
Environmental Health Committee

SSB 6248

Brief Description: Concerning the use of bisphenol A.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Fairley, Rockefeller, Kohl-Welles, Kline and Ranker).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Bans the manufacture and sale of containers made with bisphenol A designed to hold food and beverages used by children under the age of 3 beginning July 1, 2011.
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Hearing Date: 2/17/10

Staff: Pam Madson (786-7111).

Background:

Bisphenol A (BPA) is a chemical that is used to harden plastic. It is found in a wide variety of products, including baby bottles, reusable water bottles, tableware, and storage containers. It is used in the thin coating on the interior of food and beverage cans to prevent corrosion and food contamination from the metals.

Potential health effects from exposure to BPA are reproductive effects and developmental effects, particularly in newborns and infants. The U.S. Food and Drug Administration (FDA) is continuing its review of current research and studies and is researching the potentially low-dose effects of BPA. The government of Canada is taking steps to restrict the use of BPA in baby bottles. Some manufacturers have discontinued the use of BPA in food and beverage products used by young children.

The Department of Ecology (DOE), in consultation with the Department of Health (DOH), has the responsibility of identifying high priority chemicals that are of concern to children.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Containers designed to hold food and beverages primarily for children under 3 years of age and made using BPA may not be manufactured, sold, or distributed in Washington, beginning July 1, 2011.

Manufacturers must notify retailers of banned products 90 days prior to the effect date of the act and recall the product, reimbursing the retailer or consumer who purchased the product.

Manufacturers, retailers, or distributors who knowingly distribute products containing BPA in violation of the chapter are subject to a civil penalty of \$5,000 for the first offense and \$10,000 for subsequent offenses. Retailers who unknowingly sell products containing BPA are not subject to the civil penalties under this chapter.

All penalties are deposited in the State Toxics Control Account (Account) and expenses for this program are paid from the Account. The DOE has rule-making authority to implement, administer, and enforce this law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.