



Mr Vytenis Andriukaitis
Commissioner for Health & Food Safety,
European Commission
Rue de la Loi 200. B-1049 Brussels

Brussels, 20 February 2017

Subject: Joint industry letter requesting a meeting to support the need of having the drafted Bisphenol A measure urgently adopted

Dear Commissioner Vytenis Andriukaitis,

We, the undersigned industry associations, note with concern the continued absence of a harmonised regulation on the use of Bisphenol A (BPA) in food contact materials. We urgently request a meeting with you and your advisors to discuss this matter. In our correspondence of July 2015 (attached) we:

- Called for an immediate Commission response on Bisphenol A following the EFSA's confirmation of safety
- Expressed our concern about a worrying lack of action on the part of the authorities
- Highlighted that BPA-based food contact materials continue to be banned in France despite EFSA's clear safety conclusion
- Stated that the French measure runs contrary to the Commission's own core priorities
- Indicated that assessments about socio-economic impact of further restriction of BPA are irrelevant in the case of a confirmed safe substance
- Indicated that lack of decisive action is leading to further regulatory spill-over into other safe applications and encourages "à la carte" initiatives
- Called upon the European Commission to address the BPA case according to the existing laws and regulations as a matter of priority

We are concerned that the fully drafted Regulation is again delayed. It is over two years since the European Food Safety Authority issued its opinion on BPA, and a year since the Commission's recommendation for a Regulation. Our industries continue to face circumstances that are both contrary to the Commission's agenda of Better Regulation and to the fundamental principles of the Single Market.

We understand that the harmonising BPA Regulation is delayed until after agreement by Member States on the Endocrine Disruptor (ED) criteria. These criteria are relevant only to the Plant Protection Products Regulation and the Biocidal Products Regulation. We strongly assert that the regulation of BPA in food contact materials is wholly separate from the unrelated process on EDs. Agreement on ED criteria will take an undefinable time to finalise.

The issue has reached a point where it is critical that we meet face to face with you and your advisors. We look forward to meeting with you on this topic at your soonest possible convenience.

Yours sincerely,

Jan van der Meulen
Managing Director
CEPE

Martin Reynolds
Chairman of the Board
EMPAC

Mella Frewen
Director General
FoodDrinkEurope

Anna Boulov
Secretary General
FRUCOM

Karl-H. Foerster
Executive Director
PlasticsEurope

Cc: ❖ Elżbieta Bieńkowska, Commissioner for Internal Market, Industry, Entrepreneurship and SMEs
❖ Frans Timmermans, First Vice-President for Better Regulation, Inter-institutional Relations, the Rule of Law and the Charter of Fundamental Rights
❖ Jyrki Katainen, Vice-President for Jobs, Growth, Investment and Competitiveness
❖ Cecilia Malmström, Commissioner for Trade