

March 14, 2012

The Honorable Edward Markey
2108 Rayburn House Office Building
Washington, DC 20515

Dear Representative Markey,

The undersigned environmental health, public health, children's health and health care professional organizations support your petition to the Food and Drug Administration to ban BPA from infant formula and baby food packaging; canned food; and reusable food containers.

Bisphenol A (BPA) is one of the most pervasive chemicals in modern life. More than 200 scientific studies show that BPA exposure is associated with a wide range of adverse health effects, including breast and prostate cancer, birth defects, infertility in men, early puberty in girls, diabetes and obesity. Even minuscule amounts- parts per billion or parts per trillion- have been shown to cross the placenta and disrupt normal prenatal development. BPA has been found in blood and urine of pregnant women, in the umbilical cord blood of newborns and in breast milk soon after women gave birth. These data indicate that pregnant women exposed to BPA can easily pass this chemical to their children during pregnancy or breastfeeding and further illustrate why your petition seeking to ban the use of BPA in canned food is so important.

According to the U.S. Centers for Disease Control and Prevention, 93 percent of Americans have detectable levels of BPA in their bodies. A March 2011 Breast Cancer Fund study showed that a primary route of exposure is through the leaching of BPA from food and beverage containers. Once in food, BPA can move quickly into people—a particular concern for women of childbearing age and for young children.

Currently eleven states have restricted use of BPA in infant food packaging, and three countries have banned BPA from baby bottles. In October, French officials announced the government's support for a ban on BPA in all food packaging by 2014 and in containers marketed to children by 2013. In the marketplace, chemical manufacturer Sunoco announced in 2009 it would not sell BPA to companies intending to use it to make products for children under 3. Given the huge amount of momentum being generated in response to concern about BPA on the part of consumers, retailers, manufacturers and the states, the marketplace is moving away from the use of bisphenol A in food packaging. Still, food packaging that contains BPA remains on store shelves and consumers have no way of identifying products that are BPA-free.

Your common sense petitions are asking for what the marketplace and an increasing body of scientific evidence argue – that BPA has no place in food packaging. The American Chemistry Council's petition to BPA in baby bottles and sippy cups is a good start, but it's not enough. Kids, pregnant women, and the population at large are still being exposed to BPA through infant formula, baby food, canned foods and reusable food containers. We wholeheartedly support your efforts to secure federal action to ensure that everyone is protected from this unsafe, hormonally active chemical.

Sincerely,

Alaska Community Action on Toxics, Anchorage, AK
American Nurses Association, Washington, DC
Association of Reproductive Health Professionals, Washington, DC

Autism Society, Boston, MA
Breast Cancer Action, San Francisco, CA
Breast Cancer Fund, San Francisco, CA
Center for Environmental Health, Oakland, CA
Center for Health, Environment & Justice, Falls Church, VA
Central Connecticut Oncology Nursing Society, Middletown, CT
Citizens for Corporate Redesign, St. Paul, MN
Citizens' Environmental Council, Albany, NY
Clean & Healthy New York, Albany, NY
Clean Water Action, Washington, DC
Coalition for a Safe & Healthy Connecticut, Hartford, CT
Commonweal, Bolinas, CA
Connecticut Clean Water Action, Hartford, CT
Earth Ministry, Seattle, WA
Earthjustice, Washington, DC
Environment Illinois, Chicago, IL
Environmental Health Fund, Boston, MA
Environmental Health Strategy Center, Portland, ME
Environmental Working Group, Washington, DC
Food and Water Watch, Washington, DC
Great Neck Breast Cancer Coalition, Great Neck, NY
Healthy Building Network, Berkeley, CA
Healthy Child Healthy World, Los Angeles, CA
Healthy Legacy, Minneapolis, MN
Huntington Breast Cancer Action Coalition, Huntington, NY
INND (Institute of Neurotoxicology & Neurological Disorders), Seattle, WA
Institute for Agriculture & Trade Policy, Minneapolis, MN
Iowa Breast Cancer Edu-action, Cedar Falls, IA
John Merck Fund, Boston, MA
Kentucky Environmental Foundation, Berea, KY
League of Conservation Voters, Washington, DC
Learning Disabilities Association of America, Pittsburgh, PA
Maryland Public Interest Research Group, Baltimore, MD
Massachusetts Clean Water Action, Boston, MA
Minnesota Association for Children's Mental Health, St. Paul, MN
MomsRising, National
NADD (Formerly the National Association for the Dually Diagnosed), Kingston, NY
National WIC Association, Washington, DC
Olympic Environmental Council, Seattle, WA
Oregon Physicians for Social Responsibility, Portland, OR
Rachel's Friends Breast Cancer Coalition, Portland, OR
The Annie Appleseed Project, Delroy Beach, FL

The Endocrine Disruption Exchange (TEDX), Paonia, CO
The Lands Council, Spokane, WA
U.S. PIRG, Washington, DC
Vermont Public Interest Research Group, Montpelier, VT
Washington Toxics Coalition, Seattle, WA
WISPIRG, Madison, WI
Women's Voices for the Earth, Missoula, MT



POLICY & ACTION FROM
CONSUMER REPORTS

March 13, 2012

Representative Edward J. Markey
2108 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Markey:

Consumers Union, the public policy and advocacy division of *Consumer Reports*, writes in support of your petition to the U.S. Food and Drug Administration (FDA) to ban Bisphenol A (BPA) from infant formula and baby food packaging, canned food, and reusable food containers.

More than 200 scientific studies show that BPA exposure is associated with a wide range of adverse health effects, including breast and prostate cancer, birth defects, infertility in men, early puberty in girls, diabetes and obesity. Even minuscule amounts – parts per billion or parts per trillion – have been shown to cross the placenta and disrupt normal prenatal development. BPA has been found in blood and urine of pregnant women and in breast milk soon after women gave birth. These data indicate that pregnant women exposed to BPA can easily pass this chemical to their children during pregnancy or breastfeeding and further illustrate why your petition seeking to ban the use of BPA in canned food is so important.

According to the U.S. Centers for Disease Control and Prevention, 93 percent of Americans have detectable levels of BPA in their bodies. Once in food, BPA can move quickly into people – a particular concern for women of childbearing age and for young children.

Consumer Reports' own 2009 tests of canned foods, including soups, juice, tuna, and green beans, found that almost all of the 19 name-brand foods we tested contained some BPA. The canned organic foods we tested did not always have lower BPA levels than nonorganic brands of similar foods analyzed. We even found the chemical in some products in cans that were labeled “BPA-free.”

Currently eleven states have restricted use of BPA in infant food packaging, and the European Union plus four other countries have banned or have announced plans to ban BPA from baby bottles. In October, French officials announced the government's support for a ban on BPA in all food packaging by 2014 and in containers marketed to children by 2013. In the marketplace, chemical manufacturer Sunoco announced in 2009 it would not sell BPA to companies intending to use it to make products for children under 3. Given the huge amount of momentum being generated in response to concern about BPA on the part of consumers, retailers, manufacturers and the states, the marketplace is moving away from the use of the chemical in food packaging. Still,

food packaging that contains BPA remains on store shelves and consumers have no way of identifying products that are BPA-free.

Your common sense petitions are asking for what the marketplace and an increasing body of scientific evidence argue – that BPA has no place in food packaging. To best protect the public health, Consumers Union urges that FDA define the absence of BPA as a BPA level in a product of less than .1 parts per billion. The American Chemistry Council’s petition to FDA to ban BPA in baby bottles and sippy cups is a good start, but it’s not enough. Kids, pregnant women, and the population at large are still being exposed to BPA through infant formula, baby food, canned foods and reusable food containers. We wholeheartedly support your efforts to secure federal action to ensure that everyone is protected from this unsafe, hormonally active chemical.

Sincerely,

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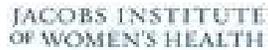
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December 13, 2012

The Honorable Edward J. Markey
United States House of Representatives
2108 Rayburn
Washington, DC 20515

Dear Representative Markey,

As members of the Patient, Consumer, and Public Health Coalition, we offer our strong support for your petition to the Food and Drug Administration to ban Bisphenol A (BPA) in canned infant formula, baby and toddler food containers, all reusable food and beverage containers, and all canned food products.

BPA is a chemical used to make plastics and epoxy to line cans of food and beverages. Due to consumer concerns, the major manufacturers of baby bottles, infant feeding cups, infant formula and baby food all offer products that do not use packaging with BPA. However, BPA is still used in many food containers, including the epoxy coating on the inside of many food and beverage cans and the lids of glass food jars. Your petition would provide extra safeguards to protect all babies and children.

Although people think of plastic as being solid, BPA leaches out of the plastic or epoxy lining into the liquid or food in the container. The Centers for Disease Control and Prevention found BPA in the bodies of more than 93 percent of the U.S. population studied.¹

BPA was originally developed as a synthetic estrogen, and it mimics and interferes with estrogen in the body. Estrogen is an important hormone that is in all males and females, but with higher levels in females, and it affects reproduction and development.² Scientists are concerned about BPA's behavioral effects on fetuses, infants, and children at current exposure levels, and whether it can affect the prostate gland, brain, and behavior.³ There is also considerable concern about

the impact of BPA on the mammary gland and its ability to trigger early puberty in girls, as well as possibly increasing the long-term risk of breast cancer.

BPA levels are especially high in the bodies of infants and children,³ and children are especially vulnerable to BPA. So it makes sense to focus first on children. But, there are many other vulnerable populations—pregnant women, chemotherapy patients, and adults at-risk for heart disease—who may also be harmed by BPA.

BPA and Heart Disease

A study based on a major government data set, the NHANES, found that adults with higher levels of BPA in their urine were more likely to have heart disease, even when other variables were statistically controlled.⁴ That study replicated the findings of an earlier study published in the *Journal of the American Medical Association*, which found a link between BPA levels and diabetes and heart disease, even when obesity was statistically controlled.⁵ This shows that BPA in adults is potentially very harmful, causing deadly diseases that can start with health problems in childhood.

Alternatives Available

Japan has reduced BPA in consumer products, such as canned beverages and plastic tableware.⁶ Canada, China, the European Union, and the United Arab Emirates have all banned BPA from baby bottles.⁷

Several cities and 11 states have restricted the use of BPA in infant food packaging. In 2009, SUNOCO, a BPA manufacturer, announced it would not sell BPA to companies making products for children under 3 years of age.⁸

Keeping Consumers Safe

There is a growing body of evidence that the cumulative exposures to BPA is endangering our children and probably also adults. More than 100 well-designed studies, many conducted by independent researchers without conflicts of interest, have raised doubts about the safety of BPA. And, safer alternatives to BPA are available. However, children, pregnant women and all of the public are still exposed to BPA at high levels. If we want to protect our babies and children, then it is important to secure federal action to ensure that BPA is permanently removed from all food and beverage containers, and that is exactly what your petitions will do.

Sincerely,

Breast Cancer Action
Community Access National Network (CANN)
Jacobs Institute of Women's Health
National Consumers League
National Research Center for Women & Families / Cancer Prevention and Treatment Fund
Our Bodies Ourselves
THE TMJ Association
U.S. PIRG
WoodyMatters

For more information, contact Paul Brown at (202) 223-4000 or pb@center4research.org

¹ Hileman, B. (2007, April). Bisphenol A on Trial. *Chemical & Engineering News Government & Policy*, Vol. 85, Number 16. <http://pubs.acs.org/cen/government/85/8516gov2.html>

² Schierow, L., Lister, S.A. (2008, May). Bisphenol A (BPA) in Plastics and Possible Human Health Effects. Congressional Research Service Report for Congress, The Library of Congress.

³ National Toxicology Program. U.S. Department of Health and Human Services (HHS). (2008, September). NTP-CEHR Monograph on the Potential Human Reproductive and Developmental Effects of Bisphenol A. <http://cerhr.niehs.nih.gov/chemicals/bisphenol/bisphenol.pdf>

⁴ Melzer, D., Rice, N.E., Lewis, C., Henley, W.E., and Galloway, T.S. (2010, January). Association of Urinary Bisphenol A Concentration with Heart Disease: Evidence from NHANES 2003/06. *PLoS ONE*, 5(1), e8673. <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0008673>

⁵ Lang I.A., Galloway T.S., Scarlett A. et al. (2008). Association of Urinary Bisphenol A Concentration With Medical Disorders and Laboratory Abnormalities in Adults. *Journal of American Medical Association* 300(11), 1303-1310.

⁶ Advanced Industrial Science and Technology. (2007). Risk Assessment Document: Bisphenol A.

⁷ ConsumerReports.org (2011, June 1). China bans BPA from plastic baby bottles. <http://news.consumerreports.org/safety/2011/06/china-bans-bpas-from-plastic-baby-bottles.html>

⁸ Rust, S. and Kissinger, M. (2009, March 12). Maker acknowledges BPA worries. *JSOnline. Milwaukee Wisconsin Journal Sentinel*. <http://www.jsonline.com/watchdog/watchdogreports/41186522.html>