

Proposed Amendments to AB 958 – as amended on April 20, 2017

Article 15. Perfluoroalkyl and Polyfluoroalkyl Substances

25257.5.

(a) No person shall manufacture, sell, or distribute in commerce any product that contains a long-chain perfluorinated substance as an intentionally added ingredient, as defined in 22 CCR §69501(26)(B), or as a contaminant, as defined in 22 CCR§(26)(A), where such contaminant exceeds the thresholds specified in paragraph (c)..

(b) For purposes of this article, “long-chain perfluorinated substance” means:

- *Perfluorocarboxylic acids with carbon chain lengths C8 and higher;*
- *Perfluoroalkyl sulfonates with carbon chain lengths C6 and higher; and*
- *Precursors that have been recognized to have the potential to degrade to these substances.*

“Long-chain perfluorinated substance” does not include fluoropolymers as defined by the OECD: a polymer which has fluorine attached to the majority of carbon atoms which comprise the polymer chain backbone.

(c) Long-chain perfluorinated substance contaminants present in a product are subject to the prohibition in paragraph (a) where:

- *An individual long-chain perfluorocarboxylic acid or perfluoroalkyl sulfonate exceeds 25 parts per billion (ppb) in the product; or*
- *One or more long-chain perfluorinated substances, in combination, exceed 1000 ppb in the product.*

25257.51.

(a) The department shall revise its 2015–17 Priority Product Work Plan, and subsequent work plans, as necessary, to include food contact substances, as that term may be defined by the department, containing perfluoroalkyl or polyfluoroalkyl substances for consideration and evaluation as a potential priority product.

(b) On or before January 1, 2019, the department shall consider whether food contact substances containing perfluoroalkyl or polyfluoroalkyl substances meet the criteria for designation as priority products under 22 CCR §§ 69503.2 and 69503.3 and subsequently, if deemed necessary under 22 CCR § 69506, the department shall begin adoption of regulations in accordance with Article 14 (commencing with Section 25251), for the identified food contact substances.

SEC. 2.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.