HOUSE DOCKET, NO. 2523 FILED ON: 1/17/2013

HOUSE . . . . . No. 1992

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 relative to protecting children from Bisphenol-A.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald Humason	
Sheila C. Harrington	*1st Middlesex*
Paul K. Frost	*7th Worcester*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Todd M. Smola	*1st Hampden*
Matthew A. Beaton	*11th Worcester*

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HOUSE . . . . . No. 1992

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1992) of Bradley H. Jones, Jr. and others relative to the use of Bisphenol-A in certain baby products. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2360* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to protecting children from Bisphenol-A.

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

SECTION 1. Chapter 111 of the General Laws, as most recently amended by chapter 224 of the acts of 2012, is hereby further amended by inserting after section 228 the following new section:-

Section 229. (a) As used in this section the following terms shall have the following meanings:-

"Child care product", all pacifiers and reusable beverage containers intended for use by children three years of age or younger for the consumption of food or liquids including, but not limited to, the following: pacifiers, baby bottles, baby bottle liners, and cups, cup lids, straws, and sippy cups.

“Commissioner”, the commissioner of public health.

“Department”, the department of public health.

“Infant formula”, means a milk-based, soy-based, or amino acid-based powder, concentrated liquid, or ready-to-feed substitute for human breast milk that is intended for infant consumption and that is commercially available.

15 "Baby food", means a prepared solid food consisting of a soft paste or an easily chewed
16 food that is intended for consumption by children two years of age or younger and is
17 commercially available.

18 (b) Beginning January 1, 2012, no person or entity shall manufacture, sell, or distribute in
19 the commonwealth any child care product containing bisphenol A.

20 (c) Beginning January 1, 2012, no person or entity shall manufacture, sell, or distribute in
21 the commonwealth any infant formula or baby food stored in a plastic container, jar, or can that
22 contains bisphenol A.

23 (d) Manufacturers shall use the least toxic alternative when replacing bisphenol A in
24 accordance with this section.

25 (e) Manufacturers shall not replace bisphenol A, pursuant to this section, with
26 carcinogens rated by the U.S. Environmental Protection Agency (EPA) as A, B, or C carcinogens
27 or substances listed on the EPA's "List of Chemicals Evaluated for Carcinogenic Potential" as
28 known or likely carcinogens, known to be human carcinogens, likely to be human carcinogens,
29 or suggestive of being carcinogens.

30 (f) Manufacturers shall not replace bisphenol A, pursuant to this section, with
31 reproductive toxicants that the EPA has identified as causing birth defects, reproductive harm, or
32 developmental harm.

33 (g) The commissioner shall place bisphenol A on the lists of toxic substances, hazardous
34 substances, and banned hazardous substances when bisphenol A is contained in child care
35 products, or infant formula or baby food containers.

36 (h)The department is authorized to promulgate such rules and regulations as it shall deem
37 necessary to implement the provisions of this section.