

**Introduced by Senator Maldonado**

February 14, 2008

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An act to add Chapter 12 (commencing with Section 108945) to Part 3 of Division 104 of the Health and Safety Code, relating to product safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 1230, as introduced, Maldonado. Detergents: phosphorus.

Existing law prohibits the manufacture, processing, and distribution in commerce of products containing certain chemicals found to raise health risks, including, but not limited to, polybrominated diphenyl ether and phthalates.

This bill would, commencing January 1, 2010, prohibit the use, sale, manufacture, or distribution for sale of any cleaning agent, as defined, if that product contains more than 0% phosphorus by weight, except as specified. The bill would provide for the State Department of Health Care Services to authorize by regulation the use of a cleaning agent that contains phosphorus of an amount exceeding 0% upon finding that compliance with these provisions would create a significant hardship on the user or would otherwise be unreasonable because there is no adequate substitute for that cleaning agent.

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. Chapter 12 (commencing with Section 108945)
- 2 is added to Part 3 of Division 104 of the Health and Safety Code,
- 3 to read:

## CHAPTER 12. PHOSPHORUS IN DETERGENTS

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3 108945. (a) Commencing July 1, 2010, no person may use,  
4 sell, manufacture, or distribute for sale any cleaning agent  
5 containing more than 0 percent phosphorus by weight, expressed  
6 as elemental phosphorus, other than an amount not exceeding 0.5  
7 percent that is incidental to manufacturing, except as otherwise  
8 provided in this chapter.

9 (b) As used in this chapter, “cleaning agent” means a laundry  
10 detergent, dishwashing compound, household dishwashing  
11 detergent, household cleaner, metal cleaner, industrial cleaner,  
12 phosphate compound, or other substance that is used or intended  
13 to be used for cleaning purposes.

14 108947. This chapter does not apply to a cleaning agent that  
15 contains greater than 0 percent phosphorus by weight, but does  
16 not exceed 8.7 percent phosphorus by weight, that is used:

17 (a) In a commercial dishwashing machine.

18 (b) In dairy, beverage, or food processing equipment.

19 (c) As an industrial sanitizer, brightener, or acid cleaner or metal  
20 conditioner, including products containing phosphoric acid or  
21 trisodium phosphate.

22 (d) In hospitals or health care facilities, veterinary hospitals or  
23 clinics, agricultural or dairy production, or the manufacture of  
24 health care supplies.

25 (e) In a commercial laundry that provides laundry services for  
26 a hospital, health care facility, or veterinary hospital.

27 (f) By industry for metal cleaning or conditioning.

28 (g) In any medical, biological, chemical, engineering, or other  
29 laboratory, including those associated with any academic or  
30 research institution.

31 (h) For cleaning hard surfaces, including household cleansers  
32 for windows, sinks, counters, ovens, tubs, or other food preparation  
33 surfaces and plumbing fixtures.

34 (i) As a water-softening agent, antiscaling agent, or corrosion  
35 inhibitor, if that use is in a closed system, such as a boiler,  
36 air-conditioner, cooling tower, or hot water heating system.

37 108949. This chapter does not apply to cleaning agents that  
38 are manufactured, stored, or distributed for use or sale solely  
39 outside of this state.

1 108951. The State Department of Health Care Services may  
2 authorize by regulation the use of a cleaning agent that contains  
3 phosphorus of an amount exceeding 0 percent by weight upon  
4 finding that compliance with this chapter would create a significant  
5 hardship on the user or would otherwise be unreasonable because  
6 there is no adequate substitute for that cleaning agent.

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