
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

2025 - 2026 Regular

Bill No: AB 1901
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Urgency: No
Consultant: Heather Walters
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Fiscal: Yes

SUBJECT: Children's diapers: intentionally added ingredients: disclosure

DIGEST: This bill requires, by January 1, 2028, manufacturers of children's diapers to list on their web page all intentionally added ingredients in children's diapers; and requires, by January 1, 2029, packages of children's diapers to include a list of all intentionally added ingredients in the diapers

ANALYSIS:

Existing law:

- 1) Under the Cleaning Product Right to Know Act of 2017:
 - a) Defines "confidential business information" (CBI) as any intentionally added ingredient or combination of ingredients for which a claim has been approved by the federal Environmental Protection Agency (U.S. EPA) for inclusion on the Toxic Substances Control Act (TSCA) Confidential Inventory, or for which the manufacturer or its supplier claim protection under the Uniform Trade Secrets Act. Prohibits confidential business information from including any of the following:
 - i) An intentionally added ingredient or combination of ingredients that is on a designated list, as specified and defined;
 - ii) A nonfunctional constituent, as defined; or,
 - iii) A fragrance allergen included in European Union Cosmetics Regulation, as specified, when present in the product at a concentration at or above 100 parts per million (ppm). (Health and Safety Code (HSC) § 108952 (e))
 - b) Requires a manufacturer of specified cleaning products (ie. air care product, automotive product, general cleaning product, or a polish or floor maintenance product used primarily for janitorial, domestic, or institutional cleaning purposes) sold in the state to disclose on the product label specified information, including:

- i) A list of each intentionally added ingredient contained in the product that is included on a designated list, as specified, and a list of specified fragrance allergens when present in the product at a concentration at or above 100 ppm; or,
 - ii) A list of all intentionally added ingredients contained in the designated product, unless it is confidential business information, as defined and specified. (HSC § 108954(a))
 - c) Requires the manufacturer of specified cleaning products sold in the state to post on its internet website, in an electronically readable format, a list of each intentionally added ingredients contained in the product, as specified. (HSC § 108954.5)
- 2) Under the Sherman Food, Drug and Cosmetic Laws, relating to cosmetics ingredients disclosure:
- a) Requires a manufacturer of a cosmetic product sold in the state to disclose the following information to the Division of Environmental and Occupational Disease Control within the State Department of Public Health:
 - b) A list of each fragrance ingredient or flavor ingredient that is included on a designated list, as defined, and present in the cosmetic product.
 - c) A list of each fragrance allergen included in EU Cosmetics Regulation, as specified, that is present in a rinse-off cosmetic product at a concentration at or above 100 ppm or in a leave-on cosmetic product at a concentration at or above 10 parts per million. (HSC § 111792.6 (b)(1))
- 3) Under the Sherman Food, Drug and Cosmetic Laws, relating to menstrual products ingredients disclosure:
- a) Defines "ingredient" as a fragrance ingredient or other intentionally added substance or combination of substances present in the menstrual product, unless the intentionally added substance or combination of substances is confidential business information, as defined, in which case the manufacturer may identify the ingredient by its common name to protect its confidential identity. (HSC § 111822(d))

- b) Requires a package or box containing menstrual products to have printed on the label a plain and conspicuous list, as specified, of all ingredients, as defined, in the product. (HSC § 111822.2(a))
- c) Requires a manufacturer of a menstrual product to post, as specified, on an internet website, in an electronically readable format, the ingredient information that is required to be disclosed on a package or box containing menstrual products. (HSC § 111822.2(b))

This bill:

- 1) Defines “children’s diaper”, “intentionally added ingredients”, and “package”.
- 2) Requires manufacturers’ websites, on or before January 1, 2029, to display the following information, as specified:
 - a) Chemical or raw material name;
 - b) The Chemical Abstract Service (CAS) number; and
 - c) All specific functions or purposes for use in the children’s diapers.
- 3) Requires, children’s diapers’ packaging, on or before January 1, 2029, to display the following information, as specified:
 - a) A list of all the intentionally added ingredients; and
 - b) The website address of the information required above.
- 4) Prohibits the sale, distribution, or manufacture of children’s diapers in the state that do not comply with these requirements.
- 5) Permits DTSC, the Attorney General, a city attorney, county counsel, or district attorney to enforce this chapter, specifically stipulating:
 - a) Violators will be liable for an administrative or civil penalty not to exceed \$5,000 for the first violation and not to exceed \$10,000 for subsequent violations;
 - b) Violations may be assessed for each violation or for each day a violation continues;
 - c) A prevailing party will be entitled to reasonable attorney’s fees and costs; and
 - d) That this does not impair or impede any other rights, causes of action, claims, or defenses available under any other law.
- 6) Authorizes DTSC to adopt regulations to implement, enforce, interpret, or make specific this chapter.

Background

- 1) *Diaper use in the United States.* According to the 2025 *Environmental Science & Technology* article, "Volatile Organic Compounds in Disposable Diapers and Baby Wipes in the US: A Survey of Products and Health Risks," in the United States, people use 27.4 billion disposable diapers each year at a cost that exceeds \$9 billion annually. The article states that the average child will use approximately 7,000 disposable diapers before they are toilet trained. Diapers are used by young children before they are toilet trained, by a subset of children who continue to use them after being toilet trained, and by seniors and others suffering from incontinence, which includes over 20 million women in the United States alone.
- 2) *Components of diapers.* In its March 13, 2026, article, "Does an 'Eco-Friendly' Diaper Really Exist?," *Consumer Reports* explains that a typical disposable child's diaper is comprised of many components, including the following:
 - a) Top sheet: This innermost layer lies directly against a wearer's skin. Typical materials in the top sheet include cotton and plastic materials such as polyethylene and polypropylene.
 - b) Acquisition layer: Moving inward from the top sheet, the acquisition layer temporarily holds waste until it can be dispersed into the core absorbent layer. Typical materials in the acquisition layer include plastic materials such as polyester, polypropylene, and polyethylene.
 - c) Core absorbent layer: The diaper core holds and generally locks in liquid, keeping the surface and wearer's skin dry. Typical materials in the core absorbent layer include super absorbent polymers, cellulose, wood pulp, and fluff pulp.
 - d) Back sheet: The outermost layer of the diaper, also called the outer cover, provides a waterproof barrier to help prevent leaks. Typical materials of back sheets include plastic materials such as polypropylene, polyethylene, and polyurethane, and calcium carbonate.
 - e) Waist closure system: Waist closure systems provide structure to keep the diaper securely fastened. Typical materials include elastics and plastic materials such as polypropylene, polyethylene, and polyurethane.
 - f) Leg cuffs: Leg cuffs prevent leakage and keep the diaper secure. Typical materials include elastics and plastic materials such as polypropylene, polyethylene, and polyurethane.
 - g) Adhesives: Adhesives bind the layers and components of diapers together. Manufacturers typically do not disclose information on adhesives used in diapers; however, some companies list materials such as polyolefin-based adhesives, hydrocarbon resins, synthetic rubber, or styrene-based adhesives.

- h) Inks or pigments: Inks and pigments enhance the whiteness of diaper materials or create designs on diapers. Manufacturers typically do not disclose information on inks and pigments used in diapers; however, some companies list ingredients such as Pigment Blue 15, Pigment Red 57, Pigment Violet 23, titanium dioxide, or D&C Black No. 2.
 - i) Wetness indicators: Some diapers have wetness indicators that alert caregivers to moisture in the diaper by changing colors. Manufacturers typically do not disclose information on wetness indicators in diapers; however, two diaper companies evaluated by *Consumer Reports* list bromocresol green, a pH-sensitive dye.
 - j) Fragrances: Fragrances are used to mask odors in diapers. Manufacturers typically do not disclose information on fragrances in diapers due to trade secret interests.
 - k) Lotions or ointments: Lotions or ointments are used in some diapers to condition wearer's skin. Typical materials include petrolatum, mineral oil, stearyl alcohol, aloe extract, and other plant extracts.
- 3) *Exposure due to chemicals in diapers.* The 2025 *Environmental Science & Technology* article describes that diapers are in constant and immediate contact with skin. Young children and older adults, both of whom have thin and sensitive skin that is highly vulnerable to chemical exposure, wear the vast majority of diapers. For healthy individuals, the skin forms a strong protective barrier; however, repeated exposure to urine, feces, and excessive moisture may weaken the skin barrier. Additionally, some diaper users have growing, damaged, or deteriorated skin, conditions that can increase the risk of dermal complications such as diaper dermatitis. Diapers also contact external genitalia and tissues, such as the vulva, that have high chemical permeability.

Comments

- 1) *Purpose of Bill.* According to the author, "As a new dad, I have a new appreciation for how important it is for parents to make informed decisions when it comes to the health and wellness of their children. We all want the best for our children, but the lack of transparency around diaper ingredients prevents us from knowing what 'the best' is when buying the one thing that is touching our baby's skin every minute of their lives for years.

"Recent testing shows many diapers are made with ingredients linked to health and environmental concerns. These include phthalates, which are linked to hormone disruption, and bleaching agents, which can cause skin and respiratory irritation. Volatile organic compounds are often used in diapers and can include hazardous air pollutants, which are associated with respiratory and other health harms. In addition, certain wetness indicators and colorful designs

may contain harmful compounds, heavy metals, or dyes that can cause allergic contact dermatitis.

“AB 1901 would require manufacturers of children’s diapers sold, distributed, or manufactured in California to clearly label all ingredients on both the product’s packaging and online. This will give parents greater transparency into what chemicals are in their children’s diapers so that they can make informed decisions that are the right choice for their family”

- 2) *How much transparency are we talking here?* As written, AB 1901 would require “a list of all of the children’s diaper’s intentionally added ingredients” on the packaging and manufacturer’s website. Intentionally added ingredients is itself defined as “a chemical, or chemicals, that a manufacturer has intentionally added to children’s diapers and that has a functional or technical effect in the product, including a component of an intentionally added chemical, or an intentional breakdown product of an added chemical, that also has a functional or technical effect in children’s diapers.” In other words, if manufacturers put it in the diapers, it has to be listed.

This approach differs from prior “right to know” laws passed by this Legislature—an issue the opposition to this measure takes issue with. The Menstrual-, Cosmetics-, and Cleaning Products Right to Know Acts (passed in 2020, 2020, and 2017, respectively) made use of an approach to confidential business information (CBI) where CBI was defined as any intentionally added ingredient that was both accepted as secret under federal law (i.e. either had been approved by the U.S. EPA for inclusion on the Toxic Substances Control Act’s confidential inventory or for which there is protection under the Uniform Trade Secrets Act) and which was *not* on a designated list or a known fragrance allergen. In other words, even if an ingredient was permitted to be kept as secret under a federal law, if it appeared on a list (such as known carcinogens or neurotoxins) it still had to be disclosed.

The regulated industry believes that the previous approach to CBI protections struck an appropriate balance between consumer protection (by ensuring reporting of most chemicals known to be a significant health risk) and corporate interests (by still permitting trade secret protections for ingredients not on those lists). However, the author and sponsors posit that the implementation of those past laws has led to unhelpful information disclosed on labels. Specifically, they state that because of the labeling provisions in, for example, the Menstrual Products Right to Know Act, a number of specific chemicals (that may be of interest to consumers) are collectively together described only by their function, such as “adhesive”. The author and sponsors

further argue that a higher standard of disclosure has been applied to other recent bills affecting products used by infants (such as baby food), and that the California Legislature should continue to push for greater disclosure of ingredients, especially in products used by such vulnerable populations. Given this tradeoff and history, maintaining the highest possible degree of disclosure may be warranted for children's diapers.

- 3) *Change takes time.* Diapers available for purchase on store shelves are the end result of a complex and distributed supply chain. The trade association representing diaper manufacturers have argued that complying with updated labeling requirements would require roughly 18 months of lead time, presumably to update the labels, distribute the product, and deplete existing stocks.

Although DTSC (and others) would have discretion in how to enforce these requirements, there could be value in adding certainty to manufacturers and retailers in ensuring that they will have a grace period to switch over their stocks. If this makes it easier for the law to ultimately be enacted and upheld, such a relatively short-term delay in full compliance may indeed be worth it.

The committee may wish to consider including a sell-through provision providing an additional 6-month window for the requirements to be enforceable on packaging sold in stores.

- 4) *An ingredient by any other name.* Labeling chemicals in products is easier said than done; for example, the aroma of an apple is primarily the result of a complex mix of over 300 compounds, primarily a variety of esters, alcohols, aldehydes, ketones and ethers.¹ Where does one draw the line as to what is useful and helpful to consumers?

As written, AB 1901 takes the approach of requiring the Chemical Abstract Service (CAS) number of any intentionally added ingredient on the manufacturer's website (as well as a list of the ingredients on the diapers' box). According to the CAS website, a CAS number is, "a unique and unambiguous identifier for a specific substance that allows clear communication and, with the help of CAS scientists, links together all available data and research about that substance. Governmental agencies rely on CAS Registry Numbers for substance identification in regulatory applications because they are unique, easily validated, and internationally recognized."

¹ Espino-Díaz M, Sepúlveda DR, González-Aguilar G, Olivas GI. Biochemistry of Apple Aroma: A Review. Food Technol Biotechnol. 2016 Dec;54(4):375-397. doi: 10.17113/ftb.54.04.16.4248. PMID: 28115895; PMCID: PMC5253989.

Although there are other conventions used for labeling chemicals in products, such as the Personal Care Product Council’s “International Nomenclature Cosmetic Ingredient” (or INCI) system.² According to that website, an advantage of INCI is that, “Dermatologists and others in the medical community are ensured an orderly dissemination of scientific information, which helps to identify agents responsible for adverse reactions. Scientists are ensured that information from scientific and other technical publications will be referenced by a uniform name; and that multiple names for the same material will not lead to confusion, misidentification, or the loss of essential information. It also enables the cosmetic industry to track the safety and the regulatory status of ingredients efficiently on a global basis, enhancing its ability to market safe products in compliance with various national regulations. And finally, transparency is provided to consumers as ingredients are identified by a single labeling name regardless of the national origin of the product.”

At the end of the day, the value of these disclosure bills is in consumers’ ability to make informed decisions about the products they buy. Although systems like INCI may make certain comparisons and interpretations slightly simpler, that does not change the fact that CAS is the international standard for chemical identification. This is reflected in the fact that a number of other recent labeling laws make use of CAS, such as the Right to Know laws covering cleaning products and cosmetics. To err on the side of ensuring consumers get the most complete and accurate information, CAS may indeed be the best system of nomenclature to use for children’s diapers.

- 5) *Committee amendments. Staff recommends the committee adopt the bolded amendments in comment 3 above.*

Related/Prior Legislation

AB 1989 (Cristina Garcia, Chapter 272, Statutes of 2020). Requires a package containing menstrual products that was manufactured on or after January 1, 2023, to have printed on the label a plain and conspicuous list of all ingredients, as defined and specified, in the product, by weight. Requires the same information to be posted on an internet website, as specified. Prohibits the sale of a menstrual product unless the menstrual product and the manufacturer of the menstrual product comply with the specified labeling requirements of the bill.

SB 312 (Leyva, Chapter 315, Statutes of 2020). Requires, commencing January 1, 2022, a manufacturer of a cosmetic product sold in the state to disclose to the Division of Environmental and Occupational Disease Control within the State

² Personal Care Products Council – INCI. <https://www.personalcarecouncil.org/resources/inci/>

Department of Public Health a list of each fragrance or flavor ingredient that is included on a designated list, as defined, and a list of each fragrance allergen that is present in the cosmetic product in specified concentrations. Requires, commencing January 1, 2022, the Division of Environmental and Occupational Disease Control to post on its existing database of cosmetic product information a list of those fragrance and flavor ingredients and their associated health hazards.

SB 258 (Lara, Chapter 258, Statutes of 2017). Requires a manufacturer of a specified cleaning product to disclose, as specified, on the product label and on the product's internet website information related to chemicals contained in the designated product. Prohibits the sale in the state of a designated product that does not satisfy these requirements.

SOURCE: Environmental Working Group

SUPPORT:

A Voice for Choice Advocacy
Alliance of Nurses for Healthy Environments
Breast Cancer Prevention Partners
California Environmental Voters
California Nurses for Environmental Health & Justice
California Product Stewardship Council
California Safe Schools
Center for Community Action and Environmental Justice (CCA EJ)
Center for Environmental Health
Children Now
Clean Water Action
Cleaneart4kids.org
Consumer Federation of America
Consumer Federation of California
Consumer Reports
Environmental Health Sciences
Environmental Working Group
Facts: Families Advocating for Chemical & Toxics Safety
Friends Committee on Legislation of California
Gmo Science
Healthy Baby
Jonas Philanthropies At Impact Assets
Mothers Out Front Silicon Valley
North County Equity and Justice Coalition

Physicians for Social Responsibility, Los Angeles
Recolte Energy
Safe Passages
San Francisco Bay Physicians for Social Responsibility
Sonoma County Conservation Action
Sonoma County Youth Environmental Action Committee
Story of Stuff
Supplybank.org
Yard Smart Martin

OPPOSITION:

American Chemistry Council
American Forest & Paper Association
California Chamber of Commerce
California Manufacturers & Technology Association
Center for Baby and Adult Hygiene Products
Consumer Brands Association
Fragrance Creators Association

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