

**House File 147 - Introduced**

HOUSE FILE 147

BY ISENHART, KEARNS, WITTNEBEN,  
RUNNING-MARQUARDT, HANSON,  
GAINES, WESSEL-KROESCHELL,  
M. SMITH, MASCHER, STECKMAN,  
ABDUL-SAMAD, HEDDENS, and  
GASKILL

**A BILL FOR**

1 An Act relating to the use of bisphenol A in certain products  
2 and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.181 **Bisphenol A prohibition.**

2 1. As used in this section, unless the context otherwise  
3 requires:

4 a. "*Baby food*" means a commercially available prepared solid  
5 food consisting of a soft paste or an easily chewed food that  
6 is intended for consumption by children two years of age or  
7 younger.

8 b. "*Infant formula*" means commercially available milk-based  
9 or soy-based powder, concentrated liquid, or ready-to-feed  
10 substitute for human breast milk that is intended for infant  
11 consumption.

12 c. "*Reusable food or beverage container*" means a receptacle  
13 for storing food or beverages, including baby bottles,  
14 spill-proof cups, sports bottles, and thermoses. "*Reusable*  
15 *food or beverage container*" does not include food or beverage  
16 containers intended for disposal after initial usage.

17 2. Beginning January 1, 2012, a person shall not  
18 manufacture, sell, or distribute in commerce in this state any  
19 reusable food or beverage container containing bisphenol A.

20 3. Beginning January 1, 2012, a person shall not  
21 manufacture, sell, or distribute in commerce in this state any  
22 infant formula or baby food stored in a plastic container, can,  
23 or jar containing bisphenol A.

24 4. A manufacturer shall use the least toxic alternative when  
25 replacing bisphenol A in accordance with this section.

26 5. In complying with this section, a manufacturer shall  
27 not replace bisphenol A with a substance rated by the United  
28 States environmental protection agency as a class A, B, or  
29 C carcinogen or a substance listed on the agency's list of  
30 chemicals evaluated for carcinogenic potential as known or  
31 likely carcinogens, known to be human carcinogens, likely to be  
32 human carcinogens, or suggestive of being carcinogens.

33 6. In complying with this section, a manufacturer shall not  
34 replace bisphenol A with a reproductive toxicant that has been  
35 identified by the United States environmental protection agency

1 as causing birth defects, reproductive harm, or developmental  
2 harm.

3 7. A person who violates this section is subject to a civil  
4 penalty of one thousand dollars for each violation.

5 EXPLANATION

6 This bill relates to the use of bisphenol A in certain  
7 products.

8 The bill, beginning January 1, 2012, prohibits the  
9 manufacture, sale, or distribution of any reusable food  
10 or beverage container containing bisphenol A. The bill,  
11 beginning January 1, 2012, prohibits the manufacture, sale,  
12 or distribution of any infant formula or baby food stored in  
13 a plastic container, can, or jar containing bisphenol A. The  
14 bill requires manufacturers to use the least toxic alternative  
15 when replacing bisphenol A in a product and prohibits the  
16 use of certain substances as replacements for bisphenol A in  
17 products. The bill provides that a person who violates the  
18 provisions of the bill is subject to a civil penalty of \$1,000  
19 for each violation.