

The Use of Bisphenol A in Packaging Materials



Background: BPA

With effect from 1 January 2015, the chemical Bisphenol A (BPA) has been banned in packaging applications in France. This is important for other material sectors, such as metals and plastics, which use BPA in their formulations.

The Paper and Board Industry has not considered the matter – as it specifically relates to BPA – to be a priority. The use of BPA in papermaking is very limited (only in heat sensitive papers, such as till receipts) and the ban does not apply to trace amounts that may unintentionally be present in recycled fibre.

However, the issue is much broader than just BPA.

Firstly, it is a matter of politics vs. science. BPA has been widely tested and is considered to be safe. The Food and Drug Administration (FDA) in the USA has answered the specific question “Is BPA safe?” with a simple “Yes.” www.fda.gov/food/ingredientpackaginglabeling/foodadditivesingredients/ucm355155.htm

The French authorities have drawn up a list of alternative chemicals but it appears that some of these are likely to be considerably less acceptable than BPA. They are also understood to be drawing up a list of all perceived “endocrine disrupting” chemicals, with a view to a potential ban in packaging applications. Their actions have been led by politicians rather than sound scientific advice.

Secondly, there is an underlying principle of “mutual recognition” that applies to free trade across the EU, which states that, in the absence of harmonised EU rules, every product legally produced in one country according to the existing legislation in that country should be allowed to be placed on the market in any other country of the EU.

The law on BPA is now being challenged for its legal validity on the basis of its compliance with the principle of mutual recognition.

www.foodpackagingforum.org/news/plastics-industry-challenges-french-bpa-ban

Background: Food Contact Legislation

Regulation (EC) 1935/2004 (the “Framework” Regulation) sets the benchmark for packaging materials in food contact applications across the EU. The Regulation concerns the placing on the market of materials and articles intended to come into direct or indirect contact with food and applies to materials and articles which:

- are intended to be brought into contact with food, or
- are already in contact with food, or
- can reasonably be expected to be brought into contact with food or to transfer their constituents to food under normal conditions of use.

The European Paper and Board industry has decided to publish its own *Industry Guideline for the Compliance of Paper & Board Materials and Articles for Food Contact*

www.paper.org.uk/current_issues/food_contact.html.

CPI Position:

- It is unacceptable that politicians are allowed to overrule science when it comes to decisions on what is appropriate for food contact applications. Popular opinion is not a suitable basis for determining product safety. The principle of Mutual Recognition should be recognised. The French action is in contravention of this principle.
- Regulation (EC) 1935/2004 adequately sets the legislative framework for food contact in EU. Other voluntary initiatives, such as the *Industry Guideline for the Compliance of Paper & Board Materials and Articles for Food Contact* cover the requirements for paper and board.
- Paper and board has a long and successful history of safe use in the food industry in a wide range of applications. These include applications where intimate contact is involved, such as tea bags and baking papers, and direct contact packaging such as sugar bags and cartons for dry foods. It also has a range of uses in transport packaging.
- The sector has co-operated over a long period of time with government, both at national and European level, and with other regulators to ensure necessary levels of consumer protection.

Further Information

CPI Position Paper: "Paper and Board in Food Contact Applications"
www.paper.org.uk/information/positionpapers/cpi/FoodContactNov14.pdf

Further information is available from Andy Barnetson, Director of Packaging Affairs, on 01793 889602 or email abarnetson@paper.org.uk

Confederation of Paper Industries

- The Confederation of Paper Industries (CPI) is the leading trade association representing the UK's Paper-based Industries, comprising recovered paper merchants, paper and board manufacturers and converters, corrugated packaging producers, and makers of soft tissue papers.
- CPI represents an industry with an aggregate annual turnover of £6.5 billion, 25,000 direct and more than 100,000 indirect employees.
- For facts on the UK's Paper-based Industries please visit: www.paper.org.uk.

REVISED: JULY 2015