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MEDIA RELEASE / NOVEMBER 18, 2021

Bipartisan bill to ban PFAS chemicals in food containers introduced in Congress today

PFAS policy leaders and science experts urge Congress to act soon on the legislation

UPDATED: 12:00p ET 11-18-2021 | WASHINGTON, D.C.—Today the bipartisan Keep Food Containers Safe from PFAS Act was introduced in the Senate by Sen. Maggie Hassan (D-N.H.) and in the House of Representatives by Reps. Debbie Dingell (D-Mich.) and Don Young (R-Alaska). The legislation will ban the use of any perfluoroalkyl or polyfluoroalkyl substance (PFAS) as a food contact substance.

The *Keep Food Containers Safe from PFAS Act* would ban the use of toxic PFAS in food containers and cookware. The bill empowers the Food and Drug Administration (FDA) to deem PFAS substances in any food containers or cookware as unsafe. The bill gives the FDA until 2022 to enforce this ban.

In response, **Toxic-Free Future** and its programs **Safer Chemicals Healthy Families** and **Mind the Store**, as well as **Safer States** issued the following statements:

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These chemicals are linked to serious environmental and health problems. Check out our fact sheets, which draw from the leading peer-reviewed science.

- Bisphenol A (BPA) & Bisphenol S (BPS)
- Formaldehyde
- Methylene chloride

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Families, a program of Toxic-Free Future. “While most PFAS-treated food packaging is in actual use for a short time, the threat to the environment and public health begins at manufacture and can last forever. When lunch is over, the packaging goes into a landfill, incinerator or compost, creating a long-term source of chemical pollution that makes its way back to people through our drinking water, food, and air. Our lunch should not come with a side of “forever” chemicals. We look forward to working with these Congressional leaders to protect public health by taking PFAS off the menu.”

substances)

- Phthalates
- Toxic flame retardants

[OTHER CHEMICALS »](#)

“When the PFAS used in food packaging start turning up in breast milk from more and more women, it’s way past time to get these chemicals out of food packaging,” said **Erika Schreder, Toxic-Free Future science director.**

“Persistent chemicals that threaten our immune systems have no place in everyday products, and we need national action to safeguard pregnancy and breastfeeding for everyone around the country.”

“Fast-food giants like McDonald’s, Wendy’s, and Taco Bell are already banning PFAS, so the marketplace is moving,” said **Mike Schade, campaign director of Mind the Store, a program of Toxic-Free Future.** “The federal government must level the playing field to ensure all Americans are protected from these forever chemicals.”

“The federal government is finally following the states’ lead and stepping up to the plate,” said **Sarah Doll, national director of Safer States.** “States across the country, from New York to Washington to California, have been adopting policies that protect communities from toxic ‘forever’ chemicals. State-led efforts will continue to grow and we need complementary federal actions like this to solve the PFAS pollution crisis we are now facing.”

Bill text for the *Keep Food Containers Safe from PFAS Act* can be found [here](#).

PFAS BACKGROUND

Chemical companies sell PFAS (per- and polyfluoroalkyl substances) for application to paper and textiles as stain-resistant, water-repellent, and grease-proofing treatments. A growing body of [scientific research](#) has found links between exposures to PFAS and a wide range of health problems including a

environment and can easily move through soil to drinking water. With remarkable persistence and mobility, PFAS have become global pollutants that threaten the health of people and wildlife.

A [2020 report](#) by Toxic-Free Future found major fast-food chains such as McDonald's, Burger King, and Wendy's likely serve up toxic PFAS with some of their most popular takeout foods. A 2018 report also indicated the presence of PFAS in food packaging [at top grocery store chains](#).

A recent peer-reviewed [study](#) by Toxic-Free Future found PFAS in [100% of breast milk samples](#) tested and that newer PFAS build up in people. And, Toxic-Free Future's latest [investigative report](#) revealed that a PFAS manufacturing facility is a major source of both PFAS pollution and ozone-depleting chemicals that contribute to health problems and climate change.

[State governments](#) are taking legislative and regulatory actions to phase out PFAS in products to prevent contamination in favor of safer alternatives. For example, laws in ME and WA have given state agencies authority to ban PFAS in a wide range of products. CA, CT, ME, MN, NY, VT, and WA have enacted phase-outs of PFAS in food packaging. VT and ME adopted bans on PFAS in carpets, rugs, and aftermarket treatments and regulatory action is pending on these products and other home textiles (e.g. upholstery, bedding) in CA and WA. CA, CO, CT, IL, ME, NH, NY, and WA have put in place bans on the sale of firefighting foam containing PFAS.

Retailers are increasingly adopting safer chemicals policies to reduce or eliminate PFAS in key product sectors including textiles, according to the annual [Retailer Report Card](#) published by Toxic-Free Future's Mind the Store program. Over the past two years, [18 retailers selling food or food packaging](#) announced steps to reduce or eliminate PFAS in food packaging at their more than 77,000 stores, which includes Ahold Delhaize, Albertsons, Amazon.com, Cava, Chipotle, Freshii, McDonald's, Panera Bread, Sweetgreen, Trader Joe's, Wendy's, and Whole Foods Market.

TOXIC-FREE FUTURE

[Toxic-Free Future](#) (TFF) is a nonprofit research and advocacy organization that

chemicals. [Mind the Store](#) is a Toxic-Free Future program that challenges retailers to eliminate toxic chemicals and replace them with safer alternatives, and scores major retailers on their safer chemicals policies in an annual [Retailer Report Card](#).

SAFER STATES

[Safer States](#) is a network of diverse environmental health coalitions and organizations in states across the country that share a bold and urgent vision to protect people and communities from toxic chemical threats. By harnessing place-based power, Safer States helps prevent harm to people and the environment caused by dangerous chemicals and creates innovative solutions that promote safer alternatives.

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