

Assembly Bill No. 647

CHAPTER 305

An act to add Section 6390.2 to the Labor Code, relating to occupational safety.

[Approved by Governor September 20, 2019. Filed with
Secretary of State September 20, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 647, Kalra. Hazardous substances: cosmetics: disinfectants: safety documents.

Existing law, the Hazardous Substances Information and Training Act, prescribes the rights and duties of employers who use hazardous substances, people who sell a hazardous substance to employers in California, and manufacturers who produce or sell hazardous substances. Existing law requires the Director of Industrial Relations to establish a list of hazardous substances and make the list available to manufacturers, employers, and the public. Existing law requires the manufacturer of a hazardous substance on that list to prepare and provide its direct purchasers of the hazardous substance a material safety data sheet, referred to as an MSDS, containing specified information that is current, accurate, and complete.

This bill, beginning July 1, 2020, would require an entity that manufactures or imports a hazardous substance or mixture of substances that constitutes a cosmetic or is used as a disinfectant, as defined, that is required to create a safety data sheet (SDS) for that product, to post and maintain the SDS on its internet website, as prescribed, by its brand name or other commonly known name in a manner generally accessible to the public. If a separate SDS based on color or tint exists, the bill would require the entity to post and translate each SDS. The bill would require the entity to translate the SDS into Spanish, Vietnamese, Chinese, and Korean, and other languages that the director may determine are common to the beauty care industry, and to make these translations also publicly available on its website.

The people of the State of California do enact as follows:

SECTION 1. Section 6390.2 is added to the Labor Code, to read:

6390.2. (a) An entity that manufactures or imports a hazardous substance or mixture of substances that constitutes a cosmetic, as defined in Section 109900 of the Health and Safety Code, not excluded by Section 6385, or any substance or mixture of substances that constitutes a disinfectant, as defined in Section 977 of Article 12 of Division 9 of Title 16 of the

California Code of Regulations, that is required to develop or obtain an SDS in accordance with this chapter and Section 5194 of Title 8 of the California Code of Regulations, shall post and maintain the SDS in accordance with Section 6390 on the entity's internet website by its brand name or other commonly known name in a manner generally accessible to the public. If a separate SDS based on color or tint exists, the entity shall post and translate each SDS. The entity shall translate the SDS into Spanish, Vietnamese, Chinese, and Korean, and other languages that the director may determine to be common for the beauty care industry. These translations shall also be publicly available on the entity's internet website.

(b) This section shall become operative on July 1, 2020.