of West Marin
Environmental Working Group
Facts: Families Advocating for Chemical & Toxics Safety
Friends Committee on Legislation of California
Glendale Environmental Coalition
Global Alliance for Incinerator Alternatives
Green America
Green Science Policy Institute
Healthy Children Project, Inc.
I'm Hoi Strategies

Just Zero
Natural Resources Defense Council
Northern California Recycling Association
Pacific Environment
Physician and Scientist Network Addressing Plastics and Health
Physicians for Social Responsibility - Los Angeles
Physicians for Social Responsibility - San Francisco Bay
Plastic Pollution Coalition
San Francisco Baykeeper
Santa Cruz Climate Action Network
Sunrise Bay Area
The Climate Reality Project, Los Angeles Chapter
The Keep a Breast Foundation
The Last Beach Cleanup
The Last Plastic Straw
The Story of Stuff Project
Trillium Asset Management
Worksafe
Yosemite Rivers Alliance
Zero Waste Ithaca
Zero Waste San Diego

Opposition

California Restaurant Association (unless amended)

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