

1.1A bill for an act

1.2relating to public health; protecting the health of children; prohibiting

1.3bisphenol-A in products for young children; proposing coding for new law in

1.4Minnesota Statutes, chapter 325F.

1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[325F.172] DEFINITIONS.**

1.7(a) For the purposes of sections 325F.172 to 325F.175, the following terms have

1.8the meanings given them.

1.9(b) "Child" means a person under three years of age.

1.10(c) "Children's product" means a product, including containers used to contain infant

1.11formulas, designed or intended by a manufacturer to be used by a child:

1.12(1) as a toy;

1.13(2) to facilitate feeding; or

1.14(3) to be introduced into, or otherwise applied to, the human body or any part

1.15thereof, including any article used as a component of such a product.

1.16**EFFECTIVE DATE.**This section is effective the day following final enactment.

1.17 Sec. 2. **[325F.173] BISPHENOL-A IN CHILDREN'S PRODUCTS.**

1.18By January 1, 2010, no manufacturer may sell or offer for sale in this state a new

1.19children's product that contains bisphenol-A. As it applies to manufacturers of infant

1.20formula containers, the date for compliance with this section is January 1, 2013.

1.21**EFFECTIVE DATE.**This section is effective the day following final enactment.

2.1 Sec. 3. **[325F.174] REPLACEMENT CHEMICALS.**

2.2A manufacturer shall not replace bisphenol-A as a result of the prohibitions in

2.3sections 325F.173 with a chemical that is:

2.4(1) classified as "known to be a human carcinogen" or "reasonably anticipated to be

2.5a human carcinogen" in the most recent Report on Carcinogens published by the National

2.6Toxicology Program in the United States Department of Health and Human Services; or

2.7(2) identified by the federal Environmental Protection Agency as causing birth

2.8defects, hormone disruption, or harm to reproduction or development.

2.9**EFFECTIVE DATE.**This section is effective the day following final enactment.

2.10 Sec. 4. **[325F.175] PARTICIPATION IN INTERSTATE CLEARINGHOUSE.**

2.11The Pollution Control Agency may participate in the establishment and

2.12implementation of a multistate clearinghouse to identify children's products containing

2.13 bisphenol-A and to evaluate safer alternatives that may be substituted for that chemical.

2.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.