



House of Representatives

General Assembly

File No. 32

January Session, 2025

Substitute House Bill No. 6185

House of Representatives, March 3, 2025

The Committee on Children reported through REP. PARIS of the 145th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONSUMPTION OF ENERGY DRINKS BY CHILDREN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) For the purposes of this section,
2 (1) "energy drink" means a soft drink that contains (A) not less than
3 eighty milligrams of caffeine per nine fluid ounces, and (B)
4 methylxanthines, B vitamins, one or more herbal ingredients or an
5 ingredient labeled "energy blend", and (2) "social media" has the same
6 meaning as provided in section 9-601 of the general statutes.

7 (b) There is established a working group to (1) study the (A) medical
8 risks associated with energy drink consumption by children, and (B)
9 anticipated effects of a prohibition on the sale of energy drinks to
10 children on (i) the state-wide sale of energy drinks, and (ii) public health,
11 and (2) make recommendations for (A) a public awareness campaign
12 concerning such risks that includes, but is not limited to, a video
13 recording for publication or broadcast on television and social media,
14 (B) notice to be posted at the point of sale of energy drinks in retail

15 establishments alerting consumers to such risks, and (C) a one-page
16 document explaining such risks.

17 (c) The working group shall include, but need not be limited to, the
18 following members, who shall be selected jointly by the Commissioners
19 of Public Health and Consumer Protection: (1) The chairpersons and
20 ranking members of the joint standing committees of the General
21 Assembly having cognizance of matters relating to children and public
22 health, (2) an individual with expertise in advertising and marketing, (3)
23 a parent or guardian of a child who experienced adverse health
24 conditions or died due to the consumption of energy drinks, (4) a
25 pediatric cardiologist, (5) a representative of a state-wide chapter of a
26 national association of pediatricians, (6) a representative of a state-wide
27 governing body for interscholastic athletic activities, (7) a representative
28 of the Connecticut Children's Medical Center, (8) a representative of a
29 state-wide association of food retailers, wholesalers, distributors and
30 service providers, (9) a representative of a manufacturer of energy
31 drinks, (10) the Commissioner of Public Health, or the commissioner's
32 designee, and (11) a licensed athletic trainer. The Commissioner of
33 Public Health, or the commissioner's designee, shall serve as
34 chairperson of the working group. The administrative staff of the joint
35 standing committee of the General Assembly having cognizance of
36 matters relating to children shall serve as administrative staff of the
37 working group.

38 (d) Not later than November 1, 2025, the chairperson of the working
39 group shall submit a report on the working group's study and
40 recommendations to the joint standing committees of the General
41 Assembly having cognizance of matters relating to children, public
42 health and consumer protection in accordance with the provisions of
43 section 11-4a of the general statutes.

44 Sec. 2. (NEW) (*Effective July 1, 2025*) (a) For the purposes of this
45 section, "energy drink" means a soft drink that contains (1) not less than
46 eighty milligrams of caffeine per nine fluid ounces, and (2)
47 methylxanthines, B vitamins, one or more herbal ingredients or an

48 ingredient labeled "energy blend".

49 (b) Not later than December 1, 2025, the Department of Consumer
50 Protection shall develop a notice alerting consumers to the medical risks
51 associated with energy drink consumption by children and make a copy
52 of such notice available on the department's Internet web site. Such
53 notice shall incorporate the recommendations submitted by the working
54 group established pursuant to section 1 of this act.

55 (c) On and after January 1, 2026, each individual, firm, fiduciary,
56 partnership, corporation, limited liability company, trust or association
57 engaged in the business of selling energy drinks to retail consumers in
58 the state shall post a copy of the notice developed pursuant to subsection
59 (b) of this section in a conspicuous place at the point of sale of such
60 energy drinks.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2025</i>	New section

Statement of Legislative Commissioners:

In Section 1(a), the existing subdivision designators were changed to subparagraph designators "(A)" and "(B)" and a new subdivision "(1)" designator and a subdivision "(2)" designator were added for clarity; in Section 1(c), "commissioners, or their designees, shall serve as cochairpersons" was changed to "Commissioner of Public Health, or the commissioner's designee, shall serve as chairperson" for consistency; and in Section 2(b), the two references to "signage" were changed to "notice" for consistency.

KID *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes various changes regarding energy drinks and children resulting in no fiscal impact to the state.

Section 1 creates a working group to study the risks associated with energy drink consumption by children and the anticipated effects of a prohibition on the sale of energy drinks to children resulting in no fiscal impact because the working group has the expertise to meet the requirements of the bill.

Section 2 requires the Department of Consumer Protection to develop a notice regarding the medical risk of energy drink consumption by children and requires any business who sells energy drinks to display the notice resulting in no fiscal impact to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6185*****AN ACT CONCERNING THE CONSUMPTION OF ENERGY DRINKS BY CHILDREN.*****SUMMARY**

This bill establishes a working group to study the (1) medical risks associated with children consuming energy drinks and (2) effects of banning the sale of energy drinks to children. The group must report its findings and recommendations to the legislature by November 1, 2025.

The bill separately requires, by December 1, 2025, the Department of Consumer Protection (DCP) to (1) develop a notice, incorporating the working group's recommendations, alerting consumers to the medical risks associated with children drinking energy drinks and (2) post the notice on its website.

It also requires, beginning January 1, 2026, retail businesses that sell energy drinks to post a copy of the notice in a conspicuous place at the point of sale in their establishments. This requirement applies to individuals, firms, fiduciaries, partnerships, corporations, limited liability companies, trusts, and associations that sell energy drinks.

Under the bill, an energy drink is a soft drink containing (1) at least 80 milligrams of caffeine per nine fluid ounces, and (2) methylxanthines, B vitamins, one or more herbal ingredients, or an ingredient labeled "energy blend."

EFFECTIVE DATE: Upon passage for the working group, and July 1, 2025, for the notice requirement.

WORKING GROUP ON CHILDREN AND ENERGY DRINKS***Group Charge***

The working group must study (1) the medical risks associated with children consuming energy drinks and (2) how banning the sale of these drinks to children would affect public health and the statewide sale of energy drinks. The group must also make recommendations for a (1) public awareness campaign on these risks including a video for television and social media, (2) notice to be posted at the point of sale of energy drinks in retail establishments alerting consumers to the risks, and (3) one-page document explaining the risks.

Membership

The working group members must at least include the following people, who are selected jointly by the commissioners of the Department of Public Health (DPH) and DCP:

1. the Children Committee chairpersons and ranking members;
2. an advertising and marketing expert;
3. a parent or guardian of a child who experienced adverse health conditions or died due to drinking energy drinks;
4. a pediatric cardiologist;
5. a national association of pediatricians' statewide chapter representative;
6. a statewide interscholastic athletic activity governing body representative;
7. a Connecticut Children's Medical Center representative;
8. a statewide association of food retailers, wholesalers, distributors, and service providers representative;
9. an energy drinks manufacturer representative;
10. the DPH commissioner, or the commissioner's designee; and
11. a licensed athletic trainer.

The DPH commissioner, or the commissioner's designee, must serve as the working group's chairperson. The Children Committee's administrative staff serves as the group's administrative staff.

Report Deadline

By November 1, 2025, the working group's chairperson must submit a report on the group's study and recommendations to the Children, Public Health, and General Law committees.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 12 Nay 5 (02/18/2025)