

AN ACT

1 Providing for bisphenol A-free food and beverage container
2 products.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Bisphenol A-
7 Free Food and Beverage Container Products Act.

8 Section 2. Bisphenol A-free food and beverage containers.

9 (a) General rule.--No person or entity may manufacture, sell
10 or distribute any food or beverage container that contains
11 bisphenol A at a level above 0.1 parts per billion (ppb) if the
12 food or beverage container serves as a package, parcel or other
13 vessel intended for use in storing, heating or serving liquids
14 or solids intended for consumption by the general population.

15 (b) Manufacturers standards.--The following shall apply:

16 (1) Manufacturers shall use the least toxic alternative
17 when replacing bisphenol A in containers in accordance with

1 this section.

2 (2) Manufacturers may not replace bisphenol A under this
3 section with carcinogens rated by the Environmental
4 Protection Agency as A, B or C carcinogens or substances
5 listed as known or likely carcinogens, known to be human
6 carcinogens, likely to be human carcinogens or suggestive of
7 being human carcinogens, as described in the "List of
8 Chemicals Evaluated for Carcinogenic Potential."

9 (3) Manufacturers may not replace bisphenol A under this
10 section with reproductive toxicants that cause birth defects,
11 reproductive harm or developmental harm, as identified by the
12 Environmental Protection Agency.

13 Section 3. Violation of Unfair Trade Practices and Consumer
14 Protection Law.

15 A violation of section 2 constitutes unfair methods of
16 competition and unfair or deceptive acts or practices within the
17 meaning of section 2(4) of the act of December 17, 1968
18 (P.L.1224, No.387), known as the Unfair Trade Practices and
19 Consumer Protection Law, and shall be subject to the enforcement
20 provisions, civil penalties and private rights of action
21 contained in that act.

22 Section 4. Effective date.

23 This act shall take effect in 60 days.