



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE ENVIRONMENT COMMITTEE

March 2, 2009

Ellen Blaschinski, Regulatory Services Branch/509-8171

House Bill 6572 - An Act Concerning Banning Bisphenol-A In Children's Products and Food Products and Prohibiting Certain Alternative Substances.

The Department of Public Health provides the following information with regard to House Bill 6572.

Enforcement of the provisions of this bill would fall under the purview of the Department of Consumer Protection. There is believed to be a fiscal impact associated with this legislation and there is not money appropriated to that agency under the Governor's budget to fund enforcement activities.

Public Health Risk of Bisphenol A (BPA)

There is increasing evidence that BPA is an endocrine disruptor that can have effects at low doses, with the perinatal period likely being most sensitive. While there is some debate about the toxicology, it would be prudent for BPA exposures in early life stages to be minimized to the extent possible. Since BPA is also transmitted in breast milk, the warning and then phasing out of BPA from food cans intended for adult consumption is also recommended. HB 6572 targets the various sources of BPA that currently exist in a baby's diet and consumer products by requiring the banning of or warnings for BPA in a variety of products as follows:

- **Reusable food or beverage containers**
(e.g.: baby formula bottles, spill-proof cups, thermoses and sports bottles)
Banned: After Oct 2010 if a safe alternative is available
Use up inventory: By March 2011
- **Infant formula cans and baby food containers**
Banned: After Oct 2010 - nothing mentioned about safe alternatives
Use up inventory: By March 2011
- **Toys**
Warning label required on a toy containing BPA after Oct 2010
- **Food cans intended for general public**
Warning label required on food cans stating that the can contains BPA by Oct 2010
Banned: After Oct 2012 – nothing mentioned about safe alternatives

The bill also makes any chemical on the carcinogen lists of IARC, USEPA or OSHA an unacceptable alternative to BPA.

Recommended Changes

- Each of the bans, should state that they would take effect only if safer alternatives are available
- Safer alternatives should be defined as being adequately tested for toxic effects including endocrine disruption, neurodevelopment and cancer and that they either be already accepted by other regulatory bodies (e.g., other states, Health Canada, USEPA, the EU) or that the toxicology data in support of these alternatives be presented to CT DCP and DPH for review.
- The labeling of food cans with a BPA warning needs to be done as part of a public education campaign that points out where non-BPA alternative foods can be found (e.g., soup from boxes instead of cans).
- Simplification can be achieved by focusing on exposure sources believed to be greatest (baby bottles, infant formula cans, adult food cans) and not include other sources (toys, water bottles/thermoses intended for adults).
- Because alternatives may not be currently available for BPA in some of the targeted products (e.g. infant formula cans), the phased approach suggested for general food cans should also be considered for these.

Thank you for your consideration of the Department's views on this bill.

Phone:



Telephone Device for the Deaf: (860) 509-7191

410 Capitol Avenue - MS # _____

P.O. Box 340308 Hartford, CT 06134

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