



AB-1148 Food packaging: hazardous chemicals. (2025-2026)

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CALIFORNIA LEGISLATURE—2025-2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1148

Introduced by Assembly Member Sharp-Collins

February 20, 2025

An act to add Article 3 (commencing with Section 109015) to Chapter 15 of Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1148, as introduced, Sharp-Collins. Food packaging: hazardous chemicals.

Existing law prohibits a person from distributing, selling, or offering for sale in the state any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, as defined.

This bill would prohibit a person from distributing, selling, or offering for sale in the state any food packaging that contains antimony trioxide or specified ortho-phthalates or bisphenols. The bill would authorize the Attorney General, a city attorney, county counsel, or district attorney to enforce this prohibition and would subject a person to a civil penalty not to exceed \$5,000 for the first violation of the prohibition and not to exceed \$10,000 for each subsequent violation.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 3 (commencing with Section 109015) is added to Chapter 15 of Part 3 of Division 104 of the Health and Safety Code, to read:

Article 3. Safer Food Packing Act of 2025

109015. (a) This article shall be known, and may be cited, as the "Safer Food Packing Act of 2025."

(b) For purposes of this article, the following definitions apply:

(1) "Food packaging" means a nondurable package, packaging component, or food service ware that is intended to contain, serve, store, handle, protect, or market food, foodstuffs, or beverages. "Food packaging" includes food or beverage containers, take-out food containers, unit product boxes, liners, wrappers, serving vessels, eating utensils, straws, food boxes, and disposable plates, bowls, or trays.

(2) "Ortho-phthalates" means a class of chemicals that are esters of ortho-phthalic acid, including, but not limited to, all of the following:

- (A) Benzyl-butyl phthalate (BBP) 85-68-7.
- (B) Dibutyl phthalate (DBP) 84-74-2.
- (C) Dicyclohexyl phthalate (DCHP) 84-61-7.
- (D) Di-(2-ethylhexyl) phthalate (DEHP) 117-81-7.
- (E) Diethyl phthalate (DEP) 84-66-2.
- (F) Di-isobutyl phthalate (DIBP) 84-69-5.
- (G) Di-isodecyl phthalate (DIDP) 26761-40-0.
- (H) Di-isononyl phthalate (DINP) 28553-12-0.
- (I) Di-n-hexyl phthalate (DnHP) 84-75-3.
- (J) Di-n-octyl phthalate (DNOP) 117-84-0.
- (K) Di-n-pentyl (DnPP) phthalate 131-18-0.
- (L) Diisooheptyl phthalate (DIHP) 71888-89-6.

(c) On and after January 1, 2027, a person shall not distribute, sell, or offer for sale in the state any food packaging that contains any of the following chemicals:

- (1) Ortho-phthalates.
- (2) Bisphenol A, B, S, F, or AF, or related compounds.
- (3) Antimony trioxide.

(d) (1) The Attorney General, a city attorney, county counsel, or district attorney may enforce this article.

(2) A person in violation of this article shall be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for the first violation and not to exceed ten thousand dollars (\$10,000) for each subsequent violation.

(3) This subdivision does not impair or impede any other rights, causes of action, claims, or defenses available under any other law. The remedies provided in this subdivision are cumulative with any other remedies available under any other law.