

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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## NEW YORK SUFFOLK COUNTY FIRST IN US TO BAN BISPHENOL-A

The County Executive of Suffolk County in New York has recently approved a ban on bisphenol A (BPA) in beverage containers for children under the age of three. The NY State Suffolk County is the first local level jurisdiction to ban BPA in the US. It will take effect within 90 days after being filed with New York's Secretary of State.



In March 2009, the Suffolk County legislators in Long Island, New York, voted to approve bill Intro. Res. No. 1017-2009 'The Toxin Free Toddler and Babies Act', on the ban of BPA in children's beverage containers<sup>1</sup>. Such containers are defined as any bottle, cup, cup lid, straw or other container intended to be used by children under the age of three (3) years old for the consumption of liquids.

On April 2, 2009, the County Executive of Suffolk County in Long Island, New York, signed the measure banning such products containing BPA. The Suffolk County Department of Health Services is tasked with the enforcement of this law. Any person who knowingly violates the provisions of the law shall be subject to a civil penalty of USD 500 for an initial violation and a penalty of USD 1000 for each subsequent violation. This adopted new law is the nation's first ban on BPA and will be effective within 90 days of being filed with New York's secretary of state.<sup>2</sup>

<sup>1</sup> [Toxin Free Toddler and Babies Act, Intro. Res. No. 1017-2009, amended copy as of 2/23/2009,](#)

<sup>2</sup> [Suffolk County Executive Steve Levy Signs Legislator Stern's BPA Ban, Suffolk County Government, Long Island, New York,](#)

The logo for SGS, consisting of the letters 'SGS' in a bold, sans-serif font. A vertical line is positioned to the right of the letters, and a horizontal line is positioned below the letters, forming an L-shape that frames the text.



Bisphenol A is an important organic compound widely used in the manufacture of polycarbonate plastics. It is also a key constituent of epoxy resins, employed as protective coatings on metal food and beverage cans. Concerns about the use of bisphenol A in consumer products were regularly reported in the news media in 2008 when several governments issued reports questioning its safety, and some retailers have taken products made from it off their shelves. In the US, several states have introduced bills to restrict/ban the use of BPA, that are currently pending review. These include California, Hawaii, Illinois, Michigan, New Jersey, Minnesota, Oregon, and Washington.<sup>3</sup> At the Federal level, a number of bills were introduced in March 2009, also to eliminate BPA in food and beverage containers.<sup>4</sup>

Jurisdiction	Act	Substance	Scope	Requirement	Effective Date
Suffolk County New York	Toxin Free Toddler and Babies Act	Bisphenol A	Beverage containers for children under 3 years old	Prohibited	90 days after filing in the Office of New York's Secretary of State

SGS will follow and inform interested parties as development on BPA and international legislation occur.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for BPA in a comprehensive range of children's products and other consumer products for the US and worldwide markets. Please do not hesitate to contact us for further information.

<sup>3</sup> Focus on Bisphenol-A in Baby Bottles and Beverage Containers, 59/09, Safeguards , SGS Consumer Testing Services, March 2009

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, H.F. No. 326, 2nd Engrossment - 86th Legislative Session (2009-2010), Minnesota, House of Representatives, [click here](#)

<sup>4</sup> HR 1253 'To ban the use of bisphenol A in food containers, and for other purposes' S 593 'A bill to ban the use of bisphenol A in food containers, and for other purposes' S 753 'A bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes', [click here](#)

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