



## Comparing Cleaning Product Ingredient Disclosure Requirements: California SB 258 and the New York Guidance

	California	New York
Products covered	Household, institutional and disinfectants	Household and institutional products
Method of disclosure	<p>Online and on the label</p> <ul style="list-style-type: none"> <li>• All intentionally added ingredients need to be disclosed <b>on the product label</b> starting in 2021.</li> <li>• The <b>label</b> has to indicate whether allergens are present –either listing EU allergens that are present or a statement that allergens are present</li> <li>• Starting in 2020 intentionally added ingredients and fragrance ingredients above 100ppm have to be <b>disclosed online</b>.</li> <li>• 34 contaminants down to 100 ppm (1-4 Dioxane 10 ppm) must be disclosed <b>online</b> starting in 2020.</li> <li>• CAS #s must be disclosed <b>online</b></li> <li>• <b>Online</b> disclosure of ingredient function</li> <li>• <b>Online</b> disclosure of ingredients in disinfectants</li> </ul>	<p>Online only</p> <ul style="list-style-type: none"> <li>• All intentionally added ingredients, contaminants, fragrances, and allergens must be disclosed online unless claiming CBI</li> <li>• Must be posted on manufacturer's main website, domain name or URL used to communicate with consumers.</li> <li>• A centralized database of manufacturers URL's &amp; website will be housed on IC2 website.</li> </ul>

Naming Hierarchy	Consumer Specialty Products Association Consumer Product Ingredients Dictionary (CSPA Dictionary) or International Nomenclature of Cosmetic Ingredients (INCI), followed by the International Union of Pure and Applied Chemistry nomenclature (IUPAC), the Chemical Abstract Index name, the common chemical name.	Same
CAS #s	<p>Online disclosure required for intentionally added ingredients or contaminant.</p> <p>If claiming CBI for ingredients, phrase “not available” or “withheld” shall be used.</p>	Same

<p>Intentionally added</p>	<p>Two options for disclosing on label:</p> <p>1)  --intentionally added ingredients (incl. fragrance) have to be disclosed on the label if it is on a designated hazard list</p> <p>--Prop 65 intentionally added ingredients don't have to be disclosed until 2023.</p> <p>2)  --list all intentionally added, unless claiming CBI.  --prop 65 intentionally added ingredients disclosed in 2023  --fragrance and colorants can be listed as "fragrance and colorants" unless they are on a designated list.</p> <p>If all intentionally added ingredients are not on the label must include a statement that reads "for more ingredient information visit" and address to internet site w/full info.</p> <p>Online:</p> <p>All intentionally added ingredients must be disclosed unless claiming CBI. Prop 65 chemicals don't have to be disclosed until 2023.</p>	<p>Must be disclosed online</p>
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<p>Contaminants</p>	<p>“nonfunctional constituent”—designated 34 contaminants at or above 0.01 or 100ppm have disclosed online only.</p> <p>1-4 dioxane has to be disclosed at 10 ppm or 0.001% online.</p>	<p>Nonfunctional ingredients must be disclosed if the manufacturer knows of the presence.</p> <p>Nonfunctional byproducts and contaminants at or above the PQL must be disclosed but the CAS # and chemical name can be claimed as CBI.</p> <p>Threshold of disclosure is based on a hierarchy of sources:</p> <p>NY Dept. of Health maximum contaminant level.</p> <p>1,4 dioxane disclosed at 350 ppt</p> <p>PFOA and PFOS combined 70 ppt</p> <p>CA Prop 65 chemicals where a NY MCL hasn’t been issued the Prop 65 threshold for disclosure should be used.</p>
<p>Allergens</p>	<p>Presence of allergens has to be disclosed on the label. Allergens are defined by the EU allergens list at a concentration of 0.01%. Includes essential oils.</p>	<p>If claiming CBI for an allergen, manufacturers do not have to name the specific allergen, but have to indicate that a COC is present.</p>

<p>Fragrance</p>	<p>Fragrance ingredients must be disclosed online in concentrations at or above 100 ppm unless claiming CBI. CBI cannot be claimed for fragrance ingredients on designated hazard lists.</p> <p>The presence of fragrance allergens must be disclosed on the label but fragrance can be listed as “fragrance” with ingredients above 100 ppm disclosed online.</p> <p>Fragrance ingredients that are Prop 65 chemicals disclose by 2023.</p>	<p>Fragrance ingredients must be disclosed online unless claiming CBI.</p> <p>Fragrance ingredients below 100 ppm held as CBI can be grouped together as long as the range of ingredients withheld is noted (1-5, 5-10, 10-25, 25-50-50-100 or over 100)</p> <p>If fragrance ingredient is being held as CBI, must still disclose whether it is a chemical of concern (but can withhold the specific chemical name)</p> <p>“recommend” manufacturers disclose master list of fragrance ingredients and indicate that includes a list of ingredients being withheld as CBI</p> <p>Must disclose whether a fragrance ingredient being withheld as CBI is on the IFRA’s list &amp; provide website.</p>
<p>Chemical lists defining hazardous or chemicals of concern</p>	<p>DTSC chemical candidate list minus the NHANES biomonitoring list and plus the EU 26 fragrance allergens list</p> <p>Hazards must be listed on product label</p>	<p>The same lists plus includes the following list:</p> <p>AOEC asthmagens</p>

<p>Confidential Business Information</p>	<p>Not required to disclose intentionally added ingredient/fragrance if claiming CBI.</p> <p>CBI claim must be approved by the EPA for the TSCA Confidential Inventory. Must use the generic name as provided by the Inventory.</p> <p>If not on TSCA inventory use/develop a generic name following specified framework Must maintain justification for protecting CBI and provide justification if audited by CA attorney general.</p> <p>Cannot claim CBI for designated allergens or ingredients on the DTSC chemical candidate list (chemicals of concern).</p>	<p>CBI claim must meet requirements of NY code.</p> <p>Same naming requirements based on TSCA inventory.</p> <p>Can withhold specific chemical name if claiming CBI even for COC of concern, but have to indicate there is a COC present on the online ingredient lists.</p> <p>If withholding a chemical name as CBI must use the functional name. So if 4 surfactant ingredients are being withheld as CBI, the word surfactant would be listed 4 times.</p>
<p>Percentage of content by weight</p>	<p>Ingredients listed in descending order. Ingredients below 1% can be listed in any order. Not required to disclose weight or amount.</p>	<p>Same</p>
<p>Nanoscale materials</p>	<p>Disclosure not required</p>	<p>Must disclose nanoscale materials (size range 1-100 nanometers)</p>
<p>Health and Safety Data</p>	<p>Disclosure not required</p>	<p>Post info on nature and extent of investigations and research on effect of a product or chemical's on human health or the environment.</p>

Deadlines	Disclosed on product label 2021 Disclose online by 2020 Prop 65 chemicals 2023	Intentionally added ingredient by 2019  Fragrance ingredients 2020  Non functional ingredients above trace 2019  Non functional byproducts below trace 2020 Appendix B chemicals (designated COC lists) 2023
Safety Data Sheets	Downloadable Safety Data Sheet with GHS pictograms for all products, not just institutional products	Ingredient information can be posted in a SDS as long as it downloadable.  A link to SDS should be included under the health and safety data
Disinfectants	Online disclosure of ingredients in disinfectants	Does not include disinfectants