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SENATE BILL NO. 1449

Offered January 21, 2011

A *BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550, 59.1-551, and 59.1-552, relating to prohibiting the sale of certain products containing Bisphenol A.*

Patron—Barker

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550, 59.1-551, and 59.1-552, as follows:

CHAPTER 50.

BISPHENOL A-FREE CHILDREN AND BABIES ACT.

§ 59.1-550. Short title and definition.

This chapter shall be known and may be cited as the "Bisphenol A-Free Children and Babies Act."

§ 59.1-551. Prohibitions.

Beginning January 1, 2012, no child-care product containing Bisphenol A shall be sold or offered for sale in the Commonwealth.

For the purposes of this chapter, "child-care product" means a consumer product designed or intended primarily for children three years of age or younger.

§ 59.1-552. Enforcement; penalties.

This chapter shall be enforceable by the Attorney General.

Any person violating any provision of this chapter or regulation adopted hereunder may be assessed a civil penalty by the Attorney General for each violation in an amount not to exceed \$1,000 for a first violation and \$2,500 for any subsequent violation. Civil penalties collected pursuant to this chapter shall be payable to the Literary Fund.

Final orders may be recorded, enforced, and satisfied as orders or decrees of a circuit court upon certification of such orders by the Attorney General. Such orders may be appealed in accordance with provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

INTRODUCED

SB1449