

SAFEGUARDS

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TOYS & JUVENILE PRODUCTS, ELECTRICAL & ELECTRONICS

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US ILLINOIS BANS BPA IN CHILDCARE PRODUCTS AND EXPANDS SCOPE OF MERCURY PROHIBITION

The US state of Illinois recently approved measures to prohibit bisphenol A (BPA) in certain childcare products and to expand the ban of mercury to zinc air button cell batteries.

On 27 August 2012, the governor of the State of Illinois signed 2 bills into law to prohibit chemicals in certain consumer products.

Under the Toxin-Free Toddler Act (Public Act 97-1101), BPA is prohibited in food and beverage containers for children under the age of 3. The effective date is 1 January 2013 for manufacturers and 1 January 2014 for retailers¹. Illinois is now the 12th state in the US to institute some form of ban on BPA in consumer products; joining California, Connecticut, Delaware, Maine, Maryland, Massachusetts, Minnesota, Multnomah County (Oregon), New York, Vermont, Washington, Washington DC and Wisconsin². The US FDA has disallowed the use of BPA-based polycarbonate resins in infant feeding bottles and spill-proof cups³, but the Illinois ban on BPA extends to bowls and plates as well.

Under the existing 'Mercury-added Product Prohibition Act', mercury is prohibited in

- barometers, thermometers and similar products
- novelty products for personal or household enjoyment such as toys, games, figurines, candles, jewellery and holiday decorations.
- products where mercury is intentionally added, excluding button cell batteries

Under the latest amendment (Public Act 97-1107) to the 'Mercury-added Product Prohibition Act', the scope of mercury prohibition is expanded to zinc air button cell batteries. This new amendment takes effect on 1 July 2013⁴. Highlights of the 2 Acts on BPA and amendments to the 'Mercury-added Product Prohibition Act' are summarised in Table 1.



¹ [Toxin Free Toddler Act, Public Act 97-1101, SB 2950, 97th Illinois General Assembly](#)

² [SafeguardS 134/11](#) and references therein, [SafeguardS 136/11](#)

³ [SafeguardS 119/12](#)

⁴ [Public Act 97-1107 amending the Mercury-added Product Prohibition Act', HB 1621, 97th Illinois General Assembly](#)

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TABLE 1.

JURISDICTION	REGULATION (ACT)	SUBSTANCE	SCOPE	REQUIREMENT	EFFECTIVE DATE
US Illinois	Public Act 97-1101 (Toxin-Free Toddler Act)	BPA	Food and beverage containers for children under 3	Prohibited	1 Jan 2013 (manufacturer & wholesaler)
					1 Jan 2014 (retailer)
	Public Act 97-1107 (amending 'The Mercury-added Product Prohibition Act')	Mercury	Zinc air button cell batteries	Prohibited	1 Jul 2013

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



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