

June 29, 2022

**Support Bipartisan Language in the FDA User Fee Bill
Banning PFAS in Food Packaging**

The Honorable Patty Murray
Chair, Committee on Health, Education, Labor
and Pensions
United States Senate
154 Russell Senate Office Building

The Honorable Frank Pallone, Jr.
Chair, Committee on Energy and Commerce
U.S. House of Representatives
2107 Rayburn House Office Building

The Honorable Richard Burr
Ranking Member, Committee on Health,
Education, Labor and Pensions
United States Senate
217 Russell Senate Office Building

The Honorable Cathy McMorris Rodgers
Ranking Member, Committee on Energy and
Commerce
U.S. House of Representatives
1035 Longworth House Office Building

Dear Chair Murray, Ranking Member Burr, Chairman Pallone, and Ranking Member Rodgers,

As you continue your work conferencing the Food and Drug Administration Safety and Landmark Advancements Act (FDASLA) with the House bill, the undersigned groups strongly urge you to include a Senate bipartisan amendment that would prohibit intentionally added per- and polyfluoroalkyl substances (PFAS) – or hazardous forever chemicals – in food packaging.

The Senate amendment incorporated the text of bipartisan and bicameral legislation – the Keep Food Containers Safe from PFAS Act (H.R. 6026/S.3169) -- was adopted by the Senate HELP Committee on a bipartisan vote.

A growing body of scientific research has found that PFAS have been linked to an increased risk for some cancers, lower birth weight, and immune system suppression. Scientists are most concerned about the cumulative impact resulting from exposures to products, contaminated drinking water, and food.

A 2020 report from Toxic-Free Future found toxic PFAS in some of the most popular takeout foods from major fast-food chains, such as McDonald's, Burger King, and Wendy's. A 2018 report also indicated the presence of PFAS in food packaging at top grocery store chains. Earlier this year, a Consumer Reports study found PFAS in more than half of the food packages tested from these same chains, as well as others, including Trader Joe's, Chipotle, Chick-fil-A, and Panera Bread.

While most PFAS-treated food packaging is in actual use for a short time, the threats to the environment and public health can last forever. Once lunch is over, the packaging goes into a landfill or incinerator or into compost, creating a long-term source of chemical pollution that

makes its way back to people through our drinking water, food, and air. Fortunately, safer alternatives are available.

In recent years, 22 retailers selling food or food packaging from Chipotle to McDonald's to Whole Foods Market have responded to customer demand for safer products announcing steps to reduce or eliminate PFAS in food packaging at their stores.

Across the country, state legislatures have enacted phase-outs of PFAS in food packaging in favor of safer alternatives, including California, Colorado, Connecticut, Maine, Maryland, Minnesota, New York, Vermont, and Washington. Congressional action is necessary to complement these state efforts and help solve the PFAS pollution crisis we face.

Consumers should not have to worry that the food they are eating is wrapped in something that contains dangerous chemicals. **We strongly urge you to maintain the Keep Food Containers Safe from PFAS Act in the final version of the FDASLA bill.**

Sincerely,

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