
A BILL FOR AN ACT

RELATING TO TOXIC PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that conditions such as
2 asthma, diseases such as cancer, and developmental disabilities
3 are linked to exposure to toxic substances. Growing children
4 are particularly at risk in this regard, as they are
5 physiologically more susceptible to chemicals. Precautionary
6 measures must be taken to protect them.

7 Bisphenol A is an industrial chemical that is used in
8 packaging and plastic bottles. Bisphenol A in plastics and
9 packaging materials can transfer to liquids and foods, and
10 additional amounts of bisphenol A are transferred when hot or
11 boiling foods or liquids come into contact with packaging made
12 of bisphenol A. Some animal studies have shown that exposure to
13 bisphenol A may be linked to health problems such as diabetes,
14 cardiovascular disease, and reproductive disorders.

15 In July 2012, the United States Food and Drug
16 Administration banned the use of bisphenol A in infant feeding
17 bottles and spill-proof cups known as "sippy cups", including
18 their closures and lids, designed to help train babies and



1 toddlers to drink from cups. 21 Code of Federal Regulations
 2 section 177.1580. This decision was made in response to a
 3 petition that the American Chemistry Council filed because
 4 manufacturers had stopped using bisphenol A in baby bottles and
 5 sippy cups. However, the decision did not include banning the
 6 use of bisphenol A in products such as baby formula containers.
 7 The legislature finds that it is in the best interest of
 8 Hawaii's children to significantly reduce children's exposure to
 9 bisphenol A as early as possible, and ultimately, eliminate
 10 exposure altogether.

11 The purpose of this Act is to promote the health and safety
 12 of children by prohibiting the manufacture, sale, and
 13 distribution of reusable food and drink containers containing
 14 bisphenol A and intended for use by young children.

15 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
 16 amended by adding a new part to be appropriately designated and
 17 to read as follows:

18 **"PART . INFANT AND TODDLER SAFETY**

19 **§321- Short title.** This part shall be known, and may
 20 be cited, as the Toxin-Free Keiki Act.

21 **§321- Definitions.** As used in this part, unless the
 22 context otherwise requires:



1 "Bisphenol A" refers to an estrogen-mimicking chemical used
2 in the production of epoxy resins and polycarbonate plastics.

3 "Child care article" means a reusable food or drink
4 container that is designed and intended by the manufacturer to
5 be filled with food or liquid and to be used by a child.

6 **§321- Prohibition of manufacture, sale, or**
7 **distribution.** Beginning January 1, 2014, no person or legal
8 entity shall manufacture, sell, or distribute any child care
9 article in the State that is intended for use by a child under
10 three years of age and contains bisphenol A."

11 SECTION 3. This Act shall take effect on July 1, 2112.



Report Title:

Toxic Products; Infant and Child Safety

Description:

Prohibits the manufacture, sale or distribution of reusable drink and food containers intended for use by children under three and containing bisphenol A. Effective July 1, 2112.
(HB396 HD2)

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