

Date of Hearing: April 7, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 1744 (Addis) – As Amended March 3, 2026

PROPOSED AMENDMENTS

SUBJECT: Environmental advertising: sunscreen

SYNOPSIS

UV filters – chemicals used in some sunscreens that help prevent skin cancer – wash off humans when they swim or shower and then accumulate in aquatic environments.¹ With global sunscreen sales projected to reach \$13.64 billion this year and an estimated 6,000–14,000 metric tons of UV filters released annually into coral reef zones alone,² concerns over the impacts to endangered species have grown. While it has not been definitively established that the real-world concentrations of UV filters cause widespread devastation to marine environments, these chemicals, at sufficient quantities, have been shown to be deadly to corals and other marine life.

This bill makes it unlawful for a person to represent that a sunscreen 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 is free of chemical ultraviolet filters. The bill is sponsored by Sacramento’s own McClatchy High School Eco Club and supported by Consumer Reports, A Voice for Choice Advocacy, and Surfrider Foundation.

The bill has elicited a letter of concern from the Personal Care Products Council. Although their members do not advertise their UV filter sunscreens as “reef safe” or the like, they point to studies that suggest the causal link between UV filters and environmental harms is not definitive. They assert that a ban of such chemicals – which this bill does not contemplate – would be unjustified. An amendment described in Comment #5 clarifies language they assert is too vague.

The Environmental Safety and Toxic Materials Committee passed the bill on a 7-0 vote.

EXISTING LAW:

- 1) Establishes the False Advertising Law, which proscribes making or disseminating any untrue or misleading statements in connection with advertisements. (Bus. & Prof. Code § 17500 *et seq.*)
- 2) Requires a person who represents in advertising or on the label or container of a consumer good that the consumer good that it manufactures or distributes is not harmful to, or is

¹ National Academies of Sciences, Engineering, and Medicine (NASEM), “Review of Fate, Exposure, and Effects of Sunscreens in Aquatic Environments and Implications for Sunscreen Usage and Human Health,” (2022), <https://doi.org/10.17226/26381>.

² Plymouth Marine Laboratory, “Sunscreen’s potential impact on marine life needs urgent investigation, new study reveals,” <https://pml.ac.uk/news/sunscreens-potential-impact-on-marine-life-needs-urgent-investigation-new-study-reveals/>.

beneficial to, the natural environment, through the use of such terms as “environmental choice,” “ecologically friendly,” “earth friendly,” “environmentally friendly,” “ecologically sound,” “environmentally sound,” “environmentally safe,” “ecologically safe,” “environmentally lite,” “green product,” or any other like term, or through the use of a chasing arrows symbol or by otherwise directing a consumer to recycle the consumer good, to maintain in written form in its records specified information and documentation supporting the validity of the representation. (Bus. & Prof. Code § 17580(a).)

- 3) Makes it unlawful for a person to make an untruthful, deceptive, or misleading environmental marketing claim, whether explicit or implied. (Bus. & Prof. Code § 17580.5(a).)
- 4) Makes a violation of 2) a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding \$2,500, or by both that imprisonment and fine. (Bus. & Prof. Code § 17581.)

THIS BILL:

- 1) Makes it unlawful for a person to represent in advertising or on the label or container of any sunscreen product, as specified, 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 is free of chemical ultraviolet filters. List as examples avobenzone, homosalate, octinoxate, octisalate, octocrylene, and oxybenzone.
- 2) Defines “sunscreen product” as any over-the-counter drug regulated by the United States Food and Drug Administration that is intended to protect users from ultraviolet radiation, including, but not limited to, lotions, sprays, sticks, gels, and solids.
- 3) Clarifies that compliance with the bill does not relieve an entity of the obligation to substantiate environmental claims as specified in 1) and 2) in existing law above.

COMMENTS:

- 1) **Author’s statement.** 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.

- 2) **Background.** In sufficient concentrations, UV filters have been shown to harm coral. One Stanford study found that the combination of oxybenzone and sunlight proved lethal to sea

anemones, close relatives of coral, within 17 days.³ A 2016 study found that coral larvae exposed to oxybenzone experienced bleaching, DNA damage, and skeletal deformities.⁴ A 2022 report from the National Academies of Sciences, Engineering, and Medicine concluded that evidence of potential harm to marine environments warranted a formal environmental risk assessment by the U.S. Environmental Protection Agency (EPA).⁵ Hawaii has banned sunscreen products containing oxybenzone or octinoxate,⁶ and some researchers have called for a national ban on oxybenzone.⁷

However, some studies claiming oxybenzone or octinoxate kill coral rely on concentrations that are higher than the level normally observed in the environment. It is possible that the small amounts of sunscreen that wash off swimmers are tolerated by corals. The Smithsonian notes that mass coral bleaching occurs during marine heat waves from climate change, and that there is no evidence that sunscreens play a significant role in these events. However, more subtle impacts are difficult to rule out.⁸

This uncertainty is partly a data problem: EPA researchers have found that fewer than four percent of published coral toxicity studies meet the quality standards needed for use in a formal risk assessment, largely because experiments have not consistently controlled or documented water conditions.⁹ A 2025 paper found that available data fall short of the EPA's minimum requirements for assessing risk across the diversity of aquatic species, particularly for saltwater animals and long-term exposures.¹⁰ In short, the extent to which real-world concentrations of UV filters endanger coral reefs is unsettled. On the other hand, there does not appear to be a basis for the opposite conclusion: that UV filters are “reef safe” or “reef friendly.”

Recent lawsuits support this view. In 2025, the Santa Clara County District Attorney's Office secured a \$300,000 settlement against Sun Bum under existing false advertising law, after alleging the company marketed chemical sunscreens as “reef friendly” without scientific basis.¹¹ As part of the settlement, Sun Bum was barred from using reef-related claims on any product containing chemical UV filters and was required to fund coral reef restoration efforts. Similar charges have since been filed against Banana Boat and Hawaiian Tropic.¹²

³ Vuckovic, D., et al. “Conversion of oxybenzone in sea anemones and corals.” *Science* (2022), <https://doi.org/10.1126/science.abn2600>;

⁴ Downs, C.A., et al. “Toxicopathological effects of the sunscreen UV filter, oxybenzone (benzophenone-3), on coral planulae and cultured primary cells and its environmental contamination in Hawaii and the U.S. Virgin Islands,” *Archives of Environmental Contamination and Toxicology* (2016) 70(2), 265–288, <https://pubmed.ncbi.nlm.nih.gov/26487337/>.

⁵ NASEM, *supra*, note 1.

⁶ Hawaii Revises Statutes § 342D-21.

⁷ Nemoto et al, “Dangers of Oxybenzone in Sunscreens on Coral Reefs: Proposed Policy Approaches,” *Journal of Science Policy and Governance* (2024), <https://doi.org/10.38126/JSPG240106>.

⁸ Smithsonian Ocean, “The Truth About Corals and Sunscreen,” (2023), <https://ocean.si.edu/ecosystems/coral-reefs/truth-about-corals-and-sunscreen>.

⁹ Raimondo, S., Hankins, C., & Henderson, W.M. “Significant research needs for defensible hazard assessment of UV filters in aquatic ecosystems part 1: effects data.” *Environmental Toxicology and Chemistry* (2025) 44(4), 867–869, <https://doi.org/10.1093/etjnl/vgaf018>.

¹⁰ *Ibid.*

¹¹ Santa Clara County District Attorney's Office, “DA secures first ever judgment in lawsuit against major sunscreen manufacturer for false “reef friendly” advertising,” <https://da.santaclaracounty.gov/da-secures-first-ever-judgment-lawsuit-against-major-sunscreen-manufacturer-false-reef-friendly>.

¹² *State v. Edgewell Personal Care, LLC*, No. 25-cv-461660 (Cal. Super. Ct. Mar. 24, 2025).

Taken together, these developments reflect a growing consensus that “reef safe” and similar claims constitute misleading advertising under existing consumer protection law. This bill would codify this conclusion.

3) **What this bill would do.** Existing law requires substantiation of environmental claims on products that are advertised or labeled as environmentally friendly or recyclable. This bill builds on that by identifying specific examples of deceptive advertisements in the context of sunscreen products that purport to be marine-friendly. Specifically, the bill would make it unlawful for a person to represent that a sunscreen 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 is free of chemical ultraviolet filters. A violation of the bill’s provisions is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding \$2,500, or by both that imprisonment and fine.

Writing in support, the Surfrider Foundation states:

The Surfrider Foundation’s 2025 Reef Friendly Sunscreen Guide highlights the well-documented harms caused by conventional chemical sunscreens. When sunscreen washes off during swimming, surfing, or other water activities, these synthetic chemicals endanger marine life and freshwater species alike. Damaged reef ecosystems lose their capacity to serve as critical nurseries and feeding grounds for hundreds of marine species, undermining coastal protection from storm surge, preservation of sandy beaches, breeding grounds for commercial fisheries, and the recreational and economic value of healthy reefs. Chemical UV filters have also been shown to directly harm fish — impairing neurological and reproductive function, acting as hormone disruptors, and increasing disease rates.

Surfrider’s guide further underscores that the terms “reef friendly” and “reef safe” are currently unregulated — meaning any brand can print these claims on a bottle regardless of what its ingredients actually contain. Only uncoated mineral sunscreens using non-nano zinc oxide and/or titanium dioxide as active ingredients are genuinely safer for reefs and other aquatic and marine wildlife. Despite this, many products containing chemical UV filters such as oxybenzone, octinoxate, and octocrylene continue to be marketed with these claims, creating consumer confusion and enabling greenwashing.

AB 1744 responds to this problem with a straightforward, science-backed standard for truth in advertising: restricting “reef safe” and comparable claims exclusively to products that are free of chemical UV filters. In doing so, the bill closes a significant marketing loophole — advancing transparency, shielding consumers from deceptive environmental claims, and strengthening safeguards for California’s invaluable marine ecosystems.

4) **Letter of concern.** Stopping short of taking an opposition position, the Personal Care Products Council (PCPC) writes to express the following concerns:

We share the author’s goal of protecting the marine environment. However, data does not definitively show a causal link between the chemical ultraviolet (UV) filters targeted by this bill and negative impacts to the reef and marine ecosystem. Although this bill is not a ban or restriction on the use of these UV filters, we are concerned with the assertion that the bill makes that they are unsafe for the environment. Sunscreens are a critical tool in preventing skin cancer and anything that would lead to fewer consumers using these products is something that would gravely concern us. Further, any future legislation

banning sunscreens with UV filters or discouraging their use in any way is something we would strongly oppose.

Additionally, as written, the bill provides vague and undefined language that would preclude the use of “any other term implying the product does not harm marine ecosystems” which would leave producers with unclear guidance on what would be a prohibited claim under this proposal. While few producers in the industry use these claims, the industry would benefit from greater clarity for compliance purposes and to avoid unintentionally banning a term that could be caught up in this very broad “catch all.”

5) **Amendment.** To address the PCPC’s concern relating to the catchall language, the author has agreed to amend the bill as follows:

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~~ **“ocean friendly,” “marine conscious,” “reef friendly,” “reef conscious” or similar term or phrase likely to cause a reasonable consumer to believe that** the product does not harm marine ecosystems, unless the product does not contain any chemical ultraviolet filters, including, but not limited to, all of the following:

ARGUMENTS IN SUPPORT: The bill’s sponsor, McClatchy High School Eco Club, writes:

California’s rocky and coral reef ecosystems - from the Channel Islands to the northern kelp forests - support hundreds of marine species, protect coastlines, and generate billions in tourism and fisheries revenue. The Pacific Fishery Management Council recognizes California’s rocky reef ecosystems as Habitats of Particular Concern because they play a critical role in sustaining healthy fish populations and are among the most ecologically sensitive and stressed marine environments on the West Coast.

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.

REGISTERED SUPPORT / OPPOSITION:

Support

McClatchy High School Eco Club (Sponsor)

A Voice for Choice Advocacy

Consumer Reports

Surfrider Foundation

Opposition

None on file.

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