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Brussels, 17/08/2023

Dear Ms Jen,

Subject: Your letter of 5 July 2023 - Call for urgent action to reduce exposure to endocrine disrupting chemical bisphenol A

Thank you for your above-mentioned letter to Executive Vice-President Timmermans and ourselves. Please consider this response also on behalf of Executive Vice-President Timmermans.

Following the opinion by the European Food Safety Authority (EFSA) on BPA published on 23 April 2023, the Commission has promptly initiated action to ban the use of BPA in food contact materials (FCMs). Following dialogue with stakeholders, including industry bodies to ensure replacements to BPA adequately support food safety and security, the Commission is preparing a draft measure which will be published for a four-week feedback period¹ in the near future. We expect the adoption of the measure thereafter in early 2024 following the applicable regulatory procedure, which involves a vote by Member States in the responsible regulatory Committee and scrutiny by the Council and the European Parliament. The Commission also intends to ban the use of other bisphenols in FCMs that have been identified as toxic to reproduction and endocrine disrupting, following the commitments made in the Farm to Fork Strategy² and the Chemicals Strategy for Sustainability (CSS)³.

The Commission is fully committed to protecting citizens from risks that may arise from BPA and other bisphenols also from other sources than food contact materials. The CSS commits to better tackle chemical substances in groups, to speed up the identification of those that need regulatory action and to support informed substitution by industry. The European Chemical Agency (ECHA) and the Member States have recently assessed a group of 148

¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13832-Food-safety-restrictions-on-bisphenol-A-BPA-and-other-bisphenols-in-food-contact-materials_en

² https://food.ec.europa.eu/horizontal-topics/farm-fork-strategy_en

³ https://environment.ec.europa.eu/strategy/chemicals-strategy_en

Ms Sandra Jen
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bisphenols and recommended that 25 bisphenols need to be restricted due to their hormonal or reprotoxic effects⁴ and further 9 bisphenols after their hazard properties are confirmed. Germany recently submitted a restriction proposal in the context of the REACH Regulation to ECHA's Scientific Committees that covers the bisphenols with identified hazards, including BPA, with a mechanism to add further substances once their hazards are confirmed. The dossier will be assessed by the Committees and ECHA will launch two public consultations during the opinion-making process. Once it has received the opinions of ECHA's Committees, the Commission will assess them and, on the basis of the conclusions of the risk assessment and the outcome of the socio-economic analysis and analysis of alternatives, will consider proposing a restriction for the group of bisphenols.

Furthermore, for several bisphenols a restriction is already in place that prohibits their supply as a substance to the general public. Moreover, the use of BPA in thermal paper is restricted. In addition, the Commission will, together with ECHA and Member States, consider any further needs for regulatory action on bisphenols due to their effects on human health.

Thank you again for taking the time to contribute on this important topic.

Yours sincerely,



Stella Kyriakides



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⁴ <https://echa.europa.eu/-/group-assessment-of-bisphenols-identifies-need-for-restriction>