
OLR Bill Analysis

sHB 5116

AN ACT REQUIRING THE LABELING OF FOOD PACKAGING THAT CONTAINS BISPHENOL-A.

SUMMARY:

Beginning January 1, 2013, this bill prohibits any person from distributing, selling, or offering or exposing for sale any food packaging containing bisphenol-A as an intentionally added component unless such packaging has a label on its front stating: "THIS PACKAGE CONTAINS BISPHENOL-A". The statement must be in a clear, legible style of at least 12-point boldface type and uniform font.

Under the bill, "food packaging" is a container or wrapper that (1) comes into direct contact with food and (2) is used to store food or foodstuffs for sale.

The bill allows the consumer protection commissioner to enforce the restriction, within available appropriations.

Current law, unaffected by the bill, prohibits after certain dates the manufacture, sale, offer for sale, or distribution in the state of certain products containing bisphenol-A, including (1) reusable food or beverage containers; (2) plastic containers, jars, or cans storing infant formula or baby food; and (3) thermal or cash register receipt paper.

EFFECTIVE DATE: Upon passage

BACKGROUND

Bisphenol-A

Bisphenol-A is an industrial chemical used to make certain plastics and resins, such as polycarbonate plastics and epoxy resins. Polycarbonate plastics are often used in food and beverage containers, such as water and baby bottles. Epoxy resins can be used to coat the

inside of metal products, such as food and baby formula cans, bottle tops, and water supply lines. BPA has been shown in laboratory animal studies to have reproductive and developmental toxicity.

Federal Regulatory Authority

In general, the U.S. Food and Drug Administration and the U.S. Department of Agriculture regulate labeling requirements of certain foods through the federal Food, Drug, and Cosmetic Act (21 USC § 301 et seq.), the Poultry Products Inspection Act (21 USC § 451 et seq.), and the Meat Inspection Act (21 USC § 601 et seq.). These acts generally prohibit states from requiring that such foods be labeled in a manner inconsistent with federal labeling requirements.

Related Bill

sHB 5117, favorably reported by the Environment Committee, requires that certain food items that are genetically-engineered or are partially produced with genetic engineering be labeled accordingly, among other things.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 20 Nay 9 (03/21/2012)