HOUSE DOCKET, NO. 3410 FILED ON: 1/18/2013

HOUSE . . . . . No. 2040

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act to prohibit the sale of "energy drinks" to persons under the age of 19.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Murphy	*4th Norfolk*
Thomas J. Calter	*12th Plymouth*

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By Mr. Murphy of Weymouth, a petition (accompanied by bill, House, No. 2040) of James M. Murphy and Thomas J. Calter for legislation to prohibit the sale of "energy drinks", so-called, to persons eighteen years old or younger. Public Health.

The Commonwealth of Massachusetts

An Act to prohibit the sale of "energy drinks" to persons under the age of 19.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 3 of chapter 270 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding at the end thereof the following new paragraph:

Whoever distributes, delivers, gives away or sells, any “Energy Drink” or other ingredient, substance or beverage that exceeds a caffeine content of seventy-one (71) milligrams per twelve (12) ounce serving and contains taurine and glucuronolactone or a soft drink that is classified as a dietary supplement not regulated by the Food and Drug Administration and that contains eighty (80) or more milligrams of caffeine per eight (8) fluid ounces and generally includes a combination of methylxanthines, B vitamins and herbal ingredients which are advertised as being specifically designed to provide or increase energy to any persons under the age of nineteen (19) shall be punished by a fine not less than fifty (50) dollars for the first offense, one hundred (100) for the second offense and two hundred fifty (250) for the third offense.