

**ASSEMBLY BILL**

**No. 2771**

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**Introduced by Assembly Member Friedman**  
**(Coauthor: Assembly Member Muratsuchi)**  
(Coauthor: Senator Skinner)

February 18, 2022

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An act to add Sections 108981 and 108982 to the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2771, as introduced, Friedman. Cosmetic products: safety.

Existing law, beginning January 1, 2025, prohibits the manufacture, sale, delivery, hold, or offer for sale in commerce of any cosmetic product that contains any of several specified intentionally added ingredients, including specified perfluoroalkyl and polyfluoroalkyl substances (PFAS).

This bill would prohibit a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains perfluoroalkyl and polyfluoroalkyl substances PFAS.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 108981 is added to the Health and Safety
- 2 Code, to read:
- 3 108981. (a) The Legislature finds and declares all of the
- 4 following:

1 (1) Perfluoroalkyl and polyfluoroalkyl substances, a class of  
2 chemicals known as “PFAS,” are highly toxic and highly persistent  
3 in the environment.

4 (2) PFAS are referred to as “forever chemicals” because they  
5 are extremely resistant to degradation in the natural environment,  
6 including the water, the soil, the air, and our bodies, because of  
7 their carbon-fluorine bond, one of the strongest bonds known in  
8 nature.

9 (3) PFAS have been linked by scientific, peer-reviewed research  
10 to severe health problems, including breast and other cancers,  
11 hormone disruption, kidney and liver damage, thyroid disease,  
12 developmental harm, and immune system disruption, including  
13 interference with vaccines.

14 (4) PFAS are used to provide stain, grease, and water resistance  
15 in a wide variety of consumer products, including food packaging,  
16 cookware, cleaning products, rugs and carpets, home furnishings,  
17 household linens, childcare products, and apparel, including  
18 outdoor wear and beauty and personal care products.

19 (5) Because of the widespread use of PFAS, they can be found  
20 in water, air, fish, and soil at locations across the nation and the  
21 globe. Due to this widespread use, the federal Centers for Disease  
22 Control and Prevention’s National Health and Nutrition  
23 Examination Survey (NHANES) found PFAS in the blood of 97  
24 percent of Americans, suggesting virtually ubiquitous exposure  
25 of Californians to these highly toxic chemicals. This widespread  
26 use has also resulted in broad PFAS dispersal in indoor and outdoor  
27 environments, including the PFAS contamination of the drinking  
28 water of approximately 16 million Californians, particularly in  
29 disadvantaged communities, of breast milk, and of indoor and  
30 outdoor air.

31 (6) The European Union has committed in its “Chemicals  
32 Strategy for Sustainability Towards a Toxic-Free Environment”  
33 to phasing out PFAS unless a specific use is proven essential for  
34 society, in part because the costs from exposure to PFAS in Europe  
35 have been estimated between fifty-two billion euros  
36 (€2,000,000,000) and eighty-four billion euros (€84,000,000,000)  
37 per year, or between fifty-eight billion dollars (\$58,000,000,000)  
38 and ninety-five billion dollars (\$95,000,000,000).

39 (7) The Legislature has acted to protect Californians from  
40 exposure to PFAS by recently enacting laws to ban firefighting

1 foams, paper-based food packaging, and specified children’s  
2 products containing any of the full class of PFAS chemicals. The  
3 Legislature has also acted to restrict the total PFAS concentration  
4 in products labeled compostable, and in products labeled  
5 recyclable. In 2020, the Legislature also acted to ban the use of 13  
6 specified PFAS substances in cosmetic products.

7 (8) PFAS chemicals have been found in a wide variety of  
8 cosmetics and personal care products, including foundation,  
9 mascara, lipstick, and various eye and face products.

10 (9) The Legislature intends to protect the health of Californians  
11 and the environment by prohibiting the sale or distribution of any  
12 beauty or personal care product containing PFAS chemicals.

13 (b) No person or entity shall manufacture, sell, deliver, hold, or  
14 offer for sale in commerce any cosmetic product that contains  
15 perfluoroalkyl and polyfluoroalkyl substances (PFAS).

16 SEC. 2. Section 108982 is added to the Health and Safety Code,  
17 to read:

18 108982. For purposes of this chapter, the following terms have  
19 the following definitions:

20 (a) “Cosmetic product” means any article intended to be applied  
21 to the human body for cleansing, beautifying, promoting  
22 attractiveness, or altering the appearance.

23 (b) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS”  
24 means a class of fluorinated organic chemicals containing at least  
25 one fully fluorinated carbon atom.