
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 853 Session of
2023

INTRODUCED BY HANBIDGE, SAMUELSON, CIRESI, SCHLOSSBERG, HILL-
EVANS, KINSEY, SANCHEZ, RABB, MADDEN, GUENST, BURGOS,
MCNEILL, HOWARD, FLEMING, SHUSTERMAN, FREEMAN, GILLEN,
O'MARA, CERRATO AND N. NELSON, APRIL 10, 2023

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, APRIL 10, 2023

AN ACT

1 Providing for bisphenol A-free container products for infants.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the BPA-free
6 Container Products for Infants Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Container." A food or beverage container that serves as a
12 package, parcel or other vessel intended for use in storing,
13 heating or serving liquids or solids intended for consumption by
14 infants.

15 "Infant." A child under one year of age.

16 Section 3. Bisphenol A-free food and beverage containers for

1 infants.

2 (a) Prohibition.--A person may not manufacture, sell or
3 distribute any container intended for use by infants that
4 contains bisphenol A at a level above 0.1 parts per billion.

5 (b) Manufacturer standard.--A manufacturer under this
6 section:

7 (1) Shall use the least toxic alternative when replacing
8 bisphenol A in containers as provided under this section.

9 (2) May not replace bisphenol A with carcinogens rated
10 by the Environmental Protection Agency as A, B or C
11 carcinogens or substances listed as known or likely
12 carcinogens, known to be human carcinogens, likely to be
13 human carcinogens or suggestive of being human carcinogens,
14 as described by the Environmental Protection Agency in the
15 Integrated Risk Information System.

16 (3) May not replace bisphenol A with reproductive
17 toxicants that cause birth defects, reproductive harm or
18 developmental harm, as identified by the Environmental
19 Protection Agency.

20 Section 4. Violation of Unfair Trade Practices and Consumer
21 Protection Law.

22 A violation of section 3 constitutes unfair methods of
23 competition and unfair or deceptive acts or practices within the
24 meaning of section 2(4) of the act of December 17, 1968
25 (P.L.1224, No.387), known as the Unfair Trade Practices and
26 Consumer Protection Law, and shall be subject to the enforcement
27 provisions, civil penalties and private rights of action
28 contained in that act.

29 Section 5. Effective date.

30 This act shall take effect in 60 days.