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California Ban of ‘Forever Chemicals’ in Juvenile Products Goes into Effect on July 1

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As of July 1, 2023, California law will prohibit the manufacture, sale, or distribution in California of juvenile products containing intentionally added per- and polyfluoroalkyl substances (PFAS), also referred to as forever chemicals. To learn more about PFAS, [read our PFAS 101 article](#).

While the statute enacting the ban refers to products containing “regulated PFAS chemicals,” it is in fact much broader. The definitions accompanying the ban explain that “regulated PFAS chemicals” are PFAS that are intentionally added to the product and that provide “a functional or technical effect in the product.” Alternatively, a regulated PFAS includes any PFAS in a product or a component of a product at levels on or above 100 parts per million. Further, the statute defines PFAS as encompassing “a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.” This broad definition would cover all known PFAS.

Juvenile products are defined as products designed to be used by children under 12 years old, including infants. While this definition indicates that “juvenile products” include products for children up to 12 years old, the examples provided in the definition are limited to products for babies and toddlers. Examples include play mats, crib mattresses, playpens, car seats, and strollers, among other things. The ban does not extend to children’s clothing, which will be covered by a ban on PFAS in apparel effective January 1, 2025.

California is not the only state developing and enacting PFAS regulations. To learn more about PFAS regulations and PFAS litigation, [read our PFAS regulatory and litigation overview](#).

Vorys has a group of attorneys who are actively monitoring PFAS regulations and litigation. If you have questions about PFAS or how PFAS regulations may impact your business, please contact your Vorys attorney or Rick Schuster (rdschuster@vorys.com), Susan Harty (sbharty@vorys.com), or Nina Webb-Lawton (niwebb@vorys.com).