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Summary:

Anti-BPA legislation is based on environmental activists' wrongheaded claims that BPA poses unreasonable risk to human health. These policies threaten to undermine food safety because few good alternatives for preventing food contamination exist, should lawmakers eventually ban BPA.

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“According to a World Health Organization report: ‘[A]t present, there appears to be no single replacement for BPA for all food contact applications. Furthermore, data on the safety of some of these replacement materials are limited or non-existent.’”

Oregon’s Anti-BPA Packaging Legislation May Jeopardize Public Health

By Angela Logomasini, Ph.D.

The Oregon Senate recently voted in favor of SB 695, which would ban BPA use for children’s food containers, baby bottles and sippy cups starting in January 2013. The Oregon House has yet to vote on the bill. While environmental activists were unable to get an all-out ban on BPA in other food packaging, they did get a provision that they will use to build momentum for such bans in the future: The bill creates a panel to “study” the potential for similar bans on other food packaging. However, BPA has already been studied extensively around the world. This new state-level panel is unlikely to discover any new information, but instead it simply will be used to push the activists’ agenda to ban more uses of BPA.

This anti-BPA legislation is based on environmental activists’ wrongheaded claims that BPA poses unreasonable risk to human health, specifically to children, although the overwhelming body of research suggests otherwise. Ironically, these policies threaten to undermine food safety because BPA is used to make resins that line metal cans and other packaging to prevent development of dangerous pathogens and other contamination. And there are few good alternatives should lawmakers eventually ban BPA. According to a World Health Organization report: “[A]t present, there appears to be no single replacement for BPA for all food contact applications. Furthermore, data on the safety of some of these replacement materials are limited or non-existent.” In other words, misguided bans of BPA in food packaging could have serious, adverse public health implications.

WHAT IS BPA? Bisphenol-A is a chemical intermediary used in the manufacturing of certain products, including polycarbonate plastics and epoxy resins. These plastics are used in a variety of products: baby bottles, five-gallon water jugs used in water coolers, medical equipment, sports safety equipment, cell phones and other consumer electronics, household appliances, and many other products. The resins are used for industrial flooring, adhesives, primers, coatings and computer components. Its applications for food packaging and containers, particularly uses for water cooler jugs, canned foods and baby bottles, have been the focus of much debate.

NEGLIBLE RISK. In wide use for over 50 years, BPA has been extensively studied. The best science tells us that consumer exposure to BPA is far below levels of concern. An analysis published in *Medscape General Medicine* reveals that consumers are most likely exposed to BPA at levels that are 100 to 1,000 times lower than EPA’s estimated safe exposure levels. It notes further that the research on BPA also shows that the exposure levels per body weight are similar for adults and children, which indicates that infant exposure is not significantly higher. Moreover, risks to humans are probably much lower than these estimates suggest because humans metabolize BPA faster and better than do the rodents used in BPA studies.

ENDOCRINE SCIENCE. Scientific research identifies BPA as “weakly estrogenic.” Humans are regularly exposed to such estrogen mimicking compounds. Most are produced



by plants: so-called phytoestrogens. Phytoestrogens are found in all legumes, with particularly high levels found in soy. The impact of weakly estrogenic synthetic substances like BPA is insignificant compared to human exposures to naturally occurring phytoestrogens in the human diet. According to data from a 1999 National Academy of Sciences study, exposure to natural phytoestrogens is 100,000 to 1 million times higher than exposure to estrogen mimicking substances found in BPA. “Given the huge relative disparity between the exposure to phytoestrogens as compared to BPA concentrations, the risk of BPA in consumer products appears to be about the same as a tablespoon of soy milk,” notes researcher Jonathan Tolman.

COMPREHENSIVE STUDIES AND REVIEWS. Scientific panels around the world have reviewed, and continue to review, the complete body of evidence and none report serious concerns about BPA. These include:

U.S. Food and Drug Administration: “An adequate margin of safety exists for BPA at current levels of exposure from food contact uses.”

The European Union Risk Assessment: The EU’s risk assessments in 2006 and reviews in 2008 and 2010 find no compelling evidence of BPA-related health effects at estimated human exposure levels.

National Institute of Advanced Industrial Science and Technology (Japan): This extensive study found that “the risks posed by BPA were below the levels of concern.”

U.S. National Toxicology Program (NTP): This review found no direct evidence of problems among humans. It expressed minimal to negligible concern for almost all factors. It called for more research in one area where it has only “some concern” because rodent studies showed some association of potential effects on behavior.

Health Canada: “Health Canada’s Food Directorate has concluded that the current dietary exposure to BPA through food packaging uses is not expected to pose a health risk to the general population, including newborns and young children.”

BPA bans will do little for public health, since they do not address significant risks. They are part of an ever-expanding arbitrary regulatory state that places many valuable products and freedoms at risk.

Note: This Commentary is drawn from “Anti-BPA Packaging Laws Jeopardize Public Health,” by Angela Logomasini, Ph.D., published by the Competitive Enterprise Institute.

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