

# ASSEMBLY, No. 1437

## STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblyman DAVID W. WOLFE**

**District 10 (Ocean)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblymen Diegnan and Benson**

**SYNOPSIS**

Prohibits sale of food and beverage packaging and containers made with bisphenol A.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning food and beverage packaging and containers  
2 made with bisphenol A and supplementing Title 24 of the  
3 Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. The Legislature finds and declares that bisphenol A, which  
9 is found in many food and drink packaging applications, is an  
10 estrogen-mimicking endocrine disruptor chemical used in the  
11 production of epoxy resins and polycarbonate plastics; that it has  
12 been shown to have hormone disrupting effects; and that the resins  
13 are commonly used as lacquers to coat metal products such as food  
14 cans, bottles, bottle tops, and water supply pipes and in many other  
15 commodities, including products used by young children.

16 The Legislature further finds and declares that high levels of  
17 bisphenol A and other chemical phthalates can have adverse effects  
18 on people and there is substantial evidence that virtually everyone  
19 carries some level of phthalates in their body; and that reusable  
20 plastic storage containers, such as baby bottles or polycarbonate  
21 plastic thermoses, can leach bisphenol A, and each time they are  
22 washed and reused, they are at risk of becoming scratched, leading  
23 them to degrade further and leach more chemicals.

24 The Legislature also finds and declares that in 2007, a panel of  
25 scientists studying the effects of bisphenol A at the National  
26 Institute of Environmental Health Sciences, within the National  
27 Institutes of Health in the United States Department of Health and  
28 Human Services, found their greatest concern about the hazards of  
29 exposure to bisphenol A was the possible neural and behavioral  
30 effects caused by bisphenol A exposure in utero, and expressed  
31 some concern as well that the chemical could cause problems in  
32 developing fetuses and young children.

33 The Legislature therefore determines that bisphenol A is a  
34 hazardous substance and it is in the public interest to prohibit the  
35 sale of food and beverage packaging and storage containers that are  
36 made with or composed of bisphenol A.

37  
38 2. a. On or after January 1, 2010, no person may sell, offer for  
39 sale, or distribute for sale in the State food or beverages in a  
40 package or container made with or composed of bisphenol A.

41 b. On or after January 1, 2010, no person may sell, offer for  
42 sale, or distribute for sale in the State a food or beverage storage  
43 container made with or composed of bisphenol A.

44 As used in this subsection, "food or beverage storage container"  
45 means any refillable or reusable plastic container for food or  
46 beverages, which may be used for the reheating or storage of that  
47 commodity, and includes but is not limited to thermoses, baby  
48 bottles, coolers, and resealable containers.



1 lacquers to coat metal products such as food cans and bottles and in  
2 many other commodities, including products used by young  
3 children.

4 High levels of BPA and other chemical phthalates can have  
5 adverse effects on people, and there is substantial evidence that  
6 virtually everyone carries some level of phthalates in their body.  
7 Reusable plastic storage containers, such as baby bottles or other  
8 polycarbonate plastic thermoses, can leach BPA, and each time they  
9 are washed and reused, they are at risk of becoming scratched,  
10 leading them to degrade and leach more chemicals.

11 In 2007, a panel of scientists studying the effects of BPA at the  
12 National Institute of Environmental Health Sciences, in the U.S.  
13 Department of Health and Human Services, found their greatest  
14 concern about the hazards of exposure to BPA was the possible  
15 neural and behavioral effects caused by BPA exposure in utero.  
16 They also expressed some concern that the chemical could cause  
17 problems in developing fetuses and young children.