

A bill for an act

relating to public health; protecting the health of children; prohibiting bisphenol-A in products for young children; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Section 1. [325F.172] DEFINITIONS.

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

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

(c) "Children's product" means a product, including containers used to contain infant formulas, designed or intended by a manufacturer to be used by a child:

(1) as a toy;

(2) to facilitate feeding; or

(3) to be introduced into, or otherwise applied to, the human body or any part thereof, including any article used as a component of such a product.

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

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

By January 1, 2010, no manufacturer may sell or offer for sale in this state a new children's product that contains bisphenol-A. As it applies to manufacturers of infant formula containers, the date for compliance with this section is January 1, 2013.

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

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

2.2 A manufacturer shall not replace bisphenol-A as a result of the prohibitions in
2.3 sections 325F.173 with a chemical that is:

2.4 (1) classified as "known to be a human carcinogen" or "reasonably anticipated to be
2.5 a human carcinogen" in the most recent Report on Carcinogens published by the National
2.6 Toxicology 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
2.8 defects, 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.**

2.11 The Pollution Control Agency may participate in the establishment and
2.12 implementation 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.