

**Senate File 386 - Introduced**

SENATE FILE 386

BY BOLKCOM

**A BILL FOR**

1 An Act prohibiting the manufacturing and sale of food packaging  
2 containing perfluoroalkyl and polyfluoroalkyl substances,  
3 including effective date provisions, and making penalties  
4 applicable.

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

1 Section 1. NEW SECTION. 455F.12 Food packaging —  
2 perfluoroalkyl or polyfluoroalkyl substances.

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

5 a. "*Food packaging*" means a package, including a unit  
6 package, intermediate package, and a shipping container,  
7 or packaging component, including any interior or exterior  
8 blocking, bracing, cushioning, weatherproofing, exterior  
9 strapping, coatings, closures, inks, and labels, that is  
10 intended for the marketing, protection, or handling of a  
11 product intended for food contact or used to store food for  
12 sale.

13 b. "*Perfluoroalkyl substance*" or "*polyfluoroalkyl substance*"  
14 means a class of fluorinated organic chemicals containing at  
15 least one fully fluorinated carbon atom.

16 2. Except as otherwise provided, a person shall not  
17 knowingly manufacture, sell, offer for sale, distribute for  
18 sale, or distribute for use in this state food packaging to  
19 which a perfluoroalkyl substance or a polyfluoroalkyl substance  
20 has been intentionally added in any amount.

21 3. The prohibition in subsection 2 does not apply to new  
22 food packaging that is sold, offered for sale, or distributed  
23 for promotional purposes in the state by a retailer or  
24 wholesaler on or after January 1, 2021, that was imported into  
25 the state or otherwise purchased or acquired by the retailer  
26 or wholesaler for sale or distribution in the state prior to  
27 January 1, 2021.

28 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,  
29 2021.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 This bill prohibits the sale of food packaging that contains  
34 perfluoroalkyl or polyfluoroalkyl substances in the state of  
35 Iowa. The bill makes an exception for new food packaging that

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1 is otherwise subject to the prohibition but was imported into  
2 the state or otherwise purchased or acquired by a retailer  
3 or wholesaler for sale or distribution in the state prior to  
4 January 1, 2021. A violation of the provisions in the bill is a  
5 simple misdemeanor. The bill takes effect January 1, 2021.

6 A simple misdemeanor is punishable by confinement for no  
7 more than 30 days or a fine of at least \$65 but not more than  
8 \$625 or both.