



Senate

General Assembly

File No. 96

January Session, 2013

Substitute Senate Bill No. 16

Senate, March 21, 2013

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REQUIRING THE LABELING OF FOOD PRODUCTS THAT ARE PACKAGED IN MATERIALS THAT CONTAIN BISPHENOL-A.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding
2 sections 21a-12b, 21a-12c and 21a-12e of the general statutes, on and
3 after January 1, 2014, no person shall distribute, sell, offer for sale or
4 expose for sale any food packaging that contains bisphenol-A as an
5 intentionally added component of such packaging, unless such food
6 packaging bears a label on the front of such package that in a clear,
7 legible font of not less than twelve-point boldface type of uniform font
8 states: "THIS PACKAGE CONTAINS BISPHENOL-A". For the
9 purposes of this section, "food packaging" means a container or
10 wrapper that comes into direct contact with food and that is used to
11 store food or food stuffs for sale.

12 (b) The provisions of this section may be enforced, within available
13 appropriations, by the Commissioner of Consumer Protection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Consumer Protection, Dept.	GF - Cost	11,500 to 15,250	23,000 to 30,500

Municipal Impact: None

Explanation

The bill results in a cost to the Department of Consumer Protection (DCP) of \$11,500 to \$15,250 in FY 14 and \$23,000 to \$30,500 in FY 15. The cost is based on testing 75 to 100 products per year for bisphenol-A. Each test will cost approximately \$300. Testing costs will therefore range from \$22,500 to \$30,000 in a full year. Additionally, each item tested will have to be purchased by the DCP which will result in an estimated cost of \$500 in a full year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 16*****AN ACT REQUIRING THE LABELING OF FOOD PRODUCTS THAT ARE PACKAGED IN MATERIALS THAT CONTAIN BISPHENOL-A.*****SUMMARY:**

Beginning January 1, 2014, 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, uniform font of at least 12-point boldface type.

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 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. Bisphenol-A 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 required 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.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 16 Nay 12 (03/04/2013)