
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1221 Session of
2019

INTRODUCED BY CRUZ, SCHWEYER, HILL-EVANS, McNEILL, OTTEN AND
MILLARD, APRIL 15, 2019

REFERRED TO COMMITTEE ON COMMERCE, APRIL 15, 2019

AN ACT

1 Providing for bisphenol A-free container 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 BPA-free
6 Container Products Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Container." A food or beverage container that serves as a
12 package, parcel or other vessel intended for use in storing,
13 heating or serving liquids or solids intended for consumption by
14 the general population.

15 Section 3. Bisphenol A-free food and beverage containers.

16 (a) General rule.--No person or entity may manufacture, sell
17 or distribute any container that contains bisphenol A (BPA) at a

1 level above 0.1 parts per billion (ppb).

2 (b) Manufacturer standard.--The following shall apply:

3 (1) A manufacturer shall use the least toxic alternative
4 when replacing BPA in containers in accordance with this
5 section.

6 (2) A manufacturer may not, under this section, replace
7 BPA with carcinogens rated by the Environmental Protection
8 Agency as A, B or C carcinogens or substances listed as known
9 or likely carcinogens, known to be human carcinogens, likely
10 to be human carcinogens or suggestive of being human
11 carcinogens, as described by the Environmental Protection
12 Agency in the Integrated Risk Information System.

13 (3) A manufacturer may not replace BPA under this
14 section with reproductive toxicants that cause birth defects,
15 reproductive harm or developmental harm, as identified by the
16 Environmental Protection Agency.

17 Section 4. Violation of Unfair Trade Practices and Consumer
18 Protection Law.

19 A violation of section 3 constitutes unfair methods of
20 competition and unfair or deceptive acts or practices within the
21 meaning of section 2(4) of the act of December 17, 1968
22 (P.L.1224, No.387), known as the Unfair Trade Practices and
23 Consumer Protection Law, and shall be subject to the enforcement
24 provisions, civil penalties and private rights of action
25 contained in that act.

26 Section 5. Effective date.

27 This act shall take effect in 60 days.