Vermont Senate Committee on Health and Welfare
S. 295 - An act relating to restrictions on perfluoroalkyl and polyfluoroalkyl substances and other chemicals of concern in consumer products
March 11, 2020

Good morning. My name is Laura Brust. I am Assistant General Counsel at the American Chemistry Council (ACC) and am testifying on behalf of ACC's Polycarbonate/BPA Global Group in opposition to proposed restrictions in S. 295 related to the use of bisphenols in food packaging. Bisphenol-A (BPA) is used primarily in the manufacture of polycarbonate plastic and epoxy resins.

Polycarbonate plastic is a shatter-resistant, lightweight, high-performance plastic with toughness, optical clarity, high heat resistance, and excellent electrical resistance. Common uses of polycarbonate plastic include protective and corrective eyewear, sports safety equipment, automobiles, compact discs and DVDs, medical devices, food and storage containers, and electronic equipment.

Epoxy resins are used to coat metal cans and containers to prevent corrosion, especially when intended for acidic foods. These linings create a protective barrier essential to public health to prevent canned foods from becoming spoiled or contaminated with bacteria or rust. Epoxy resins have many uses and can be found in cars, boats, and planes, and as components in fiber optics and electrical circuit boards.

While BPA is used to make polycarbonate plastics and epoxy resins, it is consumed when the plastic or resin is manufactured and only trace residual levels are present in the finished materials. BPA is not intentionally added to food packages and, at most, would only be incidentally present as a trace level impurity.

Polycarbonate plastic and epoxy resins have been approved for decades by the U.S. Food and Drug Administration (FDA), the European Food Safety Authority (EFSA), and numerous other government agencies worldwide, for use in food contact applications. Please find attached a fact sheet providing additional information on these government reviews of BPA's safety.

In February 2018, the U.S. National Toxicology Program (NTP) released the results of the CLARITY Core Study, the largest study ever done on BPA and conducted by scientists at the FDA. CLARITY is a multipronged U.S. federal government research program designed to assess the potential health effects of long-term exposure to BPA.

The CLARITY Core Study expanded on an earlier FDA-conducted study that found no health effects from BPA at typical consumer exposure levels. This prior study assessed the potential for BPA exposure to cause health effects in the offspring of rats exposed to BPA in the womb and through the early developmental stages of life after birth. The CLARITY Core Study further assessed the potential for BPA

to cause health effects over a longer time-period of exposure. Rats began exposure to BPA while in the womb, and exposure to BPA continued over their entire lifetime after birth.

The CLARITY Core Study's Principal Investigator has stated that "BPA did not elicit clear, biologically plausible, adverse effects …" at levels remotely close to typical consumer exposure levels. In a statement released in conjunction with the study's draft report, Dr. Stephen Ostroff, Deputy Commissioner for Foods and Veterinary Medicine at the FDA, said "our initial review supports our determination that currently authorized uses of BPA continue to be safe for consumers."

The CLARITY program builds upon the work of earlier U.S. federal government studies that collectively provide a clear understanding of the potential for BPA to cause health effects. In recent years, more than 20 significant studies by U.S. government researchers have been published in the peer-reviewed scientific literature.

The findings from these preceding studies tell us that consumer exposure to BPA is extremely low and that BPA is rapidly eliminated from the body. Based on these results, it can be predicted that BPA is unlikely to cause health effects. The results of the CLARITY Core Study confirm that there is no risk of health effects from BPA at typical human exposure levels, even if people are exposed to BPA throughout their lives. Please find attached a fact sheet providing additional information on the CLARITY Core Study.

Based on the foregoing, we oppose the proposed restrictions in S. 295 related to the use of bisphenols in food packaging.

Thank you for your time.

Attachments:

1. About BPA: Weight of Scientific Evidence Supports the Safety of BPA
2. New U.S. Government Research on BPA