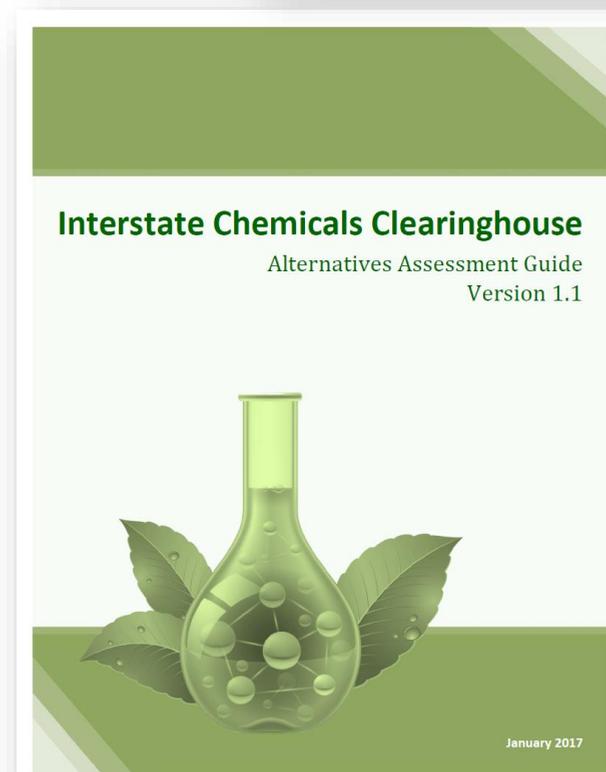
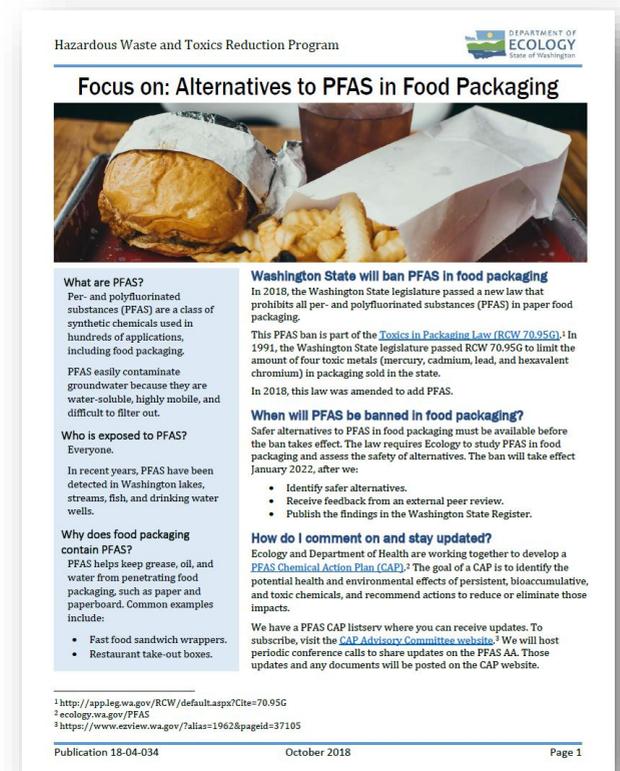




# PFAS in Food Packaging Alternatives Assessment Project Update August 11, 2020

# PFAS in Food Packaging AA Agenda

- Intro/Welcome
- Background
- Cost & Availability Module
- Performance Module
- Recent Policy & News Update
- Timeline
- Q&A



# COVID-19 Update

- PFAS AA team members are continuing to work from home.
- Holly Davies, Department of Health (Health) PFAS AA team member has been reassigned to assist with COVID-19 efforts in the state.
- Welcome Laura Johnson from Health.
- Ecology request for one-year delay received. Response posted to EzView site.



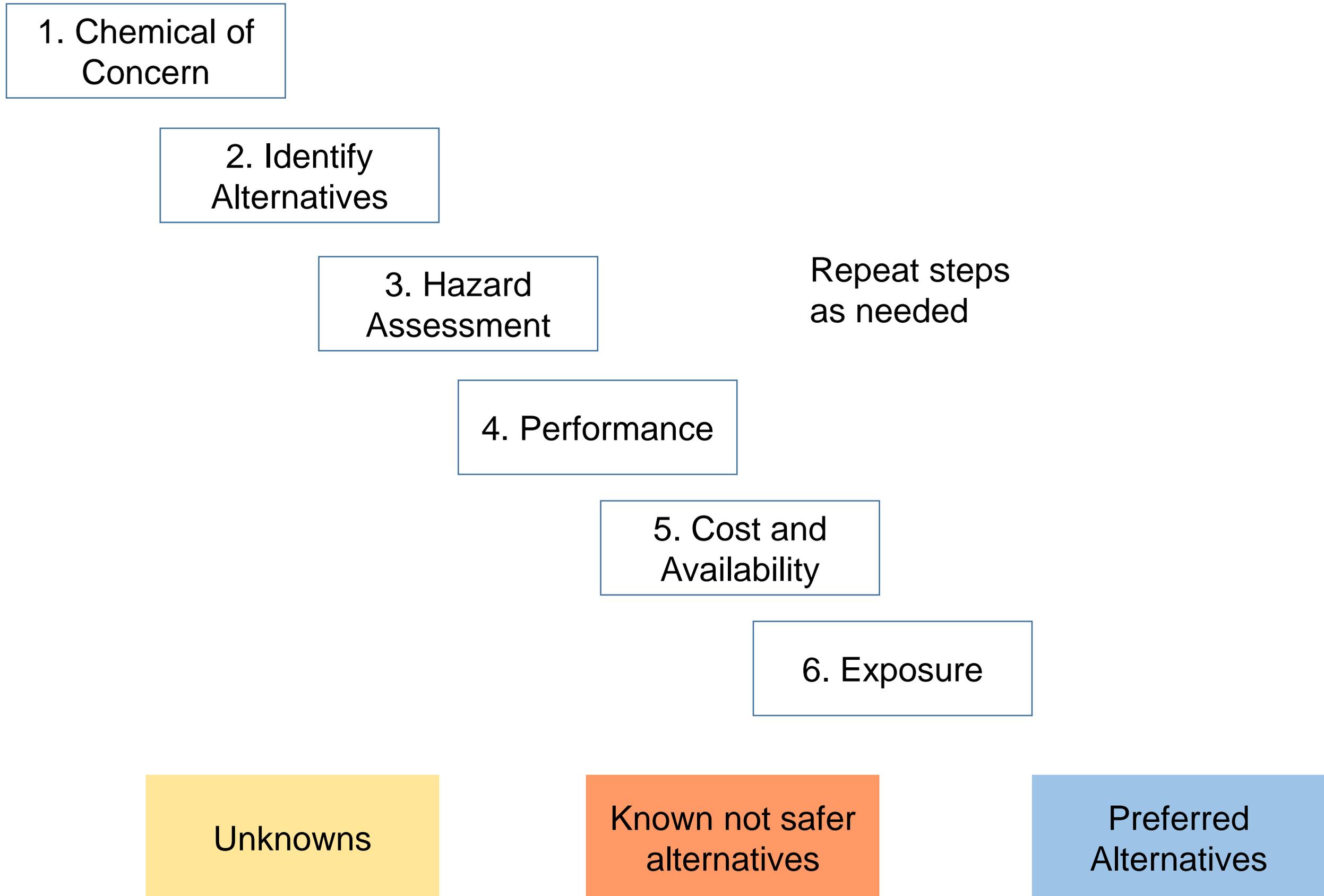
# WA Toxics in Packaging Law

## RCW 70.95G.070

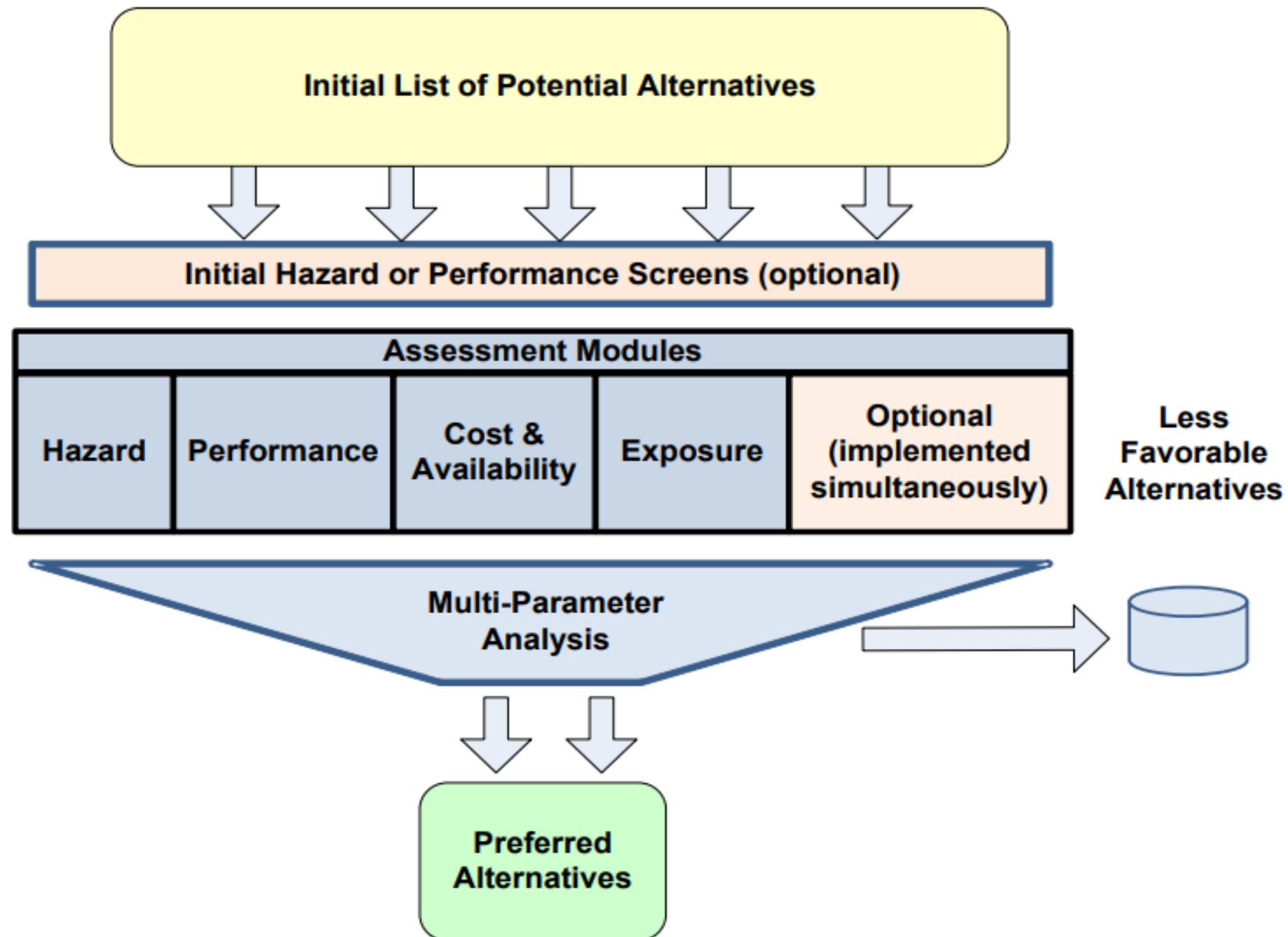
- Legislature passed toxics law that bans perfluorinated and polyfluorinated substances in paper food packaging.
- Ecology will determine whether alternatives are available for specific packaging applications. A peer review process is required.
- Ecology reports to legislature and ban will take effect two years later.
- Based on the Interstate Chemicals Clearinghouse (IC2) modules: **Hazard (L2); Exposure (L1); Cost & Availability (L1) & Performance (L1).**



# Basic AA Process



# The Interstate Chemicals Clearinghouse (IC2) Alternatives Assessment Guide



# Product Categories in Scope

- **Category 1: Single-sheet paper**
  - Paper Wraps/ Liners
  - Bags & Sleeves
- **Category 2: Dinnerware**
  - Plates
  - Bowls
  - Trays and boats
- **Category 3: Food Service Containers**
  - “Take-out” cartons or containers
  - Boxes



# Cost and Availability Assessment

- Cost data was limited
- Market availability and pricing is evolving.
  - Wide range of costs for certain specific applications.
  - Better cost data should be available within the next 12-18 months for specific applications.
- COVID-19 supply chain impacts.
- Potential small business implications during changing market conditions.



# IC2 Guidelines: Level 1 Cost and Availability Criteria

## Basic Cost and Availability

Is the alternative currently used in the application of interest?

**Yes. PFAS-free alternatives are currently being used in food packaging.**



Is the alternative currently offered for sale for the application of interest? **Yes. PFAS-free food packaging alternatives are currently offered for sale for all applications in the scope.**



# RCW 70.95G.070 Criteria

*“ the safer alternatives must be readily available in sufficient quantity and at a comparable cost, and perform as well as or better than PFAS chemicals in a specific food packaging application.”*

Is the alternative readily available in sufficient quantity and at a comparable cost?

**Yes, for some food packaging types. PFAS-free alternatives for specific food packaging applications are available at comparable cost to PFAS-containing products.**

Does the alternative perform as well or better than PFAS chemicals?

**This question is addressed using a Level 1 Performance Assessment**



# IC2 Guidelines: Level 1 Performance

<b>Wraps/Liners</b>	<b>Dinnerware</b>	<b>Containers</b>
Wax coated	Polylactide (PLA) foam	Polylactide (PLA) coated
Silicone coated/infused	Polylactide (PLA) coated	Polylactide (PLA) plastic
Polyvinyl alcohol coated	Polyethylene coated	Polyvinyl alcohol coated
Uncoated paper	Polyethylene terephthalate coated	Polyethylene coated
	Polyvinyl alcohol coated	Clay coated
	Clay coated	



# IC2 Guidelines: Level 1 Performance

Series of questions based on qualitative data and promotional materials:

What are the performance needs at the chemical, material, product, and process level?

Has the alternative already been identified as favorable with respect to performance?

Has an authoritative body demonstrated that the alternative functions adequately for both the process and product?

Is the alternative considered favorable but there are indications that it does not perform as well as the current chemical?

Has the proposed alternative been identified by expert sources as unfavorable?



# IC2 Guidelines: Level 1 Performance

- Oil and grease resistance (OGR)
  - Ability of a product to resist the permeation of grease through a substrate
  
- Leak/spill resistance (as applicable)
  - Ability of a product to resist leaks through folds or seals (e.g. folded paperboard products)
  - Leak/spill resistance will be applied to the following products:
    - Wraps
    - Sleeves
    - Bowls
    - Clamshells
    - Takeout boxes (folded paperboard)



# IC2 Guidelines: Level 1 Performance

- Based on the following questions, is this a favorable alternative?
  - Being used for same or similar function?
  - Available on the commercial market?
  - Promotional materials state this provides the desired function?

Supportive language for oil and grease resistance:

- Greaseproof
- Oil and/or grease resistance
- OGR
- references to Kit Test levels or penetration rates
- described as “non-stick”

Supportive language for leak resistance:

- Moisture resistance
- Leak resistance
- references to wet strength
- products advertised as soup bowls or soup cups



# IC2 Guidelines: Level 1 Performance

- Based on the following questions, is this a favorable alternative?
  - Being used for same or similar function?
  - Available on the commercial market?
  - Promotional materials state this provides the desired function?
  
  - **All PFAS-free alternatives met the performance criteria**
  
  - **PFAS-free molded fiber products indicated limited performance for high heat or very oily substances**



# Recent Policy & News Beyond WA

## ■ **Bans:**

- **Denmark:** effective July 1, 2020, PFAS chemicals in food contact paper and board materials and articles.
- **New York State:** effective December 31, 2022, prohibition on the use of PFAS in food packaging intended for direct food contact (Note: Subject to Governor Approval).
- **U.S. House & Senate Approval:** National Defense Authorization Act of 2020 prohibits any PFAS in Meals-ready-to-eat (MREs) food packaging not later than Oct 1, 2021 (Sec 329 of NDAA).

## ■ **Consumer Product-Chemical Profile:**

- **CA DTSC:** Product-Chemical Profile for Food Packaging Containing Perfluoroalkyl or Polyfluoroalkyl Substances

## ■ **Organization News:**

- Safer Chemicals, Healthy Families Report



# Recent Federal Policy Actions Beyond WA

- **FDA Voluntary Phase Out:**
  - 6:2 Fluorotelomer alcohol-containing substances
  - Applies to 15 Food Contact Notifications, including the **PFAS polymer chemical of concern identified for this alternatives assessment**
  - Manufacturers have agreed to a 3-year phase out of these chemicals beginning January 1, 2021

**Full Announcement:** <https://www.fda.gov/food/cfsan-constituent-updates/fda-announces-voluntary-phase-out-industry-certain-pfas-used-food-packaging>



# Current Timeline

August 2020 - SRC Final Report & Ecology/Health Review

August - October 2020 – WA State Academy of Sciences Peer Review

Late October - November 2020 – Final Ecology/Health AA Review

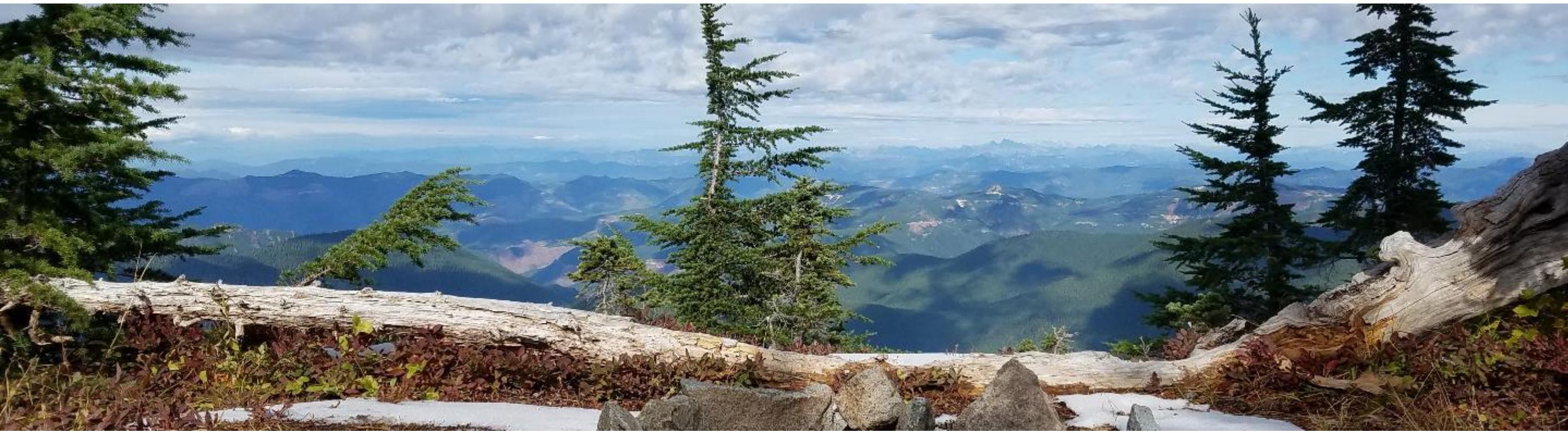
December 2020 – Submit potential notice to WA State Register; Legislative Report



# Reminder: Stakeholder Release Survey

- To be publicly identified as a stakeholder in the published report please fill out the [Stakeholder Release Survey](#).
- Will not disclose non-replies
- Please note, participation could be confirmed via a public disclosure request (applies to any internal, educational, promotional, or commercial uses across Ecology websites, publications, platforms, etc.)





## Contacts:

Rae Eaton, Ecology, [rae.eaton@ecy.wa.gov](mailto:rae.eaton@ecy.wa.gov)

Cathy Rudisill, SRC, Inc., [Rudisill@srcinc.com](mailto:Rudisill@srcinc.com)

### [EZView Website:](https://www.ezview.wa.gov/site/alias_1962/37610/pfas_in_food_packaging_alternatives_assessment.aspx)

[https://www.ezview.wa.gov/site/alias\\_1962/37610/pfas\\_in\\_food\\_packaging\\_alternatives\\_assessment.aspx](https://www.ezview.wa.gov/site/alias_1962/37610/pfas_in_food_packaging_alternatives_assessment.aspx)