



April 14, 2021

Polycarbonate/BPA Global Group Comments on VT S.20 Inclusion of Bisphenols as Chemical of Concern in Food Packaging – Chapter 33A

The Polycarbonate/BPA Global Group consists of the leading global manufacturers of bisphenol A (BPA) and polycarbonate plastic. The group is part of the American Chemistry Council.

Chapter 33A includes “bisphenols” as a chemical of concern in food packaging that may be prohibited if intentionally added in any amount greater than an incidental presence. These comments provide important context that may help assess whether inclusion of bisphenols in this chapter should be further pursued.

At the outset, it should be noted that food packaging is regulated by the US Food and Drug Administration (FDA). Intentional addition of bisphenols to food packaging, as described by S.20, requires FDA regulation and could only be added consistent with any FDA regulation.

It should also be noted that bisphenols is a generic term that does not define or specify any particular substance. The term might be characterized as a chemical class, but with little definition.

The most common substance that would be included under the term is bisphenol A (BPA), which is almost entirely used as a raw material to make polycarbonate plastic and epoxy resins. In both cases, BPA is chemically converted to the plastic or resin and only trace amounts of residual BPA remain in the finished material as an impurity (i.e., incidental presence). Polycarbonate, which is by far the single biggest use for BPA, is a durable plastic that is widely used for automotive, building/construction and electrical/electronic products.

Polycarbonate plastic is not used for food packaging. In addition, BPA itself is almost entirely used as a raw material to make plastics and resins and would not be intentionally added to food packaging for any purpose. As would be required, BPA is not regulated by FDA for intentional addition to food packaging. Thus there does not seem to be any purpose to include BPA in the bill as a substance that could be intentionally added to food packaging.

BPA has been very well studied, including the most comprehensive study ever conducted on BPA. The study was designed and conducted by FDA scientists and is known as the CLARITY study. The results of the study demonstrate that BPA is not harmful at the very low levels to which people could be incidentally exposed.

The results of this study, along with many others, support the Q&A on FDA’s website regarding the safety of BPA: “Is BPA safe?” – “Yes.” This straightforward Q&A particularly applies to the very low levels of BPA to which people could be exposed, including any incidental exposure that occurs through the diet.



The very low levels of BPA to which people could be exposed, from any source, is well understood. In particular the National Health and Nutrition Examination Survey (NHANES) conducted by the US Centers for Disease Control (CDC) has measured BPA exposure in the US population in a survey that takes place every two years and began, for BPA, in 2003/2004. As measured by this survey, exposure levels are more than 1,000 times below the safe intake level for BPA.

It is also well established that BPA, after exposure, is efficiently converted to a biologically inactive metabolite that is rapidly eliminated from the body in urine. BPA does not remain in the body except for short periods of time in the form of the inactive metabolite.

We encourage you to consider this information to help assess whether bisphenols should be included in this bill as a chemical of concern in food packaging. Questions and additional information can also be addressed as needed during the oral testimony

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