



## Statement of North American Metal Packaging Alliance, Inc.

### Regulatory Status of Bisphenol A at FDA

The North American Metal Packaging Alliance, Inc. (NAMPA) recognizes that the Food and Drug Administration's (FDA) January 15, 2010, interim evaluation of bisphenol A (BPA) has caused confusion among users of BPA epoxy coatings. NAMPA emphasizes a single important fact -- the January 15, 2010, FDA announcement **did not change** the legal or regulatory status of BPA in food packaging coatings.

In its announcement, FDA noted its belief that a new regulatory framework should be considered for BPA, and indicated that manufacturers would be asked to submit voluntarily food contact notifications (FCN) for currently marketed uses of BPA-epoxy coatings. But as noted above, FDA's announcement and its desire for voluntary FCN submissions do not impact the current regulatory status of BPA as a food additive.

Industry parties have expressed concerns with the current proposal of voluntary FCN submissions, as there are numerous questions on how the proposal will proceed, the legal implications under the FCN program for such a voluntary program, concerns with protections of confidentiality/trade secrets under a voluntary program, what parties should be responsible for the FCN submissions, and related uncertainties. NAMPA has asked to meet with FDA officials to discuss these issues and determine if there is a more efficient way to provide FDA with the information they are requesting.

Users of epoxy coating should keep in mind the following:

1. Although industry stakeholders are being asked voluntarily to work under the FCN system, there is no regulatory requirement to do so. In fact, the only existing regulations for BPA that stakeholders must adhere to are those that exist under the food additive program.
2. FDA has clearly stated that BPA has not been proven to be harmful to children or adults in any of its current uses. In addition, FDA specifically instructed the public that changes should not be made in food packaging or consumption, whether by industry or consumers, that could jeopardize either food safety or reduce access to and intake of food needed to provide good nutrition, particularly for infants.
3. All of the major food safety agencies worldwide -- the European Food Safety Authority, Australia, New Zealand, Canada, Japan, United Kingdom, and Germany -- are in agreement on the safe use of BPA in food packaging applications.



NAMPA will update stakeholders on its efforts to address FDA's request for more information via its website -- [www.metal-pack.org](http://www.metal-pack.org).

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### **About NAMPA**

The North American Metal Packaging Alliance, Inc. and its members support sound science and trust the scientific review process that has protected our food supply for decades. For further information, visit [www.metal-pack.org](http://www.metal-pack.org).

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