

Date of Hearing: March 10, 2026

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

AB 1744 (Addis) – As Introduced February 5, 2026

SUBJECT: Environmental advertising: sunscreen

SUMMARY: Provides that it is unlawful for a person to represent in advertising or on the label or container of any sunscreen product sold in the state that the product is "reef safe," "reef friendly," "ocean safe," "marine safe," or any other term implying the product does not harm marine ecosystems unless the product does not contain any of the specified chemical ultraviolet (UV) filters. Specifically, **this bill:**

- 1) Provides that it is unlawful for a person to represent in advertising or on the label or container of any sunscreen product sold in the state that the product is "reef safe," "reef friendly," "ocean safe," "marine safe," or any other term implying the product does not harm marine ecosystems unless the product does not contain any chemical UVt filters, including, but not limited to, all of the following:
 - a) Avobenzone (CAS 70356-09-1);
 - b) Homosalate (CAS 118-56-9);
 - c) Octinoxate (CAS 5466-77-3);
 - d) Octisalate (CAS 118-60-5);
 - e) Octocrylene (CAS 6197-30-4); and,
 - f) Oxybenzone (CAS 131-57-7).
- 2) Defines "sunscreen product" as any over-the-counter drug regulated by the United States Food and Drug Administration (FDA) that is intended to protect users from UV radiation, including, but not limited to, lotions, sprays, sticks, gels, and solids.

EXISTING LAW:

- 1) Requires, pursuant to the federal Food, Drug & Cosmetic Act (FD&C Act), cosmetics produced or distributed for retail sale to consumers for their personal care to bear an ingredient declaration. (21 Code of Federal Regulations § 701.3)
- 2) Defines, pursuant to the Sherman Food, Drug, and Cosmetic Law (Sherman Act), "cosmetic" as any article, or its components, intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance. Provides that the term "cosmetic" does not include soap. (Health & Safety Code (HSC) § 109900)
- 3) Requires, pursuant to the Safe Consumer Cosmetic Act (Cosmetics Act), a manufacturer of a cosmetic that is subject to regulation by the federal Food and Drug Administration (FDA) to submit to the California Department of Public Health (CDPH) a list of its cosmetic products sold in California that contain any ingredient that is a chemical identified as causing cancer or reproductive toxicity. (HSC § 111792)

- 4) Provides that it is unlawful for a person to make an untruthful, deceptive, or misleading environmental marketing claim, whether explicit or implied. (Business and Professions Code (BPC) § 17580.5)
- 5) Provides that any violation of the law governing environmental representations (BPCs 17580-17581) is a misdemeanor punishable by imprisonment in the county jail not to exceed six months, or by a fine not to exceed two thousand five hundred dollars (\$2,500), or by both. (BPC § 17581)
- 6) For purposes of Advertising, BPCs 17500-17606, defines "person" as any individual, partnership, firm, association, or corporation. (BPC § 17506)

FISCAL EFFECT: Unknown.

COMMENTS:

Need for the bill: According to the author, "Using misleading or factually untrue labels on products is a deceptive practice that not only breaks consumer trust but also creates unfair competition against honest brands. We have seen this in recent years with sunscreen products that market themselves as 'reef safe' or otherwise 'reef friendly' because companies know that there is a market for people who genuinely care about the environment. Rather than develop products that are truly safe based on the best available science, these companies sell mislabeled goods in an attempt to capitalize on the demand for 'greener' products. As a result, the average consumer is more likely to use sunscreen that harms the environment because the label told them it was reef safe. This practice has directly harmed aquatic life, particularly corals, which are already facing the threats associated with climate change. AB 1744 will help ensure that consumers can make truly informed choices when buying sunscreen without the fear of being misled by unfair mislabeling practices."

State cosmetic regulatory requirements: California has two laws governing the safety of cosmetics. The first is the Sherman Act, established by SB 1360 (Committee on Health and Human Services, Chapter 415, Statutes of 1995), which is administered by CDPH to regulate cosmetics. It broadly defines a cosmetic as any article, or its components, intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance.

The other law is the California Cosmetics Act, established by SB 484 (Migden, Chapter 729, Statutes of 2005). It requires, for all cosmetic products sold in California, the manufacturer, packer, and/or distributor named on the product label to provide CDPH a list of all cosmetic products that contain any ingredients known or suspected to cause cancer, birth defects, or other reproductive harm. CDPH maintains an active, searchable database with all the data collected from manufacturers under the Cosmetics Act. CDPH is required to make that data user-friendly and available to the public. To date, 1,428 companies have reported 169,545 products and 390 ingredients to CDPH. [a recent search of the database found over 3,000 entries for sunscreen products]. CDPH does not have any enforcement authority or penalty authority over the manufacturers that are covered, so not all manufacturers are currently complying and submitting their products' information. State law does not currently contain a mechanism that would allow the state to compel these manufacturers to comply.

Federal cosmetics regulatory requirements: Neither the FDA nor CDPH require premarket safety testing, review, or approval of cosmetic products. Under the FD&C Act, cosmetics and their ingredients are not required to be approved before they are sold to the public, and the FDA does not have the authority to require manufacturers to file health and safety data on cosmetic ingredients or to order a recall of a dangerous cosmetic product.

Skincare chemicals and coral reefs: According to the National Oceanic and Atmospheric Administration (NOAA),

"Healthy coral reefs are one of the most valuable ecosystems on Earth. They provide billions of dollars in economic and environmental services, such as food, coastal protection, and tourism. However, coral ecosystems around the world face serious threats from a number of sources, including climate change, unsustainable fishing, land-based pollution, coastal development, disease, and invasive species.

Scientists have also discovered that some of the chemicals found in sunscreen and other personal health products threaten the health of coral reefs. How these, and other compounds, affect reef ecosystems remains an active area of research. In August 2022, the National Academy of Sciences released a study [referenced later in this analysis] which reviews the state of the science on the use of sunscreen ingredients and their environmental impacts.

Overall the study found that specific (chemical) UV filters found in chemical sunscreen can harm aquatic life, including corals, and therefore, a more comprehensive ecological risk assessment of all UV filters in chemical sunscreen is needed. Mineral sunscreen, which does not use (chemical) UV filters, is considered a better option because there are less effects to aquatic organisms. Wearing UV protective clothing, like sun shirts and pants, is also a great option."

Below is a diagram from NOAA's website, explaining the effects of sunscreen chemicals on marine life.

SUNSCREEN CHEMICALS AND MARINE LIFE

How sunscreen chemicals enter our environment:

The sunscreen you apply may not stay on your skin.

When we swim or shower, sunscreen may wash off and enter our waterways.

How sunscreen chemicals can affect marine life:

GREEN ALGAE: Can impair growth and photosynthesis.

CORAL: Accumulates in tissues. Can induce bleaching, damage DNA, deform young and even kill.

MUSSELS: Can induce defects in young.

SEA URCHINS: Can damage immune and reproductive systems, and deform young.

FISH: Can decrease fertility and reproduction, and cause female characteristics in male fish.

DOLPHINS: Can accumulate in tissues and be transferred to young.

Chemicals in some sunscreens that can harm marine life:

- 3-Benzylidene camphor
- 4-Methylbenzylidene camphor
- Octocrylene
- Benzophenone-1
- Benzophenone-8
- OD-PABA
- nano-Titanium dioxide
- nano-Zinc oxide
- Octinoxate
- Oxybenzone

Here are a few ways to protect ourselves and marine life:

Consider sunscreen without chemicals that can harm marine life, seek shade between 10 am & 2 pm, and use Ultraviolet Protection Factor (UPF) sunscreen.

Seek shade | Umbrella | Sun hat | Sunscreen | UV Sun glasses | Sun shirt | Leggings

Revised Sep. 2020 | oceanservice.noaa.gov/sunscreen

Effects of sunscreens in aquatic environments: According to the National Academies of Sciences, Engineering, and Medicine. 2022. *Review of Fate, Exposure, and Effects of Sunscreens in Aquatic Environments and Implications for Sunscreen Usage and Human Health.* Washington, DC: The National Academies Press,

"UV (ultraviolet) filters, which are the active ingredients in sunscreens that reduce the amount of UV radiation reaching the skin, have been detected in water, sediments, and marine life in both saltwater and freshwater aquatic environments. Their presence, while itself not indicative of environmental harm, has led to a rapid increase in research on their potential environmental impact. However, the use of sunscreens is a critical tool for helping people reduce their risk of sunburn and skin cancer and slow the pace of skin aging. There are currently 17 UV filters that can be found in sunscreen products marketed in the United States, though not all are in common use. It is challenging to determine whether and under what conditions individual or mixtures of UV filters are a risk to organisms and ecosystems—either alone or in combination with other environmental stressors—and where these conditions might occur. An ecological risk assessment (ERA) is a process that can help identify the particular exposure setting(s) in which UV filters could be the cause of ecological impacts.

UV filters in sunscreens absorb, reflect, and/or scatter the sun's rays to reduce the amount of UV radiation that reaches the skin. UV filters are also used in a variety of other products, including cosmetics, hair and skin care products, insect repellents, and other consumer and industrial applications.

The following are [chemical] UV Filters: Aminobenzoic acid; Avobenzone; Cinoxate; Dioxybenzone; Ecamsule; Ensulizole; Homosalate; Meradimate; Octinoxate; Octisalate; Octocrylene; Oxybenzone; Padimate O; Sulisobenzene; and, Trolamine salicylate.

Laboratory observations show that, in high enough concentrations, some UV filters can be toxic to algal, invertebrate, and fish species. However, studies are lacking across a diversity of species, particularly marine species, and are challenged by the absence of standard test methods for many species of importance, such as corals.

Given the evidence of local exposures of aquatic organisms to UV filters in U.S. aquatic ecosystems, potentially including endangered species, and experimentally demonstrated potential for environmental impact, the U.S. Environmental Protection Agency (EPA) should conduct an ecological risk assessment for all currently marketed UV filters and any new ones that become available. The results of the ERA should be shared with FDA for its considerations of the environment in its oversight of UV filters."

This bill: AB 1744 does not ban sunscreen. This bill prohibits a person from marketing their product as being safe for reefs, the ocean or marine life, if it contains one of a specified list of chemical UV filters that studies have shown some toxicity to aquatic life.

Arguments in support: According to the Eco Club (students from C.K. McClatchy High School, Sacramento, California):

"The Eco Club of C.K. McClatchy High School is pleased to sponsor AB 1744 (Addis & Hart), which prohibits a manufacturer from labeling or advertising a sunscreen product sold in California as "reef safe," "reef friendly," "ocean safe," "marine safe," or any similar claim unless the product contains no chemical ultraviolet filters.

Scientific research and findings from the National Oceanic and Atmospheric Administration (NOAA), as well as peer-reviewed studies, show that chemicals used in many sunscreens - including oxybenzone, octinoxate, and octocrylene - can harm rocky reefs, corals, kelp and other marine life by disrupting photosynthesis, damaging DNA, and causing coral bleaching. When people (swimmers, divers, etc.) enter the water, these chemicals wash off and accumulate in coastal habitats, where even trace levels can affect coral larvae, algae, and fish populations. They can damage marine vegetation such as kelp and seagrass, which are essential components of rocky reef ecosystems, providing food and habitat for many marine species. This evidence has prompted some jurisdictions to ban certain chemical UV filter ingredients, including the State of Hawaii for certain chemicals and Maui for all active chemical ingredients.

Despite growing awareness of these harms, some sunscreen products containing chemical UV filters are still being marketed in non-ban states, such as California, as "reef safe," misleading consumers and undermining marine protection efforts. These false environmental claims exploit consumers desire to buy eco-friendly products, give unfair market advantages, and perpetuate damage to marine ecosystems.

AB 1744 addresses the problem through a truth-in-advertising approach: it removes the ability of companies to claim environmental safety if their products contain chemical UV filters associated with ecological harm.

We believe by tying "reef safe" claims exclusively to products free of chemical UV filters, AB 1744 will close a marketing loophole, prevent greenwashing, and reduce consumer confusion while reinforcing protection of California's sensitive marine ecosystems."

Arguments in opposition: None on file.

Double-referral: Should this bill pass the Assembly Committee on Environmental Safety and Toxic Materials, it will be re-referred to the Assembly Committee on Privacy and Consumer Protection.

Related legislation:

- 1) AB 60 (Papan, Chapter 432, Statutes of 2025). Prohibits, commencing January 1, 2027, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any of the specified ingredients in the bill.
- 2) AB 496 (Friedman, Chapter 441, Statutes of 2023). Prohibits, commencing January 1, 2027, a person or entity from manufacturing, selling, delivering, holding or offering for sale in commerce any cosmetic product that contains any of the ingredients specified in the bill.
- 3) AB 2771 (Friedman, Chapter 804, Statutes of 2022). Prohibits any person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any per- or polyfluoroalkyl substance (PFAS).
- 4) AB 2762 (Muratsuchi, Chapter 314, Statutes of 2020). Prohibits, beginning January 1, 2025, the manufacture, sale, delivery, holding, or offering for sale in commerce of any cosmetic product containing specified intentionally added ingredients.
- 5) AB 60 (Friedman, 2019-2020). Would have prohibited the sale, offering of sale, or distribution for sale in the state, of any sunscreen that contains oxybenzone, or octinoxate, or both, without a prescription.

REGISTERED SUPPORT / OPPOSITION:

Support

Consumer Reports
McClatchy High School Eco Club
Surfrider Foundation

Opposition

None on file.

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