

The Ban Poisonous Additives Act (BPA Act) (S 2572 and HR 5033)
Senator Edward J. Markey (D-Mass.) and
Reps. Lois Capps (D-Calif.) & Grace Meng (D-N.Y.)

Endorsed by: Amalgamated Transit Union; American Federation of Teachers; International Union of Bricklayers and Allied Craftworkers; Communication Workers of America; Environmental Defense Action Fund; National Wildlife Federation; Natural Resources Defense Council; Service Workers International Union; Sheet Metal, Air, Rail and Transportation Union; Union of Concerned Scientists; United Association of Plumbers and Pipefitters; United Auto Workers; United Steelworkers, Sierra Club, United Food & Commercial Workers and the Utility Workers Union of America
AND the following Councils on Safety and Health: ConnectiCOSH, MassCOSH, National Council for Occupational Safety and Health, NYCOSH and WorkSafe

Alaska Community Action on Toxics, Alliance of Nurses for Healthy Environments, American Congress for Obstetricians and Gynecologists, Black Women for Wellness, Breast Cancer Action, Breast Cancer Fund, Cancer Prevention and Treatment Fund, Center for Effective Government, Center for Environmental Health, Center for Food Safety, Clean and Healthy New York, Clean Water Action, Conservation for a Safe and Healthy Connecticut, Conservation Minnesota, Consumers Union, Ecology Center, Environmental Health Strategy Center, Environmental Working Group, Greenpeace, Health Care Without Harm, Healthy Child Healthy World, Healthy Legacy Coalition, Huntington Breast Cancer Action Coalition, MomsRising, Mossville Environmental Action Now, National WIC Association, Physicians for Social Responsibility, SafeMinds San Francisco Bay Area Physicians for Social Responsibility, Science and Environmental Health Network, TEDX The Endocrine Disruption Exchange, WE ACT for Environmental Justice, Women's Voices for the Earth, Massachusetts Breast Cancer Coalition

Bisphenol-A – or BPA – is a chemical used to harden plastics, and it is so prevalent in household items that it has been detected in the bodies of more than 90% of the U.S. population, according to the Centers for Disease Control and Prevention. It is the building block for polycarbonate plastic and used in the epoxy resin linings of metal food and beverage cans. Laboratory studies of BPA have linked the chemical to breast cancer, infertility, early puberty, and other serious health problems.

The Ban Poisonous Additives Act (BPA Act) requires that within 180 days after enactment:

- Reusable food and beverage containers (such as Thermoses) that contain BPA cannot be sold
- Other food and beverage containers (such as food or beverage cans) containing BPA cannot be introduced into commerce.

If a manufacturer can show that there is no technology available to contain a particular food or beverage without the use of BPA, the FDA can issue renewable one-year waivers to the ban for that particular food or beverage container or group of similar food or beverage containers, as long as the food or beverage container (or group of similar food or beverage containers) has a label indicating that BPA was used and that BPA can have adverse health impacts, and the manufacturer submits a plan and timeline for complying with the ban. Additionally, the FDA is encouraged to ensure that substances being used in lieu of BPA are safer for human health.

The FDA must also periodically review the list of substances that have been deemed safe for use in food and beverage containers in order to determine whether new scientific evidence exists that the substance may pose adverse health risks, taking into consideration vulnerable populations, including children, pregnant women, workers and disproportionately exposed communities. The FDA is granted authority to limit the use of the substance if new information shows it is no longer safe.

The legislation also ensures that stronger state standards are not preempted and that a report to Congress on how the Act is being implemented is submitted biennially.

www.markey.senate.gov www.capps.house.gov www.meng.house.gov