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## FISCAL IMPACT REPORT

SPONSOR Gianini ORIGINAL DATE 02/12/10  
LAST UPDATED \_\_\_\_\_ HM 67  
SHORT TITLE Bisphenol A Health Concerns SB \_\_\_\_\_  
ANALYST Wilson

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY10	FY11	FY12	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$5.0-\$10.0				

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Bill

House Memorial 67 requests the Environment Department(ED) 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.

The task force must report its findings and recommendations for any legislative action regarding bisphenol A to the appropriate interim legislative committees by November 1, 2010.

### FISCAL IMPLICATIONS

The costs of convening a task will have to be paid out of ED's operating budget. This will include staffing and per diems.

### SIGNIFICANT ISSUES

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.

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.

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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.

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.

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.

The government of Canada has banned the use of bisphenol A for use in baby bottles.

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.

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.

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.

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

### **ADMINISTRATIVE IMPLICATIONS**

ED will be required to handle the provisions of this memorial with existing staff as part of ongoing responsibilities.

DW/svb