
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 377 Session of
2013

INTRODUCED BY MCCARTER, FABRIZIO, FREEMAN, BROWNLEE, CLAY,
BOBACK, YOUNGBLOOD, KORTZ, O'BRIEN, K. BOYLE, SABATINA,
SCHLOSSBERG, HARKINS, HAGGERTY, SANTARSIERO, MILLARD, ROZZI,
CALTAGIRONE, KINSEY, MURT, COHEN AND BRADFORD,
JANUARY 29, 2013

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 29, 2013

AN ACT

1 Providing for bisphenol A-free baby and toddler products.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Bisphenol A-
6 free Baby and Toddler Products Act.

7 Section 2. Bisphenol A-free baby and toddler products.

8 (a) General rule.--No person or entity may manufacture, sell
9 or distribute any product that contains bisphenol A at a level
10 above 0.1 parts per billion (ppb) if the product is designed or
11 intended primarily for use by infants or children four years of
12 age or younger.

13 (b) Alternatives.--

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

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

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