

ASSEMBLY THIRD READING
AB 1744 (Addis and Hart)
As Amended April 9, 2026
Majority vote

SUMMARY

Provides that it is unlawful for a person to represent in advertising or on the label or container of any sunscreen product sold in the state that the product is "reef safe," "reef friendly," "ocean safe," "marine safe," "ocean friendly," "marine conscious," "reef conscious," or a similar term or phrase likely to cause a reasonable consumer to believe that the product does not harm marine ecosystems unless the product does not contain any of the specified chemical ultraviolet (UV) filters.

Major Provisions

COMMENTS

State cosmetic regulatory requirements: California has two laws governing the safety of cosmetics. The first is the Sherman Food, Drug, and Cosmetic Act (Sherman Act), established by SB 1360 (Committee on Health and Human Services, Chapter 415, Statutes of 1995), which is administered by the California Department Public Health (CDPH) to regulate cosmetics. It broadly defines a cosmetic as any article, or its components, intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance.

The other law is the California Safe Cosmetics Act (Cosmetics Act), established by SB 484 (Migden, Chapter 729, Statutes of 2005). It requires, for all cosmetic products sold in California, the manufacturer, packer, and/or distributor named on the product label to provide CDPH a list of all cosmetic products that contain any ingredients known or suspected to cause cancer, birth defects, or other reproductive harm. CDPH maintains an active, searchable database with all the data collected from manufacturers under the Cosmetics Act. CDPH is required to make that data user-friendly and available to the public. To date, 1,428 companies have reported 169,545 products and 390 ingredients to CDPH [a recent search of the database found over 3,000 entries for sunscreen products]. CDPH does not have any enforcement authority or penalty authority over the manufacturers that are covered, so not all manufacturers are currently complying and submitting their products' information. State law does not currently contain a mechanism that would allow the state to compel these manufacturers to comply.

Federal cosmetics regulatory requirements: Neither the federal Food and Drug Administration (FDA) nor CDPH require premarket safety testing, review, or approval of cosmetic products. Under the federal Food Drug and Cosmetic Act (FD&C Act), cosmetics and their ingredients are not required to be approved before they are sold to the public, and the FDA does not have the authority to require manufacturers to file health and safety data on cosmetic ingredients or to order a recall of a dangerous cosmetic product.

Skincare chemicals and coral reefs: According to the National Oceanic and Atmospheric Administration (NOAA),

"Healthy coral reefs are one of the most valuable ecosystems on Earth. They provide billions of dollars in economic and environmental services, such as food, coastal protection, and tourism. However, coral ecosystems around the world face serious threats from a number of sources, including climate change, unsustainable fishing, land-based pollution, coastal development, disease, and invasive species.

Scientists have also discovered that some of the chemicals found in sunscreen and other personal health products threaten the health of coral reefs. How these, and other compounds, affect reef ecosystems remains an active area of research. In August 2022, the National Academy of Sciences released a study [referenced later in this analysis] which reviews the state of the science on the use of sunscreen ingredients and their environmental impacts.

Overall the study found that specific (chemical) UV filters found in chemical sunscreen can harm aquatic life, including corals, and therefore, a more comprehensive ecological risk assessment of all UV filters in chemical sunscreen is needed. Mineral sunscreen, which does not use (chemical) UV filters, is considered a better option because there are less effects to aquatic organisms. Wearing UV protective clothing, like sun shirts and pants, is also a great option."

Effects of sunscreens on aquatic environments: According to the National Academies of Sciences, Engineering, and Medicine 2022 article "*Review of Fate, Exposure, and Effects of Sunscreens in Aquatic Environments and Implications for Sunscreen Usage and Human Health,*"

"UV (ultraviolet) filters, which are the active ingredients in sunscreens that reduce the amount of UV radiation reaching the skin, have been detected in water, sediments, and marine life in both saltwater and freshwater aquatic environments. Their presence, while itself not indicative of environmental harm, has led to a rapid increase in research on their potential environmental impact. However, the use of sunscreens is a critical tool for helping people reduce their risk of sunburn and skin cancer and slow the pace of skin aging. There are currently 17 UV filters that can be found in sunscreen products marketed in the United States, though not all are in common use.

UV filters in sunscreens absorb, reflect, and/or scatter the sun's rays to reduce the amount of UV radiation that reaches the skin. UV filters are also used in a variety of other products, including cosmetics, hair and skin care products, insect repellents, and other consumer and industrial applications.

The following are [chemical] UV Filters: Aminobenzoic acid; Avobenzone; Cinoxate; Dioxybenzone; Ecamsule; Ensulizole; Homosalate; Meradimate; Octinoxate; Octisalate; Octocrylene; Oxybenzone; Padimate O; Sulisobenzene; and, Trolamine Salicylate.

Laboratory observations show that, in high enough concentrations, some UV filters can be toxic to algal, invertebrate, and fish species. However, studies are lacking across a diversity of species, particularly marine species, and are challenged by the absence of standard test methods for many species of importance, such as corals."

This bill: AB 1744 does not ban sunscreen. This bill prohibits a person from marketing their product as being safe for reefs, the ocean or marine life if the product contains any specified chemical UV filters that studies have shown to have some toxicity to aquatic life.

According to the Author

"Using misleading or factually untrue labels on products is a deceptive practice that not only breaks consumer trust but also creates unfair competition against honest brands. We have seen this in recent years with sunscreen products that market themselves as 'reef safe' or otherwise 'reef friendly' because companies know that there is a market for people who genuinely care about the environment. Rather than develop products that are truly safe based on the best available science, these companies sell mislabeled goods in an attempt to capitalize on the demand for 'greener' products. As a result, the average consumer is more likely to use sunscreen that harms the environment because the label told them it was reef safe. This practice has directly harmed aquatic life, particularly corals, which are already facing the threats associated with climate change. AB 1744 will help ensure that consumers can make truly informed choices when buying sunscreen without the fear of being misled by unfair mislabeling practices."

Arguments in Support

According to the Eco Club (students from C.K. McClatchy High School, Sacramento, California):

"The Eco Club of C.K. McClatchy High School is pleased to sponsor AB 1744 (Addis & Hart), which prohibits a manufacturer from labeling or advertising a sunscreen product sold in California as "reef safe," "reef friendly," "ocean safe," "marine safe," or any similar claim unless the product contains no chemical ultraviolet filters.

Scientific research and findings from the National Oceanic and Atmospheric Administration (NOAA), as well as peer-reviewed studies, show that chemicals used in many sunscreens - including oxybenzone, octinoxate, and octocrylene - can harm rocky reefs, corals, kelp and other marine life by disrupting photosynthesis, damaging DNA, and causing coral bleaching. When people (swimmers, divers, etc.) enter the water, these chemicals wash off and accumulate in coastal habitats, where even trace levels can affect coral larvae, algae, and fish populations. They can damage marine vegetation such as kelp and seagrass, which are essential components of rocky reef ecosystems, providing food and habitat for many marine species. This evidence has prompted some jurisdictions to ban certain chemical UV filter ingredients, including the State of Hawaii for certain chemicals and Maui for all active chemical ingredients.

Despite growing awareness of these harms, some sunscreen products containing chemical UV filters are still being marketed in non-ban states, such as California, as "reef safe," misleading consumers and undermining marine protection efforts. These false environmental claims exploit consumers desire to buy eco-friendly products, give unfair market advantages, and perpetuate damage to marine ecosystems.

AB 1744 addresses the problem through a truth-in-advertising approach: it removes the ability of companies to claim environmental safety if their products contain chemical UV filters associated with ecological harm.

We believe by tying "reef safe" claims exclusively to products free of chemical UV filters, AB 1744 will close a marketing loophole, prevent greenwashing, and reduce consumer confusion while reinforcing protection of California's sensitive marine ecosystems."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, enactment of this bill may result in incarceration costs to counties, possibly in excess of \$150,000; actual incarceration costs will depend on the number of convictions and the length of each sentence.

VOTES**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0**

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

ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0

YES: Lowenthal, Macedo, Bryan, DeMaio, Hart, Hoover, Irwin, McKinnor, Ortega, Patterson, Pellerin, Petrie-Norris, Ward, Wicks, Wilson

ASM APPROPRIATIONS: 14-1-0

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

NO: Tangipa

UPDATED

VERSION: April 9, 2026

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