

2016 Regular Session

HOUSE BILL NO. 683

BY REPRESENTATIVES DAVIS AND HILFERTY

COMMERCIAL REGULATIONS: Prohibits the sale of children's food containers that contain bisphenol-A

1 AN ACT

2 To enact Subpart C of Part IV of Subchapter B of Chapter 5-F of Title 40 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 40:1289.21 through 1289.23,
4 relative to bisphenol-A; to prohibit the sale of children's food containers which
5 contain bisphenol-A; to prohibit certain replacement chemicals; to provide for
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart C of Part IV of Subchapter B of Chapter 5-F of Title 40 of the
9 Louisiana Revised Statutes of 1950, comprised of R.S. 40:1289.21 through 1289.23, is
10 hereby enacted to read as follows:

11 SUBPART C. BISPHENOL-A PROHIBITED IN CHILDREN'S FOOD CONTAINERS

12 §1289.21. Definitions

13 For purposes of this Subpart, the following definitions apply:

14 (1) "Baby food" means a prepared solid food consisting of a soft paste or an
15 easily chewed food that is primarily intended for consumption by children two years
16 of age or younger and is commercially available.

17 (2) "Children's food" means infant formula, baby food, or toddler food.

18 (3) "Container" means a receptacle, box, can, or jar, including a lid that is
19 in direct physical contact with a children's food.

1 (4) "Infant formula" means a liquid or powder that purports to be or is
2 represented for special dietary use solely as a food for infants by reason of its
3 simulation of human milk or its suitability as a complete or partial substitute for
4 human milk.

5 (5) "Toddler food" means any food or beverage, other than baby food or
6 infant formula, that is primarily intended for consumption by children under three
7 years of age. For the purposes of this Subpart, "toddler food" does not include food
8 in can containers.

9 §1289.22. Children's food containers; bisphenol-A prohibited

10 A. No manufacturer or wholesaler shall knowingly sell or offer for sale in
11 this state infant formula, baby food, or toddler food stored in a container that
12 contains intentionally added bisphenol-A.

13 B. No retailer shall knowingly sell or offer for sale in this state infant
14 formula, baby food, or toddler food stored in a container that contains intentionally
15 added bisphenol-A.

16 §1289.23. Bisphenol-A replacement chemicals

17 A manufacturer shall not replace the bisphenol-A in a children's food
18 container with a chemical known to the manufacturer to have been identified on the
19 basis of credible scientific evidence by a state, federal, or international agency as
20 being known or suspected with a high degree of probability to do any of the
21 following:

22 (1) Harm the normal development of a fetus or child or cause other
23 developmental toxicity.

24 (2) Cause cancer, genetic damage, or reproductive harm.

25 (3) Disrupt the endocrine or hormone system.

26 (4) Damage the nervous system, immune system, or organs, or cause other
27 systemic toxicity.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 683 Original

2016 Regular Session

Davis

Abstract: Prohibits the sale of children's food containers which contain bisphenol-A.

Proposed law prohibits manufacturers, wholesalers, and retailers from knowingly selling or offering for sale in this state infant formula, baby food, or toddler food stored in a container that contains intentionally added bisphenol-A.

Proposed law prohibits a manufacturer from replacing the bisphenol-A in a children's food container with a chemical known to the manufacturer to have cause harm to the physical wellbeing of a person.

(Adds R.S. 40:1289.21-1289.23)