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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 546 Session of  
2015

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INTRODUCED BY CRUZ, YOUNGBLOOD, COHEN, V. BROWN, THOMAS, BISHOP,  
MILLARD, BROWNLEE, C. PARKER, McNEILL, CALTAGIRONE AND MURT,  
FEBRUARY 23, 2015

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 23, 2015

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AN ACT

1 Providing for bisphenol A-free food and beverage container  
2 products.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Bisphenol A-  
7 Free Food and Beverage Container Products Act.

8 Section 2. Bisphenol A-free food and beverage containers.

9 (a) General rule.--No person or entity may manufacture, sell  
10 or distribute any food or beverage container that contains  
11 bisphenol A at a level above 0.1 parts per billion (ppb) if the  
12 food or beverage container serves as a package, parcel or other  
13 vessel intended for use in storing, heating or serving liquids  
14 or solids intended for consumption by the general population.

15 (b) Manufacturers standards.--The following shall apply:

16 (1) Manufacturers shall use the least toxic alternative  
17 when replacing bisphenol A in containers in accordance with

1       this section.

2           (2) Manufacturers may not replace bisphenol A under this  
3       section with carcinogens rated by the Environmental  
4       Protection Agency as A, B or C carcinogens or substances  
5       listed as known or likely carcinogens, known to be human  
6       carcinogens, likely to be human carcinogens or suggestive of  
7       being human carcinogens, as described in the "List of  
8       Chemicals Evaluated for Carcinogenic Potential."

9           (3) Manufacturers may not replace bisphenol A under this  
10       section with reproductive toxicants that cause birth defects,  
11       reproductive harm or developmental harm, as identified by the  
12       Environmental Protection Agency.

13       Section 3. Violation of Unfair Trade Practices and Consumer  
14               Protection Law.

15       A violation of section 2 constitutes unfair methods of  
16       competition and unfair or deceptive acts or practices within the  
17       meaning of section 2(4) of the act of December 17, 1968  
18       (P.L.1224, No.387), known as the Unfair Trade Practices and  
19       Consumer Protection Law, and shall be subject to the enforcement  
20       provisions, civil penalties and private rights of action  
21       contained in that act.

22       Section 4. Effective date.

23       This act shall take effect in 60 days.