

# HOUSE . . . . . No. 1204

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## 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 18.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/19/2017</i>

# HOUSE . . . . . No. 1204

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By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 1204) of James M. Murphy for legislation to prohibit the sale of “energy drinks”, so-called, to persons eighteen years old or younger. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2023 OF 2015-2016.]

## The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act to prohibit the sale of "energy drinks" to persons under the age of 18.

*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 2014  
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 six (6) milligrams per one  
5   (1) fluid 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 eighteen (18) 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.