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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2193 Session of  
2021

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INTRODUCED BY CRUZ, SCHLOSSBERG, BURGOS, McNEILL, SANCHEZ AND  
HOWARD, DECEMBER 28, 2021

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, DECEMBER 28, 2021

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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 "BPA." Bisphenol A.

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

15 Section 3. BPA-free food and beverage containers.

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

1 0.1 parts per billion (ppb).

2 (b) Manufacturer standard.--The following standards apply to  
3 manufacturers' use and replacement of BPA:

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

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

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

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

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

27 Section 5. Effective date.

28 This act shall take effect in 60 days.