
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

2025 - 2026 Regular

Bill No: AB 1744
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Version: 4/9/2026
Urgency: No
Consultant: Taylor McKie

Hearing Date: 6/24/2026
Fiscal: Yes

SUBJECT: Environmental advertising: sunscreen

DIGEST: This bill prohibits a person from representing in advertising or on the label or container of any sunscreen that the product does not harm marine ecosystems, unless it does not contain chemical ultraviolet filters, as specified.

ANALYSIS:

Existing federal law:

- 1) Requires, pursuant to the federal Food, Drug & Cosmetic Act (FD&C Act), cosmetics produced or distributed for retail sale to consumers for their personal care to bear an ingredient declaration. (21 Code of Federal Regulations (CFR) § 701.3)
- 2) Deems an over-the-counter (OTC) sunscreen drug product in a form suitable for topical administration as generally recognized as safe and effective and not misbranded if it meets specified conditions in regulation. (21 CFR §§ 352 et seq.)

Existing state law:

- 1) Defines, pursuant to the Sherman Food, Drug, and Cosmetic Law (Sherman Act), “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. Provides that the term “cosmetic” does not include soap. (Health & Safety Code (HSC) § 109900)
- 2) Requires, pursuant to the Safe Consumer Cosmetic Act (Cosmetics Act), a manufacturer of a cosmetic that is subject to regulation by the U.S. Food and Drug Administration (FDA) to submit to the California Department of Public Health (CDPH) a list of its cosmetic products sold in California that contain

any ingredient that is a chemical identified as causing cancer or reproductive toxicity. (HSC § 111792)

- 3) Provides that it is unlawful for a person to make an untruthful, deceptive, or misleading environmental marketing claim, whether explicit or implied. (Business and Professions Code (BPC) § 17580.5)
- 4) Provides that any violation of the law governing environmental representations is a misdemeanor punishable by imprisonment in the county jail not to exceed six months, or by a fine not to exceed two thousand five hundred dollars (\$2,500), or by both. (BPC § 17581)

This bill:

- 1) Prohibits a person from representing in advertising or on the label or container of any sunscreen that the product does not harm marine ecosystems, as specified, unless the product does not contain any chemical ultraviolet filters, as specified.
- 2) Specifies that “sunscreen product” includes any over-the counter drug regulated by the FDA that is intended to protect users from ultraviolet radiation, including but not limited to lotions, sprays, sticks, gels, and solids.
- 3) Specifies that the proposed provisions do not exempt a person from the requirements related to substantiation of environmental marketing claims.

Background

- 1) *Regulating cosmetics in California.* California has two laws governing the safety of cosmetics. The first is the Sherman Act, established by SB 1360 (Committee on Health and Human Services, Chapter 415, Statutes of 1995), which is administered by 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 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, including 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 may comply and submit their products' information. State law does not currently contain a mechanism that would compel manufacturers to comply.

Federally, under the FD&C Act, cosmetics and their ingredients are not typically required to be tested for safety, reviewed, or approved before they are sold to the public. Sunscreens are classified as over-the-counter (OTC) drugs by the FDA. An OTC sunscreen drug product in a form suitable for topical administration is generally recognized as safe and effective and is not misbranded if it meets each condition in an OTC monograph and conditions established in federal regulation. The OTC monograph includes testing requirements to ensure protection against UV radiation.¹ These regulations only consider safe use for humans, but no consideration of environmental impacts.

- 2) *Marine beings and sunscreen don't mix.* The use of sunscreen while partaking in coastal recreation introduces a variety of chemicals into the coastal marine ecosystem. While the use of sunscreen is important to protect against ultraviolet (UV) radiation during the day at the beach, the same chemicals that protect humans from skin cancer may cause harm to coral reefs and aquatic organisms.

Sunscreens contain UV chemical filters that either absorb or scatter UV radiation to reduce the risk of sunburn and skin cancer. About 45 UV chemical filters are subjected to regulation globally, and 17 UV chemical filters are found in products marketed in the United States.^{2,3} This bill lists six of those filters: avobenzene, homosalate, octinoxate, octisalate, octocrylene, and oxybenzone. Studies have shown that generally, the UV chemical filters in sunscreens can harm aquatic life, including coral reefs.^{2,4}

¹ U.S. Food and Drug Administration. (2021). [Over-the-Counter Monograph M020: Sunscreen Drug Products for Over-the-Counter Human Use.](#)

² Tovar-Sánchez, A., et. al. (2013). [Sunscreen Products as Emerging Pollutants to Coastal Waters.](#)

³ National Academies of Sciences, Engineering, and Medicine. (2022). [Review of Fate, Exposure, and Effects of Sunscreens in Aquatic Environments and Implications for Sunscreen Usage and Human Health.](#)

⁴ Wheate, N. (2022). [A review of environmental contamination and potential health impacts on aquatic life from the active chemical in sunscreen formulations.](#)

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.⁵ Outside of those environmental stressors, sunscreen ingredients can have the potential to induce coral bleaching, making them more vulnerable to disease and death.^{4,6} However, it is unclear the relative extent sunscreen ingredients contribute to the harm of coral reefs given the various other stressors they are subjected to.

Additionally, research has shown that organic UV chemical filters are toxic at high concentrations and tend to bioaccumulate in aquatic organisms, including algae, arthropods (crabs, lobsters), mollusks, echinoderms (starfish), and marine vertebrates (fish, sea turtles, dolphins).⁷ Biomagnification may also occur, as the contaminants that bioaccumulate at the bottom of the food chain increase in concentration as predators at the top of the food chain feed.⁷ Not only does this impact the health of these marine animals, but humans may also be exposed through seafood consumption.

While studies demonstrate that there is a potential for the marine ecosystem to be harmed by sunscreen ingredients, data is limited.⁷ Experts indicate that a more comprehensive ecological risk assessment of all UV chemical filters in sunscreen is important to better understand the impacts at various biological endpoints and exposure scenarios, and could oversight of UV chemical filters in sunscreens.³

- 3) *Reducing pollution from sunscreen.* Despite the need for further assessment, there are options to reduce or limit the use of sunscreens that contain potentially harmful UV chemical filters. Some states and jurisdictions in the United States, such as Hawaii and the U.S. Virgin Islands, have voted to ban the sale of sunscreen products that contain reef damaging chemicals.⁷ Beachgoers could also turn to alternative solutions to protect themselves from the sun. Mineral sunscreen, which does not use UV chemical filters, is considered a better option because there are less impacts to aquatic organisms or beachgoers could consider wearing UV protective clothing, like sun shirts and pants.

⁵ National Oceanic and Atmospheric Administration. (2016). [Coral reefs: One of Earth's most diverse ecosystems.](#)

⁶ National Oceanic and Atmospheric Administration. (2024). [What is coral bleaching?](#)

⁷ Chatzigianni, M., et al. (2022). [Environmental impacts due to the use of sunscreen products: a mini-review.](#)

There have been lawsuits filed against companies that manufacture sunscreen that claim in advertising or on labels that their products are safe for the ocean or reefs to gain a market advantage.^{8,9,10} Plaintiffs allege that the advertising is false and misleading, as those products will still contain ingredients that are potentially harmful to marine life.

This bill would make it unlawful for a person to represent in advertising or labeling that a sunscreen product is not harmful to marine ecosystems.

Comments

- 1) *Purpose of Bill.* 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 dishonest labeling practices.”

Related/Prior Legislation

AB 60 (Papan, Chapter 432, Statutes of 2025) prohibits, commencing January 1, 2027, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains specified ingredients.

AB 496 (Friedman, Chapter 441, Statutes of 2023) prohibits, commencing January 1, 2027, a person or entity from manufacturing, selling, delivering, holding or

⁸ Combs, L. (2025). [New LawsUIT Raises Concerns Over Labeling of ‘Reef-Safe’ Sunscreens.](#)

⁹ Shaak, E. (2021). [Class Action Alleges Target Falsely Advertised Up & Up Sunscreen as ‘Reef-Conscious’.](#)

¹⁰ Los Gatan. (2025). [In first-of-its-kind sunscreen judgement, Sun Bum settles over false ‘reef friendly’ claims.](#)

offering for sale in commerce any cosmetic product that contains any of the ingredients specified in the bill.

AB 2771 (Friedman, Chapter 804, Statutes of 2022) prohibits any person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any per- or polyfluoroalkyl substance (PFAS).

AB 2762 (Muratsuchi, Chapter 314, Statutes of 2020) prohibits, beginning January 1, 2025, the manufacture, sale, delivery, holding, or offering for sale in commerce of any cosmetic product containing specified intentionally added ingredients.

AB 60 (Friedman, 2019) would have prohibited the sale, offering of sale, or distribution for sale in the state, of any sunscreen that contains oxybenzone, or octinoxate, or both, without a prescription.

SOURCE: McClatchy High School Eco Club

SUPPORT:

A Voice for Choice Advocacy
Consumer Reports
Mcclatchy High School Eco Club
Surfrider Foundation

OPPOSITION:

None received

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