

Article II Children's Beverage Containers

[Adopted 3-3-2009 by L.L. No. 6-2009 (Ch. 323, Art. I, of the 1985 Code)]

§ 704-8 Legislative intent.

[Amended 3-24-2009 by L.L. No. 7-2009]

- A. This Legislature hereby finds and determines that **Bisphenol A** (BPA) is a chemical commonly contained in polycarbonate plastics, including baby bottles and cups designed for use by young children.
- B. This Legislature also finds that some studies may suggest that BPA is a synthetic estrogen which may disrupt healthy human development and that studies have suggested a possible link between BPA and an altered immune system, hyperactivity, reproductive health problems, increased risk of breast and prostate cancer, obesity, and diabetes.
- C. This Legislature further finds and determines that some amounts of BPA may be released into beverages from containers under certain conditions.
- D. This Legislature expresses concern about exposure to BPA to infants and young children.
- E. This Legislature further finds and determines that several states and federal legislators have started considering a ban or phase-out of BPA in beverage containers designed for use by young children.
- F. This Legislature finds that Suffolk County is committed to protecting the public health and welfare of our County's infants and young children who may be vulnerable to the potential health hazards caused by BPA.
- G. Therefore, the purpose of this article is to reduce the exposure of infants and young children to BPA.

§ 704-9 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BPA

Bisphenol A.

CHILDREN'S BEVERAGE CONTAINER

Any unfilled bottle, cup, cup lid, straw or other container intended to be used by children under the age of three years old for the consumption of liquids.

[Amended 3-24-2009 by L.L. No. 7-2009]

PERSON

Any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business of any kind.

§ 704-10 Prohibited conduct.

No person shall sell or offer for sale children's beverage containers that contain BPA within the County of Suffolk.

§ 704-11 Enforcement.

This article shall be enforced by the Suffolk County Department of Health Services in accordance with the provisions of Article II, §§ 760-202 through 760-220, of the Suffolk County Sanitary Code.

§ 704-12 Rules and regulations.

The Commissioner of the Suffolk County Department of Health Services is hereby authorized and empowered to promulgate such rules and regulations as he or she deems necessary to implement this article.

§ 704-13 Penalties for offenses.

Any person who knowingly violates the provisions of this article shall be subject to a civil penalty of \$500 for an initial violation of this article and a penalty of \$1,000 for each subsequent violation.

§ 704-14 Applicability.

This article shall apply to any and all actions occurring on or after the effective date of this article.

§ 704-15 When effective.

This article shall take effect on the 90th day immediately subsequent to filing in the Office of the Secretary of State.