Kentucky Proposes Ban Restricting the Use of Bisphenol-A

The State of Kentucky has proposed a bill to ban the manufacture, sale and distribution of infant formula or baby food stored in a plastic receptacle containing bisphenol-A (BPA).

The Challenge:

According to the bill, beginning January 1, 2012, no person or entity shall manufacture, sell or distribute in commerce in the state:

- Any reusable food or beverage container containing BPA; and
- Any infant formula or baby food stored in a plastic container, can or jar that contains BPA.

Furthermore, manufacturers shall use the least toxic alternative when replacing BPA, and shall not replace BPA with the following substances:

- Carcinogens rated by the US Environmental Protection Agency (EPA) as A, B, or C carcinogens; or
- Substances listed on the EPA's "List of Chemicals Evaluated for Carcinogenic Potential" as known or likely carcinogens, known to be human carcinogens, likely to be human carcinogens, or suggestive of being carcinogens; or
- Reproductive toxicants that the EPA has identified as causing birth defects, reproductive harm, or developmental harm.

Note:

"Reusable food or beverage container" means a receptacle for storing food or beverages, including baby bottles, spill-proof cups, sports bottles and thermoses. However, it does not include food or beverage containers intended for disposal after initial usage.

"Infant formula" means a milk-based or soy-based powder, concentrated liquid, or ready-to-feed substitute for human breast milk that is intended for infant consumption and that is commercially available.

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

The Solution:

Intertek has developed precise analytical methods in verifying the concentration of bisphenol-A in plastic products. We offer comprehensive programs and services which draw on our industry specific knowledge and technical expertise.

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