

75th OREGON LEGISLATIVE ASSEMBLY – 2010 Special Session
STAFF MEASURE SUMMARY
Senate Committee on Environment and Natural Resources

MINORITY REPORT
MEASURE: SB 1032 A
CARRIER: Sen. Atkinson

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed
Signers of the Report: Sen. Atkinson and Sen. Boquist
Prepared By: Beth Patrino, Administrator
Meeting Dates: 2/4, 2/9, 2/11

WHAT THE MINORITY REPORT DOES: Defines “child’s beverage container” to mean an empty baby bottle or spill-proof cup that is distributed or sold at retail without containing any contents, designed to be filled with liquid, and intended primarily for consumption by child less than three years of age. Prohibits person from willfully or knowingly manufacturing, distributing, selling or offering for sale in Oregon any commercially available child’s beverage container made with Bisphenol A (BPA). Makes violation an unlawful trade practice under ORS 646.608. Prohibition is operative on day after date Legislative Counsel receives notice from Oregon Health Authority (OHA) that United States Food and Drug Administration (FDA) has adopted regulations providing that child’s beverage containers may not be made or lined with BPA. Directs OHA to notify Legislative Counsel immediately upon adoption of such regulations by FDA.

ISSUES DISCUSSED:

- Studies on health effects of BPA
- Recent announcement by U.S. Food and Drug Administration
- Applicability of original measure to formula containers

EFFECT OF MINORITY AMENDMENT: Changes definition of “child’s beverage container” to mean empty baby bottle or spill-proof cup that is distributed or sold at retail without containing any contents, designed to be filled with liquid, and intended primarily for consumption by child less than three years of age. Makes prohibition operative on day after date Legislative Counsel receives notice from OHA that FDA has adopted regulations providing that child’s beverage containers may not be made or lined with BPA. Directs OHA to notify Legislative Counsel immediately upon adoption of such regulations by FDA.

BACKGROUND: Bisphenol A (BPA) is a chemical used primarily in the production of polycarbonate plastics and epoxy resins. Polycarbonate plastics have many applications, including food and drink packaging, impact-resistant safety equipment, and medical devices. Epoxy resins are lacquers used to coat metal products such as food cans, bottle tops, and water supply pipes. Some dental sealants and composites may also contain BPA.

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This summary has not been adopted or officially endorsed by action of the committee.

Committee Services Form – 2010 Special Session