

AB 1200 (Ting): Banning PFAS in Food Packaging

AB 1200 prohibits any person from selling or distributing in California plant-based (paper) food packaging that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances, a class of hazardous chemicals known as PFAS.

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. [They 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), and takeout containers made of molded fiber.

[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 testing data and 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 has 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. San Francisco, Berkeley, San Anselmo, and the County of San Mateo have all adopted ordinances requiring single-use food packaging to be free of intentionally added PFAS. Carmel, Richmond and the County of Santa Cruz have also adopted ordinances that, effectively, limit single-use food packaging to contain no more than trace amounts of PFAS.



Finally, restaurants, such as McDonalds, Taco Bell, Chipotle, Sweetgreen, and Panera Bread, 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 Consumer Products Program's Work Establishes Strong Grounds for Legislative Action

California's Department of Toxic Substances Control's Safer Consumer Products Program (SCP), is examining the class of PFAS in two potential product categories, [including food packaging](#), and currently finalizing regulations listing the class of PFAS in carpets and rugs as a priority product. However, any potential regulatory action by SCP on food packaging would be years down the road, cover a narrower scope of packaging products than AB 1200, and drain limited resources that should be used for products without clear and currently available safer alternatives.

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.

Vote Yes on AB 1200!

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