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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2192 Session of  
2020

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INTRODUCED BY HANBIDGE, JANUARY 10, 2020

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 10, 2020

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AN ACT

1 Providing for bisphenol A-free container products for infants.

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 for Infants 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 "Container." A food or beverage container that serves as a  
12 package, parcel or other vessel intended for use in storing,  
13 heating or serving liquids or solids intended for consumption by  
14 infants.

15 "Infant." A child under one year of age.

16 Section 3. Bisphenol A-free food and beverage containers for  
17 infants.

18 (a) General rule.--No person or entity may manufacture, sell

1 or distribute any container intended for use by infants that  
2 contains bisphenol A (BPA) at a level above 0.1 parts per  
3 billion (ppb).

4 (b) Manufacturer standard.--A manufacturer under this  
5 section:

6 (1) Shall use the least toxic alternative when replacing  
7 BPA in containers as provided under this section.

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

15 (3) May not replace BPA with reproductive toxicants that  
16 cause birth defects, reproductive harm or developmental harm,  
17 as identified by the 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.