

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1808 Session of
2011

INTRODUCED BY CRUZ, YOUNGBLOOD, BISHOP AND SWANGER,
AUGUST 10, 2011

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 10, 2011

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 and food and beverage containers.

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

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

18 (2) Manufacturers may not replace bisphenol A pursuant

1 to this section with carcinogens rated by the Environmental
2 Protection Agency as A, B or C carcinogens or substances
3 listed as known or likely carcinogens, known to be human
4 carcinogens, likely to be human carcinogens or suggestive of
5 being human carcinogens, as described in the "List of
6 Chemicals Evaluated for Carcinogenic Potential."

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

11 Section 3. Violation of Unfair Trade Practices and Consumer
12 Protection Law.

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

20 Section 4. Effective date.

21 This act shall take effect in 60 days.