



C A L I F O R N I A
DEPARTMENT OF JUSTICE

August 26, 2024

Consumer Alert — Complaints of Violations of California’s “Pink Tax” Law

The California Department of Justice issues this consumer alert to remind Californians that gender-based price differences for substantially similar consumer products violate California law (Assembly Bill 1287, codified as Civil Code, §51.14).

California’s Pink Tax Law prohibits charging different prices for goods that are substantially similar but are priced differently based on the gender of the product’s target audience, with products marketed to women typically having higher prices.

In passing California’s Pink Tax Law, the Legislature cited considerable evidence of the existence of the “pink tax,” including a 2015 study showing that girls’ or women’s products cost more than similar products for boys or men 42% of the time. On average, women’s products cost 7% more and as much as 13% more for personal care products.¹ Based on the 2015 study, some examples of the types of consumer products where gender-based differential pricing may be found include:

- Toys and accessories (e.g., pink vs. red bikes and scooters, general toys, pink vs. blue helmets, pads, arts and crafts);
- Children’s clothing;
- Adult clothing;
- Personal care products (e.g., hair care products, razors and razor cartridges, lotions); and
- Senior/home health care products (e.g., personal urinals, supports and braces, canes).²

The law does *not* prohibit charging different prices for substantially similar goods for gender-neutral reasons. AB 1287 identifies five specific examples of gender-neutral reasons: (1) amount of time to manufacture the goods; (2) difficulty of manufacturing the goods; (3) cost incurred to manufacture the goods; (4) labor used to manufacture the goods; and (5) materials used to manufacture the goods.

For more information about the “pink tax” law, please visit oag.ca.gov/ab1287.

¹ Sen. Judiciary Com. June 3, 2022 bill analysis available at https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220AB1287.

² New York City Department of Consumer Affairs, *From Cradle to Grave: The Cost of Being a Female Consumer* (Dec. 2015).

To File a Complaint

Because the Attorney General has enforcement authority for violations of the “pink tax” law, it is critical that we hear from the public about potential violations of the law. If you have seen or been a victim of gender-based price differences that you believe violate the law, please file a complaint at oag.ca.gov/report.