



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1050

H.P. 743

House of Representatives, March 19, 2013

An Act Requiring the Labeling of Food Packaging That Contains Bisphenol A

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DEVIN of Newcastle.
Cosponsored by Representatives: DORNEY of Norridgewock, EVANGELOS of Friendship,
GIDEON of Freeport, MacDONALD of Boothbay, Senator: JOHNSON of Lincoln.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA c. 16-E** is enacted to read:

3 **CHAPTER 16-E**

4 **PRODUCTS CONTAINING BISPHENOL A**

5 **§1699-G. Labeling and consumer information**

6 **1. Labeling required for certain products.** Effective January 1, 2014, a
7 manufacturer may not sell at retail in this State or to a retailer in this State, and a retailer
8 may not knowingly sell, a product containing bisphenol A that is designed to be used to
9 hold or contain products that are ingested or consumed by humans unless the item is
10 labeled pursuant to this subsection. The label must clearly inform the purchaser or
11 consumer that bisphenol A is present in the item. A manufacturer shall affix to a product
12 containing bisphenol A a label that conforms to the requirements of this subsection.

13 The board shall adopt rules to establish standards for affixing labels to a product and
14 product package. The rules must strive for consistency with labeling programs in other
15 states and provide for approval of alternative compliance plans by the department. Rules
16 adopted pursuant to this subsection are routine technical rules as defined in Title 5,
17 chapter 375, subchapter 2-A.

18 **§1699-H. Penalty**

19 A manufacturer who fails to comply with the labeling requirements of section
20 1699-G violates this chapter. A violation of this chapter is a civil violation for which a
21 fine of not more than \$100 may be adjudged.

22 **SUMMARY**

23 This bill requires that products containing bisphenol A, or BPA, that are designed to
24 hold or contain products that are ingested or consumed by humans must be labeled as
25 containing BPA.