

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Hass, Prozanski, Dingfelder

Nays: Olsen, Thomsen

Exc.: 0

Prepared By: Beth Patrino, Administrator

Meeting Dates: 3/15, 3/31

WHAT THE MEASURE DOES: Prohibits manufacturing, distributing, and selling child's beverage container or reusable bottle made or lined with bisphenol A (BPA) or BPA substitute that is carcinogenic or reproductive toxicant. Requires manufacturer of child's beverage container or reusable bottle with BPA to make reasonable efforts to notify distributors and sellers of containers and bottles of ban at least 90 days before ban's operative date. Requires manufacturer to recall child's beverage container or reusable bottle with BPA and adequately reimburse retailer or consumer for costs of container and complying with recall. Effective date for ban and recall of child's beverage container and reusable bottle is January 1, 2012. Directs Oregon Health Authority (OHA) to approve and obtain for Women, Infants and Children (WIC) Program only infant formula in containers that do not leach BPA into formula above 0.1 parts per billion or lined with certain materials, effective January 1, 2013. Does not apply to medically indicated formula. Requires OHA to report to appropriate legislative committees regarding availability of infant formula in approved containers by January 15, 2012. Creates Oregon BPA-Free Advisory Group consisting of 11 members to report to 76th Legislative Assembly on or before by February 1, 2012. Group may provide advice and make recommendations on process to certify that containers used for foods, infant formula, liquids or beverages are not made with or lined with BPA at detectable levels above 0.1 parts per billion. Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

- Studies on effect of BPA on health and development of children
- Many, but not all, major manufacturers and retailers have stop using BPA or selling children's products containing BPA
- Other children's products, including toys and infant pacifiers, contain BPA

EFFECT OF COMMITTEE AMENDMENT: Deletes infant formula container prohibition. Directs OHA to approve and obtain for WIC program only infant formula in containers that do not leach BPA into formula above 0.1 parts per billion or lined with certain materials, effective January 1, 2013. Does not apply to medically indicated formula. Requires OHA to report to appropriate legislative committees by January 15, 2012. Removes provisions relating to metal cans. Creates Oregon BPA-Free Advisory Group consisting of 11 members to report to 76th Legislative Assembly on or before by February 1, 2012.

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. Senate Bill 695 A would prohibit the manufacture, distribution and sale of child beverage containers and reusable bottles made or lined with BPA and establish the Oregon BPA-Free Advisory Committee to provide advice and make recommendations to the 76th Legislative Assembly.

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