
THIRD READING

Bill No: AB 1901
Author: Berman (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 7-0, 6/17/26
AYES: Blakespear, Valladares, Allen, Dahle, Gonzalez, Hurtado, Menjivar

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 68-1, 5/26/26 - See last page for vote

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

SOURCE: Environmental Working Group

DIGEST: This bill 1) 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 2) requires, by July 1, 2029, packages of children's diapers to include a list of all intentionally added ingredients in the diapers.

Senate Floor Amendments of 8/21/26 clarify the information that must be included on the manufacturer's website and make the requirement for retailers' website a "may" instead of a "shall".

Senate Floor Amendments of 8/20/26 relax requirements for retailers to post ingredient information on their website.

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 CBI from including ingredients on specified lists.
 - b) Requires a manufacturer of specified cleaning products (i.e. 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 specified information on the product label.
 - 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. (Health and Safety Code [HSC] § 111792.6 (b)(1))
- 3) Under the Sherman Food, Drug and Cosmetic Laws, relating to menstrual products ingredients disclosure:
- a) 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))
 - b) 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, distributed or manufactured 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, of children’s diapers in the state that do not comply with these requirements after July 1, 2029.
- 5) Permits DTSC 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

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.

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: Top sheet; acquisition layer; core absorbent layer; back sheet; waist closure system; leg cuffs; adhesives; inks or pigments; wetness indicators; fragrances; and lotions or ointments.

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

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"

How much transparency are we talking here? As written, AB 1901 requires "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 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Costs for the Department of Toxic Substances Control (DTSC) could vary depending on the level of implementation because this bill would authorize—but not require--DTSC--to implement its provisions. However, if DTSC were to fully implement the bill, the department estimates ongoing costs of at least \$535,000 in fiscal year 2027-2028, \$750,000 in 2028-29, and \$685,000 annually thereafter (Toxic Substances Control Account [TSCA]) to adopt regulations to implement, enforce, interpret, or make specific the provisions of this bill and to enforce the bill's requirements. Some of these costs may be offset by penalty revenue resulting from enforcement actions.
- Possible cost pressures (Trial Court Trust Fund [TCTF], General Fund) of an unknown amount to the trial courts in increased workload. Actual costs would depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the TCTF may create a demand for increased funding for courts from the General Fund. The Governor's January budget for FY 2026-27 provides \$70 million ongoing General Fund to the TCTF for court operations.
- The Department of Justice anticipates minor and absorbable costs.

SUPPORT: (Verified 8/20/26)

Environmental Working Group (source)

A Voice for Choice Advocacy

Alliance of Nurses for Healthy Environments

American Nurses Association/california

Breast Cancer Prevention Partners

California Environmental Voters

California Nurses for Environmental Health & Justice

California Product Stewardship Council

California Safe Schools

Calpirg, California Public Interest Research Group

Center for Community Action and Environmental Justice

Center for Environmental Health

Children Now

Clean Water Action

Cleanearth4kids.org
Consumer Federation of America
Consumer Federation of California
Consumer Reports
Environmental Health Sciences
Environmental Health Trust
Facts: Families Advocating for Chemical & Toxics Safety
Friends Committee on Legislation of California
Gmo Science
Green Media Group
Healthy Baby
Jonas Philanthropies At Impact Assets
Mothers Out Front Silicon Valley
North County Equity and Justice Coalition
O.w.l. Foundation
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: (Verified 8/20/26)

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

ASSEMBLY FLOOR: 68-1, 5/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Fariás, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Chen, Connolly, Davies, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor,

Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Carrillo, Castillo, Dixon, Flora, Hadwick, Johnson, Lackey, Muratsuchi, Celeste Rodriguez, Ta, Tangipa

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