

CONFERENCE COMMITTEE REPORT ON H. F. No. 459

A bill for an act
relating to children's health; prohibiting sale of children's food containers
containing bisphenol-A; proposing coding for new law in Minnesota Statutes,
chapter 325F.

May 8, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

We, the undersigned conferees for H. F. No. 459 report that we have agreed upon the
items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 459 be further
amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [325F.174] BISPHENOL-A IN CHILDREN'S FOOD CONTAINERS.

Subdivision 1. **Prohibition.** (a) Beginning August 1, 2014, no manufacturer or
wholesaler may knowingly sell or offer for sale in this state infant formula, baby food, or
toddler food stored in a container that contains intentionally added bisphenol-A.

(b) Beginning August 1, 2015, no retailer may knowingly sell or offer for sale in
this state infant formula, baby food, or toddler food stored in a container that contains
intentionally added bisphenol-A.

Subd. 2. **Definitions.** For purposes of this section, the following terms have the
meanings given.

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

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

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

(d) "Toddler food" means any food or beverage, other than baby food or infant formula, that is primarily intended for consumption by children under three years of age. For purposes of this section, toddler food in can containers is not included in this definition.

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

Sec. 2. **[325F.175] BISPHENOL-A REPLACEMENT CHEMICALS.**

Beginning August 1, 2014, a manufacturer shall not replace a chemical the use of which is prohibited in section 325F.174 with a chemical known to the manufacturer to have been identified on the basis of credible scientific evidence by a state, federal, or international agency as being known or suspected with a high degree of probability to:

(1) harm the normal development of a fetus or child or cause other developmental toxicity;

(2) cause cancer, genetic damage, or reproductive harm;

(3) disrupt the endocrine or hormone system; or

(4) damage the nervous system, immune system, or organs, or cause other systemic toxicity.

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

3.1 We request the adoption of this report and repassage of the bill.

3.2 House Conferees:

3.3
3.4	Joe Atkins	Leon Lillie

3.5
3.6	Jim Abeler

3.7 Senate Conferees:

3.8
3.9	Katie Sieben	Chris A. Eaton

3.10
3.11	Carrie Ruud