

No Toxic Chemicals in Food Packaging Act of 2026

Rep. Schakowsky (D-IL) and Sen. Blumenthal (D-CT)

BACKGROUND

Thousands of synthetic chemicals are used to make the materials that come into contact with food and beverage throughout the production, storage, handling, transport, and packaging stages. These materials are used in food processing equipment like milking tubes and factory conveyor belts, food preparation surfaces, retail packaging like plastic containers, sealings inside jar lids, packaging adhesives and colorants, as well as cookware, storage, and serving ware (1). Because chemicals can migrate from the Food Contact Materials (FCM) into food and beverage and then into our bodies (2), the safety of these chemicals is a critical public health issue. But many chemicals authorized by the Food and Drug Administration for FCM have been linked to negative health impacts ranging from allergic reactions to reproductive harm, learning disabilities, and increased risk of cancer.

A growing body of scientific evidence is revealing the urgency of this problem, as researchers and health professionals are sounding the alarm on toxic chemicals in food contact materials. In 2018, the American Academy of Pediatrics issued a Policy Statement to draw attention to emerging child health concerns related to chemicals used in food contact materials (3). And in March 2020, an international group of scientists from multiple disciplines published a consensus statement expressing strong concern about FCMs and calling for a ban on the use of known hazardous chemicals in any food contact articles (4).

Meanwhile, the FDA is failing to protect public health by continuing to allow harmful chemicals in Food Contact Materials. Over 200 chemicals on the FDA-approved list for FCMs have been identified as hazardous, and another 530 are considered potentially hazardous to human health (5). A recent analysis found 189 chemicals linked to breast cancer in food contact materials used in the USA and Europe (6).

POLICY PROBLEM

The 1958 Delaney Clause of the Federal Food, Drug, and Cosmetic Act prohibits the FDA from approving a chemical for use in food (including food contact) if it is found to induce cancer when ingested by people or animals.

Unfortunately, in flagrant contradiction to the law, the FDA has approved or is avoiding removing past approvals of chemicals for food contact uses that are scientifically recognized carcinogens or that contribute to cancer risk through hormone disruption.

The FDA continues to use outdated science to evaluate the safety of chemicals for FCMs – its track record has been particularly problematic regarding hormone disrupting chemicals like bisphenol A and phthalates (6) and their contribution to hormonal cancers, such as breast cancer. In addition, the FDA does not systematically re-evaluate chemicals that were approved decades ago, meaning some current approvals are based on obsolete science.

As a result, chemicals which have been shown to cause cancer or disrupt hormones and thereby contribute to cancer risk are being used by major multinational food companies throughout the food production and packaging chain.

NO TOXIC CHEMICALS IN FOOD PACKAGING ACT OF 2026

The No Toxic Chemicals in Food Packaging Act of 2026, by Representative Jan Schakowsky (D-IL) and Sen. Richard Blumenthal (D-CT), would ban the use of sixteen chemicals or chemical classes linked to cancer or hormone disruption:

<p>PFAS (class)</p>	<ul style="list-style-type: none"> • carcinogens, reproductive toxicants, hormone disruptors, and more hazardous properties, • used in plastic and paper food packaging, • recently found, e.g., protein powders
<p>Ortho-phthalates (class)</p>	<ul style="list-style-type: none"> • hormone disruptors, reproductive toxicants, some are carcinogens on CA’s Prop 65 list • used in food processing contact materials like tubing and conveyor belts • recently found in a wide range of food products
<p>Bisphenols (A, B, S, F, AF or related compounds)</p>	<ul style="list-style-type: none"> • hormone disruptors, reproductive & developmental toxicants, some are carcinogens on CA’s Prop 65 list, increase the risk of certain cancers, including breast cancer • used in food can linings, polycarbonate plastic for reusable foodware • has been found in food cartons and food packaging paper made from recycled paper
<p>Multiple chemicals recognized as carcinogens by the US National Toxicology Program and the world’s leading International Agency for Research on Cancer</p>	<ul style="list-style-type: none"> • Acrolein • Acrylamide • BHA (tert-Butyl-4-hydroxyanisole) • Chlorinated paraffins • 1,4 – Dioxane • Asbestos • Benzene • Chloroform • Methylene chloride • Ethylene oxide • Formaldehyde • Styrene Polymer

The bill bans the chemicals by explicitly deeming them unsafe for use as 'food contact substances' in food packaging or production materials, amending the Federal Food, Drug, and Cosmetic Act (Section 409, 21 U.S.C. 348)

The bill applies to materials used to make both single-use and reusable food and beverage containers.

When assessing alternative chemicals, the FDA must explicitly consider the potential adverse effects of exposure on vulnerable populations, including pregnant women, infants, children, the elderly, people with pre-existing medical conditions, and populations with disproportionately high exposure, including workers who are exposed through production practices or handling of final products.



CONCLUSION

This bill would take an important step in protecting public health from harmful chemicals in food by ensuring that three chemical groups and twelve chemicals that contravene the Delaney Clause prohibiting cancer-causing chemicals are no longer permitted for use in any materials that contact food or beverage anywhere from farm to fork.

FOOTNOTES

(1) The chemicals are referred to as Food Contact Chemicals or Food Contact Substances, the materials (plastic, paper, metal, foil, etc.) are called Food Contact Materials, and the individual items that contain or contact food are Food Contact Articles.

(2) Geueke, B., Parkinson, L.V., Groh, K.J. et al. Evidence for widespread human exposure to food contact chemicals. *J Expo Sci Environ Epidemiol* 35, 330–341 (2025). <https://doi.org/10.1038/s41370-024-00718-2>

(3) This Policy statement also addresses concerns about direct food additives used as preservatives, colorants or flavors. See Trasande L, Shaffer RM, Sathyanarayana S. 2018. American Academy of Pediatrics (AAP) Council on Environmental Health. Food Additives and Child Health. *Pediatrics*. 2018 Aug;142(2).

(4) The statement also addresses harmful chemicals in food from direct food additives and from environmental contamination. See Muncke, J., Andersson, AM., Backhaus, T. et al. Impacts of food contact chemicals on human health: a consensus statement. *Environ Health* 19, 25 (2020). <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-020-0572-5>

(5) Muncke, J et al. 2017. Scientific Challenges in the Risk Assessment of Food Contact Materials. *Environ Health Perspectives*. 2017 Sep 11;125(9):095001. doi: 10.1289/EHP644. <https://pubmed.ncbi.nlm.nih.gov/28893723/>

(6) See Food Packaging Forum news article 'Food Packaging Forum publishes food contact chemicals database', November 30, 2020, <https://foodpackagingforum.org/news/fpf-publishes-food-contact-chemicals-database>
The Food Contact Chemicals Database is here: <https://foodpackagingforum.org/resources/databases/fccdb>

(7) See Food Packaging Forum news article 'Food contact chemicals among 921 substances tied to breast cancer risk', February 1 2024, <https://www.foodpackagingforum.org/news/food-contact-chemicals-among-921-substances-tied-to-breast-cancer-risk>