

## US BPA UPDATES: CONNECTICUT BANS BPA IN CERTAIN FOOD CONTACT PRODUCTS

The governor of Connecticut recently signed legislation to ban the use of Bisphenol A (BPA) in reusable food or beverage containers and infant formula or baby food that is stored in a plastic container, jar or can that contains BPA. The ban takes effect on October 1, 2011

On June 3, 2009, the governor of Connecticut signed HB 6572 'An Act Concerning ban of Bisphenol A in Children's Products and Food Products' into law<sup>1</sup>. Connecticut ban on use of BPA extends to reusable food or beverage containers and plastic containers or jars or cans containing infant formula or baby food. The new law is enforced by the Commissioner of Consumer Protection in State of Connecticut and takes effect on October 1, 2011. Existing inventory of infant formula or baby food containers, jars or cans containing BPA as of October 1, 2011, can be sold or distributed until October 1, 2012, provided a person can demonstrate that such items were purchased or acquired before October 1, 2011. Highlights on the new law and a comparison with those for Suffolk County (Long Island, New York)<sup>2</sup>, Minnesota<sup>3</sup> and Chicago<sup>4</sup> are summarized in Table 1.

<sup>1</sup> An Act Concerning Banning Bisphenol-A in Children's Products and Food Products, Public Act 09-103, Session Year 2009, Connecticut General Assembly, [More](#)

<sup>2</sup> New York Suffolk County First in US to Ban Bisphenol-A, [Safeguards 71/09](#)

<sup>3</sup> US BPA Updates: Minnesota Bans BPA, Chicago Awaits Mayor's Signature, [Safeguards 88/09](#)

<sup>4</sup> [SafeGuardS 105/09: Chicago first US city to ban BPA](#)

Table 1

Jurisdiction (State)	Regulation (Bill)	Scope on BPA Ban	Requirement	Effective Date
Chicago (Illinois)	BPA-Free Kids Ordinance Section 7-28-637 Chapter 7-28, Municipal Code of Chicago	Containers - Empty bottle or cup to be filled with food or liquid for children under 3 years old	Prohibited	January 31, 2010
Minnesota	Chapter 40 (SF 247, Session 2009-2010)	Empty bottle or cup to be filled with food or liquid for children under 3 years old	Prohibited (manufacturer or wholesaler)	January 1, 2010
			Prohibited (Retailer)	January 1, 2011

(to be continued)

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Jurisdiction (State)	Regulation (Bill)	Scope on BPA Ban	Requirement	Effective Date
Connecticut	Public Act 09-103 (HB 6527)	Reusable food or beverage container	Prohibited	October 1, 2011
		Plastic container, jar or can that contains infant formula or baby food	Prohibited	October 1, 2011
		Sell or distribute existing inventory of infant formula or baby food containers, jars or cans as of October 1, 2011, provided such items were purchased or acquired prior to October 1, 2011	Prohibited	October 1, 2012
Suffolk County (New York)	Toxin Free Toddler and Babies Act	Beverage containers for children under the age of 3	Prohibited	Approved by County Executive on 2 April 2009 <sup>5</sup>

Definitions under Connecticut's Public Act 09-103

- **Reusable food or beverage container**  
A receptacle for storing food or beverage, including, but not limited to, baby bottles, spill-proof cups, sports bottles and thermoses excluding food or beverage containers intended for disposal after initial use.
- **Infant Formula**  
A milk-based or soy-based powder, concentrated liquid or ready-to-feed substitute for human breast milk, that is intended for infant consumption and is commercially available
- **Baby food**  
A prepared solid food consisting of a soft paste or an easily chewed food that is intended for consumption by children two years of age or younger and is commercially available

<sup>5</sup> Effective date is 90 days after filing in the Office of New York's Secretary of State. Please also see reference 2.

SGS is committed to 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.

#### FOR ENQUIRIES:

Global Competences Support Centre: [gqsc@sgs.com](mailto:gqsc@sgs.com)  
HingWo Tsang +852 2774 7420 or [Hingwo.Tsang@sgs.com](mailto:Hingwo.Tsang@sgs.com)  
Sanjeev Gandhi +973-461-7924 or [Sanjeev.Gandhi@sgs.com](mailto:Sanjeev.Gandhi@sgs.com)

Asia – Hong Kong. Tel: +852 2334 4481 Fax: +852 2144 7001 [mktg.hk@sgs.com](mailto:mktg.hk@sgs.com)  
Australasia \_ Perth. Tel: +61 (0) 3 9790 3418 Fax: +61 (0) 3 9701 0988 [au.cts@sgs.com](mailto:au.cts@sgs.com)  
Europe – London —UK. Tel: +44(0) 20 8991 3410 Fax: +44 (0) 20 8991 3417 [gb.cts.sales@sgs.com](mailto:gb.cts.sales@sgs.com)  
Africa & Middle East – Turkey. Tel: +90 212 225 0024 Fax: +90 212 296 47 82 [sgs.turkey@sgs.com](mailto:sgs.turkey@sgs.com)  
Americas – USA. Tel: +1 973 575 5252 Fax: +1 973 575 1193 [Marketing.CTS.US@sgs.com](mailto:Marketing.CTS.US@sgs.com)

[www.sgs.com](http://www.sgs.com) Global Competences Support Centre: [gqsc@sgs.com](mailto:gqsc@sgs.com)

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