



**NEWS RELEASE
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Contact: Lauren A. Kinard
(410) 694-0800
lkinard@flexpack.org

**FPA Participating In Industry Coalition on:
“BAN POISONOUS ADDITIVES ACT OF 2009”**

Linthicum, Maryland: March 27, 2009 – The Flexible Packaging Association recently participated in the Food Packaging Industry Coalition meeting to discuss industry strategy on proposed legislation entitled “Ban Poisonous Additives Act of 2009.”

The primary purpose of the “Ban Poisonous Additives Act of 2009” is to restrict the use of bisphenol A (BPA) in all food and beverage containers. In addition, the legislation would establish a precautionary approach to food contact substances including packaging and place significant restrictions on new, and possibly existing, food contact materials that do not contain BPA.

The legislation has been introduced in the U.S. Senate (S. 593) and the U.S. House of Representatives (H.R. 1523). The proposed legislation, if passed, would have a significantly detrimental affect on the regulation of food contact materials in the United States. As a member of the Coalition, FPA is actively monitoring the progress of the legislation and working to ensure that government officials are aware of industry concerns and significant issues with the proposed legislation.

The proposed Ban Poisonous Additives Act of 2009 amends Section 409 (h) of the Federal Food, Drug, and Cosmetic Act, which authorizes the Food Contact Notification (FCN) Program. Since 2000, the FCN program has been the main vehicle for the clearance of new food-contact substances. The proposed legislation may also mandate the submission of FCN for all food contact substances including any additives and materials that currently do not require a FCN or are subject to food additive regulation. Additionally, the proposed legislation requires a determination that no adverse health effects result from low dose exposure to food contact substances. This provision would create an enormous burden on the U.S. FDA and the packaging industry.

Another provision within the proposed legislation requires a determination that a substance has been found not to cause reproductive or developmental toxicity in humans or animals. This provision might eliminate the use of a large number of substances that are safe when used as intended. The proposed legislation also requires the U.S. FDA to conduct a review of all GRAS substances and take appropriate action including banning the substance if scientific evidence supports it.

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The Coalition meeting was held at The Society of the Plastics Industry (SPI) headquarters, in Washington DC. The meeting included a presentation from the law firm of Keller and Heckman LLP, which has a strong practice in packaging law. The presentation provided an overview of the proposed legislation and its potential impact on Food Contact and Generally Recognized as Safe (GRAS) substances. [Please click here to view a PDF copy of the Keller and Heckman LLP presentation.](#)

For more information, contact Ram Singhal, vice president, Technology and Environmental Strategy, at rsinghal@flexpack.org or (410) 694-0823.

About the Flexible Packaging Association

The Flexible Packaging Association has served as the voice of the flexible packaging industry since 1950. FPA members are manufacturers of flexible packaging sold to users or distributors for packaging purposes, and material or equipment suppliers to the industry. Flexible packaging is produced from paper, plastic, film, aluminum foil, or any combination of those materials, and includes bags, pouches, labels, liners, wraps, rollstock, and other flexible products.

FPA