

**Senate File 405 - Reprinted**

SENATE FILE 405  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SF 60)

(As Amended and Passed by the Senate March 9, 2011)

**A BILL FOR**

1 An Act relating to the use of bisphenol A in certain products,  
2 providing penalties, and including effective date  
3 provisions.

4 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. "*Infant pacifier*" means a device designed to be bitten  
5 or sucked by an infant for the sole purpose of soothing or  
6 providing comfort to the infant, including soothing discomfort  
7 caused by teething.

8 b. "*Reusable beverage container*" means a baby bottle or  
9 spill-proof container primarily intended by the manufacturer  
10 for use by a child three years of age or younger.

11 1A. For purposes of this section, "*reusable beverage*  
12 *container*" includes disposable baby bottle liners designed to  
13 hold liquids in a baby bottle.

14 2. Beginning January 1, 2013, a person shall not  
15 manufacture, sell, or distribute in commerce in this state  
16 any infant pacifier or reusable beverage container containing  
17 bisphenol A. A manufacturer or wholesaler who sells or offers  
18 for sale in this state a reusable beverage container that is  
19 intended for retail sale shall do all of the following:

20 a. Ensure that the container is conspicuously labeled as not  
21 containing bisphenol A.

22 b. Provide the retailer with affirmation that the container  
23 does not contain bisphenol A.

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

26 4. 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, or likely  
32 to be human carcinogens.

33 5. 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

S.F. 405

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

3 6. A person who violates this section is subject to a civil  
4 penalty of five hundred dollars for each violation.

5 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,  
6 2013.