

A MEMORIAL

REQUESTING THAT THE DEPARTMENT OF ENVIRONMENT CONVENE A TASK FORCE TO STUDY ANY HEALTH AND SAFETY CONCERNS REGARDING BISPHENOL A AND MAKE RECOMMENDATIONS REGARDING LEGISLATIVE ACTION.

WHEREAS, bisphenol A, also known as BPA, is an industrial chemical that is used in many consumer products, including reusable water bottles, children's toys, baby bottles, food and beverage containers and epoxy resins; and

WHEREAS, according to recent studies by the national toxicology program of the national institutes of health and the United States food and drug administration, bisphenol A may produce harmful effects on the brains, behavior and prostate glands of fetuses, infants and young children; and

WHEREAS, a recent Kaiser Permanente study funded by the national institute of occupational safety and health found that increased levels of bisphenol A may present a risk of reduced sexual function in men as much as fifty times greater than the average risk faced by American males; and

WHEREAS, the states of Connecticut and Minnesota have banned the use of bisphenol A in food and beverage products for young children, while many other states are considering similar partial bans on the use of bisphenol A; and

WHEREAS, the state of California's environmental

protection agency has reported that it is adding bisphenol A to the list of chemicals known to cause cancer or birth defects, holding that the state considers it to be a reproductive toxin; and

WHEREAS, the government of Canada has banned the use of bisphenol A for use in baby bottles; and

WHEREAS, bills have been introduced in the United States congress to establish a ban on the use of bisphenol A in all food and beverage containers; and

WHEREAS, makers of baby bottles such as Avent, Playtex and Gerber agreed to stop using bisphenol A in the food and beverage containers for children under the age of three years old; and

WHEREAS, bisphenol A producer Sunoco, incorporated, has restricted its sale of bisphenol A to any customers who will use the chemical to make food or water containers for children under three years old; and

WHEREAS, retailers such as Toys "R" Us, incorporated, and Walmart have removed products containing bisphenol A from their stores;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the department of environment be requested to convene a task force made up of experts in the areas of health and environment to study any health and safety concerns that bisphenol A may present to New

Mexicans as a whole and, in particular, to young children; and

BE IT FURTHER RESOLVED that the task force report its findings and recommendations for any legislative action regarding bisphenol A to the appropriate interim legislative committees by November 1, 2010; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the governor, the secretary of environment, the chair of the legislative health and human services committee, the chair of the water and natural resources committee and the members of the New Mexico congressional delegation.