



## About NAMPA

The North American Metal Packaging Alliance, Inc. (NAMPA) is committed to promoting sound science in risk-based decision-making pertinent to the light metal packaging industry, advocating on behalf of the light metal packaging industry on issues pertinent to packaging technologies, and providing customers with needed information regarding light metal packaging technologies and the regulatory frameworks in which these technologies are assessed.

**John M. Rost, Ph.D.**  
**Chairman**

Want to join  
NAMPA?

If you would like to support our efforts and play an active role in NAMPA, please consider joining as a full member. Please contact NAMPA at 866-522-0950 or [info@metal-pack.org](mailto:info@metal-pack.org) for details.

## NAMPA News

### Message from the Chairman

By **John M. Rost, Ph.D.**

Since the last issue of *NAMPA News*, the North American Metal Packaging Alliance, Inc. (NAMPA) has been deeply engaged in opposing Senate Bill (SB) 1713, California State Senator Carole Migden's (D) bill intended to prohibit the use of bisphenol A (BPA) in food and beverage containers or other products designed or intended to contain liquids for consumption by infants and children. Our hard work paid off. On August 18, 2008, the bill failed to pass in the Assembly.. The Assembly agreed to allow reconsideration of the bill before **August 31, 2008**, the last day the Legislature will be voting on bills. On August 22, 2008, Senator Migden amended the bill and narrowed it considerably to exclude "any liquid, food, or beverage in a can or jar that contains" BPA. As of this writing, virtually all stakeholders remain firmly opposed to the amended bill.

NAMPA's strong opposition to the legislation added value and brought significant clarity to industry's advocacy. NAMPA also brought leadership that facilitated industry's efforts to coordinate its advocacy efforts. NAMPA initiated and/or participated in many calls among representatives of the Grocery Manufacturers Association (GMA), International Formula Council, American Chemistry Council (ACC), and American Beverage Association, among others. Through the efforts of Stanton Communications, Inc., and Doug Jeffe, NAMPA developed much needed advocacy documents that were clear and compelling, including a press release entitled "Amendments Fail to Cure SB 1713's Fatal Flaws," among others. NAMPA's contributions were praised by other trade representatives and were widely recognized as essential elements in the campaign against SB 1713. NAMPA's press release regarding the SB 1713 amendments is available at <http://metal-pack.org/docs/pdf/00034553.PDF>.

NAMPA will confront considerable challenges through the end of this year. First, NAMPA will participate actively in the forthcoming meeting on **September 16, 2008**, convened by the U.S. Food and Drug Administration (FDA). FDA's recent draft assessment of BPA represents an unequivocal affirmation of the safety of BPA in metal food and beverage packaging. NAMPA intends to present its views at the public meeting, and to comment upon the draft BPA assessment. NAMPA understands that FDA intends to convene another public meeting on BPA before the end of the year. If so, NAMPA will also participate in that meeting.

Second, and importantly, NAMPA is working closely with GMA and ACC in opposing the California Environmental Protection Agency Office of Environmental Health Hazard Assessment's (OEHHA) interest in considering listing BPA under Proposition 65. All three organizations believe strongly that BPA does not meet the criteria for listing under Prop 65 and are coordinating

their advocacy to ensure that BPA is not listed under Prop 65 as a developmental/reproductive toxicant. The Hazard Identification Document (HID) is expected to be issued soon, and NAMPA will provide comment on it and participate in the **November 20, 2008**, Developmental and Reproductive Toxicant Identification Committee (DARTIC) meeting.

The remainder of this year will be very busy, and NAMPA members and interested others are urged to stay involved, remain committed, and stay active in the fight to ensure BPA applications of relevance to NAMPA member companies are not thrown under the bus and that defensible science prevails.

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## **NAMPA Communications And Outreach By Stanton Communications, Inc.**

Stanton Communications has been very active the several months. We note below for your easy reference a summary overview of the key activities in which we have been engaged.

- A total of eight interviews were conducted, resulting in articles in the following publications:
  - Toronto Globe and Mail
  - Dallas Morning News
  - Chemical and Engineering News
  - Canmaker
  - Pesticide and Toxic Chemical News
  - Packaging World
  - Food and Beverage Packaging
  - Packaging Strategies
  
- A total of four press releases/statements were distributed:
  
- Statement to CTV/Globe and Mail, regarding test results
- Statement regarding Rep. Markey's legislation
  - European Food Safety Authority (EFSA) statement declaring BPA safe
  - ACC Standby Statement
  
- One rapid response letter was published in the following publication:
  - Jamaica Gleaner
  
- Seven additional rapid response letters and letters to the editor were submitted to the following publications:
  - San Jose Mercury News
  - Dallas Morning News
  - Toronto Globe and Mail
  - Reuters
  - Washington Post
  - Ask Mr. Dad
  - The Environmental Magazine

## **NAMPA Accomplishments**

We are more than half way through 2008, and it seems like longer. We note below key accomplishments NAMPA has been instrumental in procuring for NAMPA members.

### **Led a Coalition of Retailers and Others to Defeat a BPA Labeling Measure in the City of Annapolis, Provided Oral Testimony at the City Council Hearing, and Testified at the Committee Hearing**

**Accomplishment:** Defeated a City Council measure that would have required labeling of any product containing BPA offered for sale in the City of Annapolis.

**Importance:** Local labeling measures such as this would, if enacted, have a disturbing and adverse impact on all consumer products containing epoxy resin coatings, invariably lead to similar measures in other jurisdictions, and inspire product de-selection opportunities.

### **Met with U.S. Senator Schumer's Staff to Explain the Benefits of Epoxy Resin Food Lining and Help Persuade Staff to Exclude FDA-Regulated Applications from the Draft Bill**

**Accomplishment:** In meeting timely with Senator Schumer's staff and before the bill was introduced, NAMPA was able to persuade staff to narrow considerably the scope of the bill to exclude food and beverage applications.

**Importance:** Federal legislation seeking to ban food and beverage applications of epoxy resin coatings would have a disturbing, adverse, and commercially damaging impact on NAMPA member companies' businesses. By limiting the scope of the measure, NAMPA and others have time to educate lawmakers on the safety and benefits offered of epoxy resin coatings.

### **Briefed U.S. Representative Markey's Staff on Emerging Science on BPA Safety, Established a Dialogue with Markey's Science Staff and Will Continue to Meet to Discuss the Unintended Consequences of BPA Bans**

**Accomplishment:** In meeting with Rep. Markey's staff, NAMPA was able to establish a relationship with Markey's science staff and initiate an important dialogue on the unintended consequences of legislation banning BPA.

**Importance:** High importance. Even if the bill fails this Congressional session, establishing a relationship and educating Markey's staff is critical to the success of NAMPA's legislative efforts.

### **Conducted Meetings with Congressional Staff to Educate Lawmakers about the Benefits of Epoxy Resin Coatings**

**Accomplishment:** NAMPA and its allies (GMA, Can Manufacturers Institute (CMI), and others) met with key lawmakers earlier this summer. These meetings provided excellent opportunities to introduce NAMPA, establish a dialogue with key lawmakers, and begin an important discussion about the unintended

consequences of measures intended to ban BPA-derived epoxy resin coatings.

**Importance:** Establishing these relationships are critically important as the ultimate success of NAMPA's legislative efforts in this regard will depend upon the quality of our advocacy, NAMPA's ability to persuade lawmakers of the safety of BPA, and NAMPA's credibility as a stakeholder and source of quality information.

#### **Met with the Office of Science and Technology Policy (OSTP) Regarding BPA Issues**

**Accomplishment:** At GMA's invitation, NAMPA attended a meeting arranged by GMA with the White House OSTP to brief OSTP on issues pertinent to BPA.

**Importance:** Given OSTP's role in advising the President on the effects of science and technology on domestic and international affairs, it is critical that OSTP have accurate, scientific, factually-based information regarding BPA and its effects.

#### **Continuing to Work with Chicago Councilmen to Discuss BPA Issues**

**Accomplishment:** NAMPA has met with key supporters of a City Council measure designed to restrict BPA-derived epoxy resin coatings.

**Importance:** Similar to the Annapolis City Council measure, local restrictions along these lines portend more local restrictions. NAMPA's ability to meet, establish a dialogue, and continue to engage with City Council members is critically important to defeating such measures.

#### **Testified before Boston City Council**

**Accomplishment:** NAMPA provided oral testimony on a hearing scheduled earlier this year in Boston on a BPA ban.

**Importance:** As with Chicago and Annapolis measures, NAMPA's staunch and persuasive advocacy defending food applications of BPA pertinent to NAMPA member company operations is essential for defeating such measures and important for advocacy purposes in demonstrating NAMPA's competence in these areas and its presence as a credible source of science and related information.

#### **Pushed Back on CA SB 1713**

**Accomplishment:** NAMPA's contributions to advocating against SB 1713 were widely regarded as critically important to the probable defeat of SB 1713. NAMPA has received significant positive feedback for its advocacy, its "one pagers," its efforts to disabuse factual distortions and misinformation, and generally for the quality of the advocacy intended to defeat the bill.

**Importance:** NAMPA's ability to participate meaningfully and significantly in the debate was critically important to defeat the bill and to demonstrate NAMPA's commitment to its customers and allies.

### **Invited to Meet with FDA Task Group on BPA**

**Accomplishment:** At the request of the FDA, NAMPA met with the leadership of the FDA BPA Task Group. The meeting was productive and established NAMPA as a leader in its field, and enabled NAMPA to express its support for ongoing FDA efforts to review, assess, and support the existing FDA approvals of BPA pertinent to NAMPA member companies.

**Importance:** Important and critical to establishing a positive, productive relationship with FDA.

### **Working with Health Canada to Develop “Code of Practice” for Infant Formula Cans**

**Accomplishment:** NAMPA has established a positive, collaborative relationship with Health Canada (HC) in supporting existing food contact applications of BPA by developing a “code of practice.” FDA has subsequently asked to be involved, to which NAMPA responded with an enthusiastic yes. HC’s request for assistance in this regard, FDA’s interest and participation, and NAMPA’s affirmative response for assistance, will be critical to the continuation of these applications in Canada, and may also prove useful in other regulatory applications.

**Importance:** These activities are critically important for HC to demonstrate progress in demonstrating the safety of BPA food contact applications. This collaboration is equally important in establishing NAMPA as a credible and enthusiastic association of responsible product stewards.

### **Working Collaboratively with GMA and ACC on Prop 65 Issues**

**Accomplishment:** Earlier this year, NAMPA joined forces with GMA and ACC to develop and implement a focused strategy intended to ensure, to the extent possible, that California’s OEHHA does not list BPA as a developmental/reproductive toxicant under Prop 65. NAMPA is working with GMA and ACC on comments and related initiatives and will continue to collaborate through the DARTIC meeting scheduled for **November 20, 2008**.

**Importance:** Our combined efforts are critically important in opposing efforts to list BPA as a Prop 65 toxicant. Similarly, our efforts to develop a suitable safe harbor level if listing proceeds will be critically important as a listing determination will have serious adverse consequences for products sold in California that do not satisfy any safe harbor limit and could contribute to product de-selection opportunities.

### **Submitted Epichlorhydrin Comments to HC**

**Accomplishment:** NAMPA prepared and submitted comprehensive comments to HC on epichlorhydrin (EHC), with which HC expressed significant satisfaction in receiving.

**Importance:** The submission of these comments helps solidify NAMPA’s working relationship with HC, identifies NAMPA as a credible and scientific authority on BPA food contact applications, and supports NAMPA’s ongoing

relationships with regulatory bodies.

### **Prepared Many Information Documents and Widely Distributed Each to Stakeholders and Others**

**Accomplishment:** NAMPA's development and wide distribution to media, stakeholders, allies, and others of well written, authoritative "one pagers" has assisted greatly in NAMPA's advocacy efforts, and based on the positive feedback NAMPA has received from others, the documents have proved to be of significant value.

**Importance:** These information documents, which are all included on NAMPA's website, are invaluable in advocacy setting, in confirming NAMPA's considerable competence in the areas each document addresses, and in achieving NAMPA's advocacy goals.

### **Conducted Press Interviews and Mentioned in Numerous Articles**

**Accomplishment:** As more fully set forth in Stanton Communication's summary, NAMPA's communications strategy has been enormously successful.

A total of eight interviews were conducted, resulting in articles in a wide variety of publications. A total of four press releases/statements were distributed. One rapid response letter was published. Seven additional rapid response letters and letters to the editor were submitted to various publications.

**Importance:** NAMPA's ability to communicate with stakeholders, customers, regulators, and adversaries is essential to the success of NAMPA institutionally. The interviews in which NAMPA has participated are essential to achieving one of NAMPA's core goals -- to engage with the media to ensure its message is broadly circulated.

### **Prepared Comments on Prop 65**

**Accomplishment:** NAMPA prepared and submitted substantive comments on OEHHA's interest in considering BPA as a Prop 65 candidate.

**Importance:** This activity was important for purposes of demonstrating NAMPA's competencies in these areas, in communicating accurately the science supporting NAMPA's view that BPA should not be listed under Prop 65, and in demonstrating to NAMPA member companies' customers that NAMPA is deeply concerned with and opposed to OEHHA's proposal.

### **Prepared Comments on HC Risk Assessment**

**Accomplishment:** NAMPA prepared and submitted substantive comments on the risk assessment HC prepared on BPA. NAMPA's comments were authoritative, substantive, and well received. NAMPA's submission of comments expresses its commitment to stewardship and solidifies its relationship with HC regulators.

**Importance:** This activity was important in ensuring HC's regulatory efforts are

fully reflective of sound science pertinent to BPA applications relevant to NAMPA member companies, and in expressing NAMPA member companies' commitment to sound risk assessment strategies and initiatives.

### **Retained Stanton, Which Has Greatly Enhanced NAMPA's Ability to Communicate**

**Accomplishment:** Stanton Communications continually demonstrates its significant value as a core NAMPA team member. At every level, the Stanton team has proved to be extremely responsive, professional, and deeply committed to achieving NAMPA's goals.

**Importance:** Stanton's work product has been essential to the success NAMPA has achieved to date. Its rapid response to attacks on BPA in the media, and its strategic approach to the development of NAMPA's communications plan are critically important to achieving NAMPA's advocacy goals.

### **Increased Membership by 26 Percent in 2008**

**Accomplishment:** As of August 25, 2008, NAMPA has 19 voting members, an increase of just over 26 percent since January 2008. The increase in membership is a result of focused membership recruitment activities.

**Importance:** By increasing its membership, NAMPA is able to promote more effectively the benefits of light metal packaging technologies.

### **Created NAMPA News**

**Accomplishment:** Created and distributed two editions of NAMPA's newsletter, *NAMPA News*.

**Importance:** The newsletter is an efficient and low cost way of keeping members and stakeholders engaged and up to date on issues of importance. The circulation increases steadily.

### **Created and Greatly Expanded Website**

**Accomplishment:** The NAMPA website is robust, informative, easy to view and navigate, and an excellent tool for recruiting new members and keeping interested others informed.

**Importance:** An association's web page is an essential component of its communications and advocacy strategy. The NAMPA website is vibrant and updated frequently. The members' only portion of the site is efficient and easy to use, and keeps member information and data organized and accessible.

### **Incorporated NAMPA**

**Accomplishment:** NAMPA was incorporated as a not for profit D.C. company. This helps ensure any potential liability is limited to the organization.

**Importance:** For members, this act is very important as it shields members from

potential legal liability.

### **Applied for Trademark/Service Mark for NAMPA**

**Accomplishment:** NAMPA applied for trademark and service mark protection for NAMPA and the North American Metal Packaging Alliance, Inc.

**Important:** Acquisition of these marks will protect NAMPA's branding.

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## **FEDERAL ISSUES**

### **FDA Draft Concludes Adequate Margin Of Safety Exists For BPA**

On August 15, 2008, FDA released its draft assessment of BPA for use in food contact applications and briefing information for the **September 16, 2008**, meeting of its BPA Subcommittee. The draft assessment, which "is particularly focused on the concerns for developmental toxicity identified in recent assessments of BPA, including those of the National Toxicology Program and their expert panel," concludes that "an adequate margin of safety exists for BPA at current levels of exposure from food contact uses." FDA reviewed data on highlighted endpoints, such as the prostate gland and developmental neural and behavioral toxicity. According to the draft assessment, at a later date, FDA will publish a separate document that provides a safety assessment of BPA exposure from other FDA-regulated products.

When FDA released its draft assessment and charge to the BPA Subcommittee, it also released a number of memoranda concerning issues such as migration data for BPA from car enamels to infant formula concentrates; cumulative exposure to BPA for infants from epoxy-based container coatings and polycarbonate (PC) bottles in contact with infant formula; migration of di(2-ethylhexyl) adipate from polyvinyl chloride cling film and BPA from can coatings and PC baby bottles and tableware; identity of can coating on powder infant formula cans; and cumulative exposure estimates for BPA, individually for adults and infants, from its use in epoxy-based can coatings and PC articles. The draft assessment and related materials are available on the Internet at [http://www.fda.gov/ohrms/dockets/ac/08/briefing/2008-0038b1\\_01\\_00\\_index.htm](http://www.fda.gov/ohrms/dockets/ac/08/briefing/2008-0038b1_01_00_index.htm).

When the Subcommittee meets on **September 16, 2008**, in Rockville, Maryland, it will discuss the draft assessment of BPA for use in food contact applications and will hear oral presentations from the public. Interested persons may present data, information, or views, orally or in writing, on issues pending before the Subcommittee. Written submissions are due **September 12, 2008**. Requests to make formal oral presentations are due **September 4, 2008**. FDA states that the time allotted for each presentation may be limited.

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## **STATE ISSUES**

### **California**

## OEHHA Stakeholder Workgroup Holds Meetings

OEHHA's stakeholder workgroup concerning exposure to listed chemicals in food met on June 19, July 15, and August 12, 2008. OEHHA's charge to the workgroup states that it should develop a draft regulatory proposal that will provide specific "safe harbor" warning language and delivery method options for providing warnings for exposures to listed chemicals in foods, that can be jointly implemented by food manufacturers and retailers, to provide a clear and reasonable warning to consumers. The charge notes that the workgroup is not determining whether a warning should be required "for any particular chemical exposure from any particular food."

According to OEHHA's draft problem statement, the current Proposition 65 "safe harbor" warning regulations do not adequately provide guidance concerning the methods for providing required warnings for exposure to listed chemicals in foods at the retail level or the content of those warnings. OEHHA believes the regulations "should include specific provisions explaining methods of delivery for the required warning that work for retailers and take advantage of existing technology (*i.e.* in store electronic kiosks, bar code readers, etc.) while being broad enough to encompass new technology as it is developed." OEHHA states that any proposed process "must include a method for identifying each product affected by the warning (*i.e.* via a flag on the product) and provide the basic components of the warning to the consumer at the retail location (*i.e.* via an in-store kiosk, pamphlet, register printout, etc.)." OEHHA suggests that the regulation "could also include a provision allowing OEHHA to approve a warning program as in compliance with the regulation."

The workgroup is scheduled to meet **September 16** and **September 29, 2008**. OEHHA's goal is to have a regulatory proposal ready for public comment by the end of **2008**. BPA is not listed on Proposition 65, although OEHHA has begun preparation of hazard identification materials, which will be considered at a future meeting of OEHHA's DARTIC. Materials from the June 19, 2008, meeting are available at <http://www.oehha.ca.gov/prop65/wkgrp/061908meet.html>, and materials from the July 15, 2008, meeting are available on the Internet at <http://www.oehha.ca.gov/prop65/wkgrp/071508meet.html>.

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## Proposition 65 Update

As you know, on January 18, 2008, OEHHA announced the selection of BPA for review by the DARTIC for possible listing under Proposition 65, as well as a 60-day data call-in for information relevant to the assessment of the evidence of the developmental and reproductive toxicity of BPA. NAMPA submitted comments in response to the January 18 notice, as did other industry stakeholders.

In NAMPA's April 17, 2008, response to OEHHA, NAMPA urged OEHHA to review the final report by the National Toxicology Program (NTP) Center for the Evaluation of Risks to Human Reproduction (CERHR), which provides a scientifically sound basis for assessment of the potential reproductive and developmental effects of BPA. Because the CERHR Panel Report is balanced and authoritative, NAMPA recommended it be used as the foundation for any assessment of these issues that DARTIC performs. NAMPA noted that the findings of the CERHR Panel are also supported by another recent evaluation of BPA prepared by EFSA.

Since April 17, NAMPA has been coordinating closely and regularly with representatives from GMA and ACC, and each organization's lawyer, to ensure

each organization's advocacy is consistent, effective, and efficient. The lawyers have met several times in person and by phone, and intend to meet again in **September**.

Coordinating will be especially important in preparing NAMPA's response to OEHHA's HID on BPA, which is expected to be made available for review and comment in August or September. The HID will be available for a 60-day comment period prior to the DARTIC meeting, which has been scheduled for **November 20, 2008**. In the HID, OEHHA will outline its assessment of BPA for purposes of Prop 65 listing. It will be very important for entities wishing to oppose listing to provide a comprehensive and scientifically compelling response to the HID.

We will let you know when the HID becomes available, and continue to coordinate with GMA and ACC.

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## **LEGISLATIVE ISSUES**

### **FEDERAL**

#### **NAMPA Meets With Schumer's And Markey's Offices Regarding BPA Developments**

On July 30, 2008, NAMPA met with staff members from both Senator Charles E. Schumer's (D-NY) and Representative Edward J. Markey's (D-MA) offices to discuss recent developments with BPA, specifically the EFSA report and the newly published RTI study. The meeting was an ongoing effort to keep a dialogue going with Congressional staff, as requested specifically by Markey. The meeting with Schumer's staff was brief. NAMPA pointed out that the EFSA report seemed to state definitively that BPA was "safe" and that infant metabolism was specifically considered and answered. Markey's staff, which consists of a M.D. intern and a Ph.D. scientist, was a bit more detailed as they seem interested to keep up to speed on this issue, including conversations with scientists from the Chapel Hill group. NAMPA will respond to them with more information on the EFSA and RTI reports to satisfy them about the conclusiveness of these reports.

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#### **President Bush Signs CPSC Legislation**

On August 14, 2008, President Bush signed the Consumer Product Safety Modernization Act (H.R. 4040), which would increase funding and authority for the Consumer Product Safety Commission (CPSC) and ban phthalates in children's products. The House approved the original bill on December 19, 2007, by a vote of 407-0, and the Senate approved its version on March 6, 2008, by a vote of 79-13. The Act would permanently prohibit 180 days after enactment the sale of children's toys or child care articles that contain more than 0.1 percent di(2-ethylhexyl) phthalate, dibutyl phthalate, or butyl benzyl phthalate. The sale of children's toys or child care articles containing concentrations of more than 0.1 percent of diisononyl phthalate, diisodecyl phthalate, or di-n-octyl phthalate would be prohibited 180 days after enactment on an interim basis until a review by a Chronic Hazard Advisory Panel. Under the bill, within 18 months after its

appointment, the Panel would “complete an examination of the full range of phthalates that are used in products for children.”

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## STATE

### California

#### California Assembly Fails To Pass Legislation Banning BPA

On August 18, 2008, SB 1713, which would prohibit the manufacture, sale, or distribution in commerce of any product intended to contain food or liquids for consumption by a child three years of age or younger if the product contains BPA, failed to pass in the Assembly by a vote of 33-32. The Assembly agreed, however, to allow reconsideration of the bill before **August 31, 2008**, the last day the Legislature will be voting on bills. On August 19, 2008, a spokesperson for California Senator Carol Migden (D), author of the bill, stated that Migden will press for a new vote. NAMPA, with the invaluable support of Stanton Communications, Inc., and Doug Jeffe, developed clear, concise, and compelling advocacy documents concerning the bill, including a press released entitled “Amendments Fail to Cure SB 1713’s Fatal Flaws,” among others. These documents proved to be persuasive with Assembly Members.

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## RESEARCH

#### Tyl Study Published In *Toxicological Sciences*

The August 2008 issue of *Toxicological Sciences* includes the Tyl study entitled “Two-Generation Reproductive Toxicity Study of Dietary Bisphenol A in CD-1 (Swiss) Mice.” According to the study, there were no BPA-related effects on adult mating, fertility or gestational indices, ovarian primordial follicle counts, estrous cyclicity, precoital interval, offspring sex ratios or postnatal survival, sperm parameters or reproductive organ weights, or histopathology (including the testes and prostate). The systemic no observable effect level (NOEL) was 30 ppm BPA, and the reproductive/developmental NOEL was 300 ppm. The authors concluded that BPA is not considered a selective reproductive or developmental toxicant in mice. The abstract is available at <http://toxsci.oxfordjournals.org/cgi/content/abstract/104/2/362>.

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## INTERNATIONAL ISSUES

#### EFSA Announces New TWI For Aluminum

On July 15, 2008, EFSA announced the opinion of the Panel on Additives, Flavourings, Processing Aids, and Materials in Contact with Food on aluminum. The Panel estimated total dietary exposure from studies from several European countries, including Netherlands, France, United Kingdom, and Sweden. The Panel found large individual variations in dietary exposure can occur. Given the persistence of aluminum in the body, the Panel concluded a tolerable weekly intake (TWI), rather than a tolerable daily intake, was more appropriate, and established a TWI of one milligram per kilogram body weight per week. The

Panel based its evaluation on the combined evidence from a number of animal studies showing adverse effects on testes, embryos, and the developing and mature nervous system following dietary administration of aluminum compounds. The Panel commented that the available studies had a number of limitations and noted that there have been very few specific studies on individual food additives containing aluminum. The Panel's opinion is available at [http://www.efsa.europa.eu/EFSA/efsa\\_locale-1178620753812\\_1211902003996.htm](http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902003996.htm)

### **EFSA Reaffirms 2006 Opinion On BPA**

On July 23, 2008, EFSA announced the availability of the Scientific Opinion of the Panel on Additives, Flavourings, Processing Aids, and Materials in Contact with Food on the "Toxicokinetics of Bisphenol A." The Panel concluded that "the exposure of a human fetus to free BPA would be negligible due to the maternal capacity for conjugation whereas the fetal rat would be exposed to free BPA from the maternal circulation." The Panel notes that, "because of the metabolic differences described, exposure to free BPA in adult, fetal and neonatal rats will be greater than in humans and that rats would therefore be more susceptible to BPA-induced toxic effects than humans on a equivalent dose basis." The Panel "therefore considers that its previous risk assessment based on the overall [no observed adverse effect level (NOAEL)] for effects in rats and using a default uncertainty factor of 100 can be considered as conservative for humans. The Panel concluded that the differences in age-dependent toxicokinetics of BPA in animals and humans would have no implication for the EFSA 2006 risk assessment of BPA." More information is available at [http://www.efsa.europa.eu/EFSA/efsa\\_locale-1178620753812\\_1211902017492.htm](http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902017492.htm).

### **NAMPA WEBSITE**

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