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TO: Representative Gordon Hintz, Chairperson and Members of the Assembly  
Committee on Consumer Protection

FROM: Gina Dennik-Champion, RN, MSN, MSHA  
WNA Executive Director

DATE: January 5, 2010

RE: Support for AB 405 - prohibiting the manufacture and sale at wholesale  
of certain baby bottles and cups for children that contain bisphenol A,  
creating labeling requirements, making an appropriation, and providing  
penalties.

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Dear Chairperson Hintz and members of the Assembly Committee on Consumer Protection. Thank you for allowing the Wisconsin Nurses Association (WNA) to submit testimony on AB 405. WNA serves as the voice for professional registered nurses in Wisconsin. Thank you for conducting this public hearing on AB 405– which will prohibit the manufacture and sale at wholesale of certain baby bottles and cups for children that contain bisphenol A. One of WNA’s public policy agenda items is to collectively and collaboratively advocate for comprehensive quality health care services for all people. Our advocacy supports provisions that maintain health and sustain a life of quality. WNA supports public health efforts that promote health and prevent disease. WNA’s advocacy and involvement in environmental health policy has at its roots in our Code of Ethics for Nurses of which the primary dictum is *First, do no harm*. In this increasingly complex environment in which health care is delivered today, registered nurses find themselves as the premier advocates for promoting safe environmental health policies.

Bisphenol A (BPA) is a chemical produced in large quantities for use primarily in the production of polycarbonate plastics and epoxy resins. Polycarbonate plastics have many applications including use in some food and drink packaging, e.g., water and infant bottles, compact discs, impact-resistant safety equipment, and medical devices. Epoxy resins are used as lacquers to coat metal products such as food cans, bottle tops, and water supply pipes. Some dental sealants and composites may also contribute to BPA exposure. Bisphenol A can leach into food from the protective internal epoxy resin coatings of canned foods and from consumer products such as polycarbonate tableware, food storage containers, water bottles, and baby bottles. The degree to which BPA leaches from polycarbonate bottles into liquid may depend more on the temperature of the liquid or bottle, than the age of the container. BPA can also be found in breast milk.

WNA is concerned about the leaching capabilities of BPA because the increase in human exposure to this toxic chemical is now widespread. The 2003-2004 National Health and Nutrition

Examination Survey (NHANES III) conducted by the Centers for Disease Control and Prevention (CDC) found detectable levels of BPA in 93% of 2517 urine samples from people six years and older. The CDC NHANES data are considered representative of exposures in the United States. Another reason for concern, especially for informed parents and nurses caring for infants and children, is the result of some animal studies reporting harmful effects in fetuses and newborns exposed to BPA. Some animal studies suggest that infants and children may be the most vulnerable to the effects of BPA. According to the National Institute of Environmental Health Sciences (NIEHS), which is funded from the National Institutes of Health, animal studies link BPA with infertility, weight gain, behavioral changes, early onset puberty, prostate and breast cancer and diabetes. Based on the research and results of biomonitoring activities, NIEHS recommends that parents can make the decision to reduce exposures of their infants and children and patients to BPA. For the caregivers of infants and children, i.e. nurses working on hospital neonatal and pediatric units, outpatient pediatric surgical and primary care settings; it is not as easy to make the decision to reduce exposures of their very young patients, it takes hospital policy. (NIEHS) recommends reducing infant and child exposure to BPA by: Ceasing to microwave polycarbonate plastic food containers. Polycarbonate is strong and durable, but over time it may break down from over use at high temperatures; Avoiding the use of polycarbonate containers that contain BPA these are usually marked with a #7 on the bottom of the container; when possible, opt for glass, porcelain or stainless steel containers, particularly for hot food or liquids; and use baby bottles that are BPA free.

AB 405 implements the recommendations of NIEHS by prohibiting the manufacturing and sale at wholesale of baby bottles and cups used for infants and children containing BPA. WNA supports AB 405 because it gets BPA products off the shelf and out of those infant and pediatric care delivery settings therefore maximizing minimal exposure.

It is for these important reasons that WNA requests the members of the Assembly Committee on Consumer Protection to support AB 405. We also thank the sponsor of AB 405, Representative Kilda Roys, for introducing this important legislation and we thank Representatives Soetski and Spanbauer for co-sponsorship.