
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 721 Session of
2023

INTRODUCED BY CERRATO, HANBIDGE, SALISBURY, PROBST, SANCHEZ,
MADDEN, ISAACSON, SCHLOSSBERG, McNEILL, GUENST, HILL-EVANS,
BURGOS, D. WILLIAMS, O'MARA, OTTEN, KINSEY, WEBSTER,
SHUSTERMAN, INNAMORATO, MAYES AND CIRESI, MARCH 28, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, MARCH 28, 2023

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) Prohibition.--A person or entity may not manufacture,

1 sell or distribute any container that contains BPA at a level
2 above 0.1 parts per billion.

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

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

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

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

20 Section 4. Violation of Unfair Trade Practices and Consumer
21 Protection Law.

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

29 Section 5. Effective date.

30 This act shall take effect in 60 days.