

HOUSE No. 2040

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prohibit the sale of "energy drinks" to persons under the age of 19.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

James M. Murphy

4th Norfolk

Thomas J. Calter

12th Plymouth

HOUSE No. 2040

By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 2040) of James M. Murphy and Thomas J. Calter for legislation to prohibit the sale of "energy drinks", so-called, to persons under nineteen years of age. Public Health.

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
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An Act to prohibit the sale of "energy drinks" to persons under the age of 19.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3 of chapter 270 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by adding at the end thereof the following new paragraph:

3 Whoever distributes, delivers, gives away or sells, any “Energy Drink” or other
4 ingredient, substance or beverage that exceeds a caffeine content of seventy-one (71) milligrams
5 per twelve (12) ounce serving and contains taurine and glucuronolactone or a soft drink that is
6 classified as a dietary supplement not regulated by the Food and Drug Administration and that
7 contains eighty (80) or more milligrams of caffeine per eight (8) fluid ounces and generally
8 includes a combination of methylxanthines, B vitamins and herbal ingredients which are
9 advertised as being specifically designed to provide or increase energy to any persons under the
10 age of nineteen (19) shall be punished by a fine not less than fifty (50) dollars for the first
11 offense, one hundred (100) for the second offense and two hundred fifty (250) for the third
12 offense.