



# News Release

For Immediate Release

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## **ACC: MAINE FOOD PACKAGING BAN IGNORES SCIENCE AND WILL HARM MAINE BUSINESSES**

WASHINGTON (June 14, 2019) – Today, the American Chemistry Council issued the following statement after Governor Janet Mills signed into law LD 1433 – legislation to ban the use of FDA-reviewed chemicals in food packaging.

“This misguided legislation threatens sound science and the interests of Maine consumers by banning an entire class of chemicals in food contact materials and paving the way for the potential ban of another, regardless of the differences between different members of the class. Individual chemicals are often unique, with differing characteristics, structures and intended uses. Painting all chemicals that share some generic name with a broad brush makes bad policy that can prevent consumers from accessing important, safe and beneficial products that they need.

“In the U.S., all food contact substances are reviewed by the FDA, and FDA can only provide approval for a food contact substance if the agency concludes that there is sufficient scientific data to demonstrate that the substance is safe for its intended use. Through rigorous analysis, the health experts at the FDA have reviewed and determined to be safe for their intended use certain members of these families of PFAS and phthalate chemistries that are now being banned or could soon be banned. State prohibitions for food packaging materials create consumer confusion and erode public confidence in FDA and in the safety of the nation’s food regulations. This misguided bill ignores the science and the FDA review process and those that will be harmed the most are Maine businesses and consumers.

“In fact, the Maine Grocers and Food Producers Association and the Maine Forest Products Council have both stated that this legislation will impact the supply chain and the sale of products. The Maine Grocers and Food Producers Association also made clear that this bill will put local and state businesses at a disadvantage compared to large, national corporations.

“We hope that Governor Mills and the Maine Legislature will revisit this legislation when they see the negative impact this has for their constituents.”

### ***Background:***

All phthalates are not the same. For instance, the hazard potential for di-isononyl phthalate (DINP) and di-isodecyl phthalate (DIDP) has been studied for over 20 years. There is overwhelming



evidence that these high molecular weight phthalates have been proven safe for their intended use and are permitted in food contact applications all over the world. Additionally, the regulation of phthalates in food packaging has been under active review by the U.S. Food & Drug Administration (FDA) since March of 2016. The FDA review is being conducted in a timely and thorough manner with a decision now pending.

Additionally, PFAS used in food packaging were reviewed and found to be safe for their intended use. Any argument that the PFAS currently approved by FDA for use in food packaging present some significant risk to consumers is neither risk-based nor supported by the robust body of scientific data on these substances.

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*The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®; common sense advocacy designed to address major public policy issues; and health and environmental research and product testing. The business of chemistry is a \$526 billion enterprise and a key element of the nation's economy. It is among the largest exporters in the nation, accounting for ten percent of all U.S. goods exports. Chemistry companies are among the largest investors in research and development. Safety and security have always been primary concerns of ACC members, and they have intensified their efforts, working closely with government agencies to improve security and to defend against any threat to the nation's critical infrastructure.*

