

AB 1200 (Ting): Banning PFAS in Food Packaging

AB 1200 prohibits the sale or distribution in California of plant-based (paper) food packaging that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances, a class of hazardous chemicals known as PFAS. The ban commences January 1, 2023.

PFAS is Harmful to Human Health & the Environment

PFAS are a class of approximately 9,000 man-made chemicals used for a wide range of purposes, including food packaging. These substances are often called “forever” chemicals because they are extremely resistant to breaking down and they persist in the environment and [the human body](#), leading to continued exposure and health risks into the future. Californians are exposed to them when they [work with PFAS or PFAS-containing products](#), [use PFAS-containing products in their homes](#), [consume food and beverages stored in PFAS-containing packaging](#), drink PFAS-contaminated water, and [breathe PFAS pollution in the air](#). [PFAS have been linked to severe health problems, including breast and other cancers, hormone disruption, kidney and liver damage, thyroid disease, developmental harm, and immune system disruption, including interference with vaccines.](#)



PFAS in Food Packaging

Manufacturers often coat or treat single-use paper-based food packaging with PFAS to make the packaging water and grease resistant. Examples of PFAS-treated packaging include paper wraps, liners, bags, sleeves, dinnerware (plates, bowls, trays), straws, and molded fiber takeout containers.

[Federal regulation of chemicals used in food packaging is woefully inadequate](#). The U.S. Food and Drug Administration, which is responsible for this regulation, allows manufacturers to self-certify that a chemical can be safely used in food packaging without providing adequate scientific information demonstrating safety. As a result, hazardous chemicals, such as PFAS, are legally added to food packaging materials. [Studies have shown that during production, use or disposal of the packaging, PFAS chemicals migrate into food, as well as into the environment.](#)

Contaminating the Environment

When paper packaging is composted, which is occurring more and more as communities try to reduce landfill waste, [PFAS become part of the compost](#) and, eventually, [enter the food chain when the compost is applied to agricultural soils](#). In addition, PFAS-laced food packaging contaminates our

waterways when PFAS is [released through industrial waste](#), [leaches from packaging in landfills](#), and when packaging litter is washed into storm drains.



Governments and the Market are Phasing Out PFAS

To date, New York, Minnesota, Vermont and Connecticut have banned the sale of PFAS-containing plant-based food packaging, and Washington and Maine have embarked on bans as well. State agencies in Massachusetts, Minnesota, and Connecticut have stopped purchasing PFAS-containing food packaging; and [California's CalRecycle is finalizing regulations to prohibit the use of PFAS-containing food packaging in state buildings or on state property](#). In addition, local governments are moving forward to get PFAS out of food packaging. Eight cities including San Francisco, and two counties have acted to remove PFAS from food packaging and waste streams.

Finally, restaurants, such as McDonalds, Taco Bell, Chipotle, Sweetgreen, Panera Bread, and most recently Wendy's, as well as grocery stores including Whole Foods and Trader Joe's, have either already phased out PFAS-containing food packaging or pledged to do so.

Safer Alternatives are Currently Available

[Single-use disposable food packaging that does not contain PFAS is available and already in use.](#)

Some PFAS-free choices include uncoated paper products, products made with materials other than paper, and paper products treated with coatings other than PFAS. In some cases, it's possible to switch single-use, disposable food packaging to re-usable, zero-waste containers, potentially saving money for small businesses that switch and municipalities that handle waste from single-use disposable packaging.

If other states move ahead of California in banning PFAS, our state could end up receiving an even higher proportion of PFAS-containing packaging, as manufacturers look for markets to dump products that they cannot sell elsewhere. California should follow the lead of its local communities, state agencies, other states, and private industry and move decisively to remove PFAS from all food packaging.

For more information on the bill, see [here](#) or contact:

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