



April 10, 2024

The Honorable Thomas Umberg, Chair
Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

RE: Senate Bill 903 (Skinner) Perfluoroalkyl and Polyfluoroalkyl Substances – Oppose Unless Amended

Dear Chair Umberg,

The California Retailers Association (Cal Retailers) respectfully opposes Senate Bill 903 (Skinner) unless it is amended with requested changes we sent the author's office. SB 903 would prohibit the use of perfluoroalkyl and polyfluoroalkyl (PFAS) substances in all commercial and consumer products by 2030 unless the Department of Toxic Substances Control (DTSC) is petitioned and makes an affirmative determination that the PFAS in a particular product is an unavoidable use.

The amendments we requested, which have been submitted to the author's office, request removal of the "mold release agents" language out of the intentionally added PFAS definition in Section 2. (d) 2. For a cooking analogy, this is the cooking spray put on a pan to make it more nonstick and functional for consumers. A lot of companies and industries (not just retail) use this on their molds for various products and it's very far down the supply chain to track and trace for products in California making compliance extremely difficult.

Additionally, we requested clarification on what products are covered under the bill, specifically if products made with recycled materials, i.e. textile to textile recycling, are included so we could have a greater understanding of the bill's scope. Unfortunately, we could not get a direct answer other than the regulated community, once the bill passes, will need to check with their internal legal departments on compliance.

Without these amendments, SB 903 puts product standards and compliance efforts for the retail industry at risk.

For these reasons, we have an oppose unless amended position on SB 903 and we respectfully request a no vote on this measure when it comes before you for your consideration.

Sincerely,

Sarah Pollo Moo
Policy Advocate

cc: Senator Nancy Skinner
Members, Senate Judiciary Committee
Margie Estrada, Chief Consultant, Senate Judiciary Committee
Morgan Branch, Consultant, Republican Office of Policy