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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 819, L.D. 1182, Bill, “An Act Regarding the Disclosure of Hormone-disrupting Chemicals in Packaged Food”

Amend the bill in section 1 in chapter 522 in the 2nd line (page 1, line 4 in L.D.) by striking out the following: **OR BEVERAGE**

Amend the bill in section 1 in §2231 by striking out all of subsections 3 to 6 (page 1, lines 13 to 28 in L.D.) and inserting the following:

3. Food packaging. "Food packaging" or "food package" means a container or wrapper intended to be in contact with food and used to store food for sale. "Food packaging" or "food package" includes, but is not limited to, boxes, foil or plastic wrapping, paper and aluminum or other metal cans and pouches.

4. Food product. "Food product" means any food that is contained in a food package at the time of sale.

5. Manufacturer. "Manufacturer" means a person who manufactured a food product or whose brand name is affixed to the food product. In the case of a food product that was imported into the United States, "manufacturer" includes the importer or first domestic distributor of the food product if the person who manufactured or assembled the food product or whose brand name is affixed to the food product does not have a presence in the United States.

6. Ortho-phthalates. "Ortho-phthalates" refers to any of the following chemicals belonging to the class of ortho-phthalates:

- A. Di (2-ethylhexyl) phthalate, DEHP;
- B. Dibutyl phthalate, DBP;
- C. Benzyl butyl phthalate, BBP;
- D. Diethyl phthalate, DEP; and
- E. Any ortho-phthalate identified and listed as a chemical of high concern pursuant to Title 38, section 1693-A on or after the effective date of this paragraph.'

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in §2231 in subsection 7 in the 2nd line (page 1, line 30 in
2 L.D.) by striking out the following: "or beverage"

3 Amend the bill in section 1 in §2232 in the first line (page 1, line 32 in L.D.) by
4 striking out the following: "or beverage"

5 Amend the bill in section 1 in §2232 in subsection 1 in the first line (page 1, line 33
6 in L.D.) by striking out the following: "or beverage"

7 Amend the bill in section 1 in §2232 in subsection 1 in the 3rd line (page 1, line 35 in
8 L.D.) by striking out the following: "or beverage"

9 Amend the bill in section 1 in §2232 in subsection 1 in the first paragraph in the last
10 line (page 2, line 2 in L.D.) by striking out the following: "minimus" and inserting the
11 following: 'minimis'

12 Amend the bill in section 1 in §2232 in subsection 1 in paragraph A (page 2, line 3 in
13 L.D.) by striking out the following: "or beverage"

14 Amend the bill in section 1 in §2232 in subsection 1 in paragraph B (page 2, line 4 in
15 L.D.) by striking out the following: "or beverage"

16 Amend the bill in section 1 in §2232 in subsection 2 in paragraph A in the first line
17 (page 2, line 8 in L.D.) by striking out the following: "or beverage"

18 Amend the bill in section 1 in §2232 in subsection 2 in paragraph B in the first line
19 (page 2, line 10 in L.D.) by striking out the following: "or beverage"

20 Amend the bill in section 1 in §2232 in subsection 2 by striking out all of paragraph
21 C (page 2, lines 12 and 13 in L.D.) and inserting the following:

22 'C. Whether the food product within the food packaging contains ortho-phthalates or
23 other chemicals;'

24 Amend the bill in section 1 in §2232 in subsection 2 in paragraph D in the first line
25 (page 2, line 14 in L.D.) by striking out the following: "or beverage"

26 Amend the bill in section 1 in §2232 in subsection 2 by striking out all of paragraphs
27 E to G (page 2, lines 16 to 22 in L.D.) and inserting the following:

28 'E. The chemical abstracts service registry numbers of the ortho-phthalates;

29 F. The amount of each ortho-phthalate detected in each unit of the food product; and

30 G. The intended purpose of each ortho-phthalate subject to reporting in the food
31 product.'

32 Amend the bill in section 1 in §2232 in subsection 3 in paragraph A (page 2, line 25
33 in L.D.) by inserting after the following: "alcoholic" the following: 'or nonalcoholic'

34 Amend the bill in section 1 in §2232 in subsection 3 in paragraph B in the first and
35 2nd lines (page 2, lines 26 and 27 in L.D.) by striking out the following: "and beverage"

36 Amend the bill in section 1 by striking out all of §2233 (page 2, lines 30 to 34 in
37 L.D.) and inserting the following:

1 **§2233. Departmental authority to further investigate food contamination**

2 **1. Disclosure of other chemicals of concern.** After receiving initial written notice
 3 required by this chapter, the department may require a manufacturer to disclose the
 4 chemical abstracts service registry numbers of other chemicals contained in the food
 5 packaging or food product that appear on the material safety data sheets required under
 6 29 Code of Federal Regulations, Section 1910.1200.

7 **2. Disclosure of presence of ortho-phthalates in materials used in production.**
 8 After receiving initial written notice required by this chapter, the department may require
 9 a manufacturer to disclose the presence of ortho-phthalates in materials used in food
 10 production to determine additional sources of ortho-phthalate contamination.'

11 Amend the bill by inserting after section 1 the following:

12 **'Sec. 2. Appropriations and allocations.** The following appropriations and
 13 allocations are made.

14 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

15 **Division of Quality Assurance and Regulation 0393**

16 Initiative: Provides a one-time appropriation in fiscal year 2017-18 for construction of a
 17 database and website.

18	GENERAL FUND	2017-18	2018-19
19	All Other	\$200,000	\$0
20		<hr/>	<hr/>
21	GENERAL FUND TOTAL	\$200,000	\$0

22 **Division of Quality Assurance and Regulation 0393**

23 Initiative: Provides ongoing allocations beginning in fiscal year 2017-18 for database and
 24 website maintenance.

25	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
26	All Other	\$50,000	\$50,000
27		<hr/>	<hr/>
28	OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

29 **AGRICULTURE, CONSERVATION AND**
 30 **FORESTRY, DEPARTMENT OF**
 31 **DEPARTMENT TOTALS**

32		2017-18	2018-19
33	GENERAL FUND	\$200,000	\$0
34	OTHER SPECIAL REVENUE FUNDS	\$50,000	\$50,000
35		<hr/>	<hr/>

