



March 31, 2025

Assemblymember Damon Connolly, Chair
Environmental Safety and Toxic Materials Committee
California State Assembly
1020 O Street
Sacramento, CA 95814

RE: AB 728 (Lee) - OPPOSE

Dear Chair Connolly:

The Personal Care Products Council (PCPC) and the undersigned organizations are writing in opposition to AB 728 (Lee), a measure that prohibits the sale of over-the-counter (OTC) cosmetics and personal care products containing certain “anti-aging” ingredients to children under the age of 18. We are concerned about the precedent of putting cosmetics in the same age restricted categories as *tobacco, firearms, cannabis and alcohol*, and we do not believe a ban on products containing these chemicals otherwise deemed as safe is at all warranted.

While we recognize the concerns about this trend, which is largely driven by social media, this bill presents significant practical issues with compliance and enforcement. AB 728 bans a wide range of OTC cosmetic products that are safe for use but may be misused by a segment of the population. Historically, the Legislature has enacted bans on many chemicals that have been shown to cause significant harm to human health such as carcinogenic chemicals and reproductive toxicants. The chemicals banned under AB 728 are neither of those. In fact, the typical adverse reaction on young skin could be redness, dryness, skin irritation all of which are reversible simply by discontinuing use of the product. We believe a ban is too heavy and blunt of an instrument when considering these facts.

As written, the onus is on a retail establishment or cashier to determine two things at point of sale: whether someone is under the age of 18 and whether the product they are purchasing is covered by this bill. This creates practical compliance issues for retailers who will struggle to verify the age of a young teen who doesn't have a form of identification. Secondly, e-commerce sales channels would further complicate enforcement of the proposed product sales restrictions. Would customers be required to upload their ID before they head to the virtual checkout?

We believe that manufacturers, retailers, and parents have an important role to play in ensuring children are using products that are appropriate for their skin. Cosmetic and personal care product manufacturers remain committed to providing consumer education and appropriate skin care regimens for all ages.

For these reasons, we request a NO vote on AB 728. Please reach out to Mandy Isaacs-Lee at Mandy@omngir.com, should you have any questions.

Sincerely,

Karin Ross
EVP, Government Affairs
Personal Care Products Council

Adam Regele
Vice President, Advocacy and Strategic Partnerships
CA Chamber of Commerce

Elizabeth Esquivel
Vice President, Government Relations
CA Manufacturers & Technology Association

Ryan Allain
Manager, State and Local Government Affairs
CA Retailers Association

Leticia Garcia
Director, State Government Relations
CA Grocers Association

Carlos Gutierrez
Vice President, State & Local Government Affairs
Consumer Healthcare Products Association

Eric Stewart
Executive Director
The Center for Baby and Adult Hygiene Products

cc: Members, Assembly Environmental Safety and Toxic Materials Committee

Assemblymember Lee