

French decision re Bisphenol A in food packaging: Not based on weight of scientific evidence, and no proven safety benefit

Whilst we absolutely support the need to protect consumer safety, the French National Assembly's decision to extend the use restriction on all Bisphenol A (BPA)-based food contact packaging in France is not supported by the current weight of scientific evidence, and recent EFSA opinions.

Consequently, the members of the JIGⁱ express significant disappointment at the French Parliament's decision to adopt a proposal presented by the Health Minister to extend the use restriction on all BPA-based food contact packaging in France. The European Commission in connection to the restriction on baby bottles, and also most recently, stated that - based on the current knowledge - legal measures beyond the ban of BPA in infant feeding bottles are not scientifically justified.

BPA is a tried and tested used starting substance in the manufacture of polymers for many applications. BPA-based materials in food contact, such as polycarbonate and epoxy resins, comply with strict EU safety rules. As recently as September 2010, the European Food Safety Authority (EFSA) thoroughly assessed the available scientific data on BPA and concluded that the material can be safely used for food contact applications. There is no evidence that the exposure of consumers to products based on BPA could cause a safety risk to human health. There is therefore no scientific reason to replace a well tested, authority-assessed and confirmed safe product.

As justification, the French government refers to the recently published expert review on scientific literature about BPA presented by the French Food Safety Agency (ANSES). In their evaluation, the ANSES interpretation of the existing data on BPA is in contrast to the EFSA assessment and those of other regulatory authorities, who had used the same scientific database, and concluded that exposure to BPA from food contact materials is very low and poses no risk to human health. It would appear, when reviewing the ANSES report, that there is no new scientific evidence that would change this assessment.

Metal packaging
too precious to waste

Empac
Avenue Louise 149/24
1050 Brussels, Belgium
Berkshire,
www.empac.eu
E info@empac.eu
T +32 2 535 76 51
F +32 2 535 75 75

Food Contact Commission Secretariat
MPMA Ltd., The Stables, Tintagel Farm,
Sandhurst Road, Wokingham,
RG40 3JD, United Kingdom
www.mpma.org.uk
E david@mpma.org.uk
T & F +44 1189 788 433

“Having contradictory indications between different authorities within Europe is entirely unhelpful for both industry and consumers alike” said Jasmin Bird of the PC/BPA-group. “If safety decisions or potentially new safety laws are no longer based upon the weight of sound scientific evidence, industry and consumers alike can no longer rely on the existing legal and political framework.” “Industry is very interested to enter into dialogue with the relevant authorities to understand which future potential alternative substances and materials might be evaluated as safe, and on which scientific criteria”” said Ulrich Daum of the ERC-groupⁱⁱ.

The members of the Joint Industry Group are fully committed to the safety of their products. Sound scientific risk assessments such as those under the EU Existing Substances Regulation, and those conducted specifically by EFSA, have concluded that consumers can safely use products made from materials based on BPA. Furthermore, other regulatory bodies around the world have approved BPA for materials in food contact.

In this regard, industry welcomes the European Commission´s request to EFSA to provide an assessment of the ANSES report.

12th October 2011

ⁱ Joint Industry Group for light metal packaging including the trade associations and their members representing manufacturers of epoxy resins, coatings, light metal packaging and fillers of the packaging

ⁱⁱ PlasticsEurope Epoxy Resin Committee