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Health and Welfare; beverage containers

The University of the Pacific, McGeorge School of Law

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rials and air samples, (3) determine acceptable asbestos exposure levels,²² and (4) determine the method for asbestos exposure measurements for both before and after completion of asbestos abatement projects.²³ The State Environmental Commission is to establish regulations for the disposal of asbestos, and all asbestos removed from a project must be disposed of according to those regulations.²⁴

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22. The standards adopted must be as strict as the federal standards, and may be used to find which buildings need asbestos control first. *Id.* These asbestos exposure standards can not be used to refute liability for damages from diseases caused by asbestos exposure. *Id.* sec. 4.5, at 1277 (enacting NEV. REV. STAT. § 618.____).

23. *Id.* sec. 4, at 1276 (enacting NEV. REV. STAT. § 618.____). No public structure is to be renovated or demolished until surveyed for the presence of asbestos. *Id.* sec. 22, at ____ (enacting NEV. REV. STAT. § 338.____).

24. *Id.* secs. 17-18, at 1280 (enacting NEV. REV. STAT. § 618.____).

Health and Welfare; beverage containers

NEV. REV. STAT. § 585.____ (new).

AB 429 (Committee on Judiciary); 1989 STAT. Ch. 121
(Effective January 1, 1990)

Existing law does not regulate the use of detachable rings or tabs on beverage containers.¹ Chapter 121 prohibits the sale of metal beverage containers designed to be opened with a detachable metal

1. See NEV. REV. STAT. §§ 585.300-360 (1987) (provisions of the Nevada Food, Drug and Cosmetic Act regulating food). See also *id.* § 585.100 (1987) (definition of food which includes beverages).

ring or tab.² Chapter 121 provides an exemption for a beverage container sealed with a soft material that detaches.³

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2. 1989 Nev. Stat. ch. 121, sec. 1, at ___ (enacting NEV. REV. STAT. § 585.____). See generally *Minnesota v. Clover Leaf Creamery Co.*, 449 U.S. 456 (1981) (upholding the constitutionality of a statute prohibiting the sale of milk in a specific type of container). The Court held that while such statutes may impose a burden on interstate commerce, the burden is relatively minor when compared to the benefits. *Id.* at 472; *Lewis v. BT Investment Managers*, 447 U.S. 27, 35-36 (1980) (under the Commerce Clause of the United States Constitution, the states retain the power to regulate matters of local concern even if interstate commerce is affected); *American Can Co. v. Oregon Liquor Control Comm'n*, 15 Or. App. 618, 627-644, 517 P.2d 691, 696-703 (1973) (holding constitutional a beverage container statute under the Commerce Clause since: (1) there was no conflict with federal legislation; (2) the state has power to enact legislation for environmental protection; and (3) interstate commerce was not impeded).

3. 1989 Nev. Stat. ch. 121, sec. 1, at ___ (enacting NEV. REV. STAT. § 585.____). Soft materials include laminated tape or foil. *Id.* Milk, soy-based, or similar products requiring heat and pressure in the canning process are also excepted. *Id.*

Health and Welfare; communicable diseases

NEV. REV. STAT. §§ 202.140, 202.150, 202.160, 439.210, 439.215, 439.220, 439.500, 439.510, 439.530, 441.010, 441.020, 441.030, 441.035, 441.040, 441.050, 441.060, 441.070, 441.080, 441.090, 441.100, 441.110, 441.120, 441.130, 441.140, 441.150, 441.160, 441.170, 441.175, 441.180, 441.190, 441.200, 441.210, 441.220, 441.230, 441.240, 441.250, 441.260, 441.280, 441.290, 441.300, 441.320, 443.015, 443.025, 443.037, 443.055, 443.057, 443.065, 443.075, 443.095, 443.105, 443.115, 443.125, 443.135, 443.170, 443.180, 443.190, 443.200, 443.210, 443.220, 443.230, 443.240, 443.250, 443.260 (repealed); § ____ (new); §§ 49.245, 129.060, 244.358, 268.427, 269.227, 460.020 (amended).

SB 73 (Committee on Human Resources); 1989 STAT. Ch. 138

Existing law requires the State Board of Health¹ (Board) to adopt regulations designed to define and control dangerous communicable

1. See NEV. REV. STAT. § 439.030 (1987) (describing creation of Board and qualifications of members).