



General Assembly

Amendment

February Session, 2024

LCO No. 4128



Offered by:
REP. LINEHAN, 103rd Dist.

To: House Bill No. 5261

File No. 37

Cal. No. 58

"AN ACT PROHIBITING THE SALE OF ENERGY DRINKS TO INDIVIDUALS UNDER SIXTEEN YEARS OF AGE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) For the purposes of this section,
4 "energy drink" means a soft drink that contains (1) not less than eighty
5 milligrams of caffeine per nine fluid ounces, and (2) methylxanthines, B
6 vitamins, one or more herbal ingredients or an ingredient labeled
7 "energy blend", and "social media" has the same meaning as provided
8 in section 9-601 of the general statutes.

9 (b) There is established a working group to (1) study the (A) medical
10 risks associated with energy drink consumption by children, and (B)
11 anticipated effects of a prohibition on the sale of energy drinks to
12 children on (i) the state-wide sale of energy drinks, and (ii) public health,
13 and (2) make recommendations for (A) a public awareness campaign
14 concerning such risks, that includes, but is not limited to, a video
15 recording for publication or broadcast on television and social media,

16 (B) notice to be posted at the point of sale of energy drinks in retail
17 establishments alerting consumers to such risks, and (C) a one-page
18 document explaining such risks.

19 (c) The working group shall include, but not be limited to, the
20 following members, who shall be selected jointly by the Commissioners
21 of Public Health and Consumer Protection: (1) One or more members of
22 the joint standing committee of the General Assembly having
23 cognizance of matters relating to children, (2) an individual with
24 expertise in advertising and marketing, (3) a parent or guardian of a
25 child who experienced adverse health conditions or died due to the
26 consumption of energy drinks, (4) a pediatric cardiologist, (5) a
27 representative of a state-wide chapter of a national association of
28 pediatricians, (6) a representative of a state-wide governing body for
29 interscholastic athletic activities, and (7) a representative of the
30 Connecticut Children's Medical Center. The commissioners, or their
31 designees, shall serve as cochairpersons of the working group. The
32 administrative staff of the joint standing committee of the General
33 Assembly having cognizance of matters relating to children shall serve
34 as administrative staff of the task force.

35 (d) Not later than November 1, 2024, the working group shall submit
36 a report on its study and recommendations to the joint standing
37 committees of the General Assembly having cognizance of matters
38 relating to children, public health and consumer protection in
39 accordance with the provisions of section 11-4a of the general statutes.

40 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) For the purposes of this
41 section, "energy drink" means a soft drink that contains (1) not less than
42 eighty milligrams of caffeine per nine fluid ounces, and (2)
43 methylxanthines, B vitamins, one or more herbal ingredients or an
44 ingredient labeled "energy blend".

45 (b) Not later than December 1, 2024, the Department of Consumer
46 Protection shall develop signage alerting consumers to the medical risks
47 associated with energy drink consumption by children and make a copy

48 of such signage available on the department's Internet web site. Such
49 signage shall incorporate the recommendations submitted by the
50 working group established pursuant to section 1 of this act.

51 (c) On and after January 1, 2025, each individual, firm, fiduciary,
52 partnership, corporation, limited liability company, trust or association
53 engaged in the business of selling energy drinks to retail consumers in
54 the state shall post a copy of the notice developed pursuant to subsection
55 (b) of this section in a conspicuous place at the point of sale of such
56 energy drinks.

57 Sec. 3. (NEW) (*Effective July 1, 2024*) Not later than January 1, 2025,
58 the working group established pursuant to section 1 of this act shall, in
59 consultation with the Department of Public Health, develop a one-page
60 document explaining the medical risks associated with energy drink
61 consumption by children. The Department of Public Health shall make
62 a copy of such document available on the department's Internet web
63 site. Such document shall incorporate the recommendations submitted
64 by the working group. For the purposes of this section, "energy drink"
65 means a soft drink that contains (1) not less than eighty milligrams of
66 caffeine per nine fluid ounces, and (2) methylxanthines, B vitamins, one
67 or more herbal ingredients or an ingredient labeled "energy blend".

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	New section