

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	3 - 2 - 0
Yeas:	Hass, Prozanski, Dingfelder
Nays:	Atkinson, Boquist
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	2/4, 2/9, 2/11

WHAT THE MEASURE DOES: Defines “child’s beverage container” to mean an empty baby bottle or cup, including spill-proof cup, designed to be filled with liquid 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. Requires manufacturer of child’s beverage container made with BPA to make reasonable effort to notify person who distributes, sells or offers for sale manufacturer’s containers of prohibition at least 90 days before July 1, 2011. Requires manufacturer to recall prohibited container and adequately reimburse retailer or consumer for costs of container and cost to comply with recall. Applies to person operating as manufacturer, distributor or retailer on or after effective date of Act. Act becomes operative July 1, 2011.

ISSUES DISCUSSED:

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

EFFECT OF COMMITTEE AMENDMENT: Changes definition of “child’s beverage container” to mean an empty baby bottle or cup, including spill-proof cup, designed to be filled with liquid intended primarily for consumption by child less than three years of age. Requires manufacturers of containers to notify retailers of prohibition, recall containers and reimburse retailer or consumer for cost to comply with recall. Changes effective date to July 1, 2011.

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.