

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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US BPA UPDATE: NEW YORK COUNTIES BAN BPA; MASSACHUSETTS ISSUES HEALTH ADVISORY

The New York State Counties of Albany and Schenectady recently approved measures to ban bisphenol A (BPA) in baby bottles and beverage containers.

On August 11th, 2009, the Schenectady County Legislature in New York voted to approve 'A Local Law Establishing the Toxin Free Toddler and Babies Act' ¹.

Under the new law, beverage containers containing BPA intended for use by children under the age of three are prohibited. This includes any unfilled bottle, cup, cup lid, straw or any other container used for the consumption of liquids. This ban takes effect 90 days from its initial filing with the Office of the Secretary of State of New York. Penalties for first time violators are fixed under the law at \$500; subsequent violations are subject to a penalty of \$1,000 each.



¹: [Another BPA ban OK'd, this one in Schenectady](#), the Times Union, August 12, 2009

A similar law banning BPA in beverage containers intended for children was passed by Albany County on August 10th, 2009, taking effect on January 1st, 2010. Civil penalties are identical to those cited by the Schenectady County law ².

Highlights of the BPA bans are summarised in Table 1 as follows.

Table 1

Jurisdiction (New York)	Substance	Scope	Requirement	Effective date
Albany County	Bisphenol A	Beverage containers for children under three years old	Prohibited	90 days after being filed in Office of Secretary of State
Schenectady County				January 1, 2010



In addition, the State of Massachusetts has issued a health advisory on BPA to consumers³. The advisory by Department of Public Health of Massachusetts cautions parents and guardians of children up to two years old to avoid the use of products that contain BPA for making or storing infant formula and breast milk. Unlike Chicago (Illinois)⁴, Connecticut⁵, Minnesota⁶, Albany County (New York), Schenectady County (New York) and Suffolk County (New York)⁷, Massachusetts has not yet passed regulation banning BPA.

SGS will inform interested parties as developments 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.

² [Upstate NY County Bans BPA, August 13, 2009](#)

³ [Public Health Advisory Regarding Bisphenol A \(BPA\), Department of Public Health, The Official Website of the Health and Human Services \(EOHHS\), Commonwealth of Massachusetts,](#)

⁴ [Chicago First City in US to Ban BPA, Safeguards 105/09](#), SGS Consumer Product Services, June 2009

⁵ [US BPA Updates: Connecticut Bans BPA in Certain Food Contact Products, Safeguards 110/09](#), SGS Consumer Product Services, June 2009

⁶ [US BPA Updates: Minnesota bans BPA, Chicago Awaits Mayor's Signature, Safeguards 88/09](#), SGS Consumer Product Services, June 2009

⁷ [New York Suffolk County First in US to ban Bisphenol A, Safeguards 71/09](#), SGS Consumer Product Services, April 2009

FOR ENQUIRIES:

Global Competences Support Centre: gpsc@sgs.com
 HingWo Tsang Tel: +852 2774 7420 or Hingwo.Tsang@sgs.com
 Sanjeev Gandhi Tel: 973-461-7924 or Sanjeev.Gandhi@sgs.com

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

www.sgs.com Global Competences Support Centre: gpsc@sgs.com
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