

SUPPORT

LD 412 -- Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol-A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection

Sponsor: Representative James Hamper

Summary: This is a major substantive rule that would phase out the use of the hormone-disrupting chemical bisphenol-A from baby bottles, sippy cups and other reusable food and beverage containers in favor of commercially-widespread safer alternatives. The rules were adopted unanimously in December by the Board of Environmental Protection.

Explanation: Bisphenol-A (BPA) is a hormone-disrupting chemical that can reduce immune function, impair brain development, and has been linked to diseases like breast and prostate cancers later in life.

According to the National Institute of Health, 93% of Americans have BPA in their bodies at levels that may be harmful. Exposure comes from activities like eating canned food or drinking from polycarbonate plastic bottles. Scientific experts around the world have concluded that this chemical is a risk to human health.

The BPA rules are before the Maine Legislature as a result of the Kid-Safe Products Act, which was adopted in 2007 as a common sense approach to helping parents protect their children from harmful chemicals in consumer products. The Kid-Safe Products Act creates a process to: 1) identify the most dangerous chemicals used in children's products, 2) name the most harmful of these as Priority Chemicals, 3) collect and share information about these Priority Chemicals with Maine citizens and businesses, and 4) ensure replacement of these most harmful chemicals with safer alternatives when feasible. BPA was the first Priority Chemical named under the law.

During a six-month public hearing and comment period, the Board of Environmental Protection heard the consensus of the nation's top scientists that BPA is dangerous, even in small doses, such as those we are exposed to every day in products such as food and beverage containers, including sippy cups and baby bottles.

Businesses large and small urged the Board of Environmental Protection to adopt a rule to phase BPA out of consumer products. Also, big companies like Nestle, Heinz, and General Mills have pledged to eliminate BPA from their food packaging. Walmart and many companies that produce baby bottles and infant formula, have taken action to eliminate BPA from their products.

Because the scientific evidence against BPA is overwhelming and safer alternatives are readily available, Maine's Board of Environmental Protection voted 5-0 that BPA should be eliminated from these products and replaced with safer alternatives when feasible. If the Maine Legislature affirms this decision, then Maine will be the ninth state to restrict the use of BPA for these products, after CT, MA, MD, MN, NY, VT, WA and WI. Canada and the European Union have already banned the use of BPA in baby bottles and sippy cups.

NRCM supports LD 412.