

April 12, 2010

The Honorable Tom Harkin  
Chairman  
Health, Education, Labor and Pensions (HELP) Committee  
731 Senate Hart Building  
Washington, DC 20510

The Honorable Michael B. Enzi  
Ranking Member  
Health, Education, Labor and Pensions (HELP) Committee  
379-A Senate Russell Building  
Washington, DC 20510

Dear Mr. Chairman and Ranking Member Enzi:

As you finalize food safety legislation, we urge you to support the Food and Drug Administration (FDA) by allowing the agency to complete its review of Bisphenol-A (BPA) and by opposing proposals to ban BPA.

To be clear, we are prepared to support S. 510, the Food Safety Modernization Act in its current form. At the same time, we are concerned that amendments to ban BPA would undermine the goals of food safety legislation and delay final passage. BPA has been used for over 30 years to improve the safety and quality of food and beverages, including by providing protective coatings for cans and the metal closures for glass jars. Because adequate alternatives are not currently available, bills such as S. 593 would adversely impact an exceptionally wide range of canned and other packaged food, from fruits and vegetables to soft drinks and beer.

Scientists and regulatory agencies who have reviewed BPA have concluded that BPA is safe for use these products. In particular, the European Food Safety Authority, the World Health Organization, the Japanese National Institute of Advanced Industrial Science and Technology and Health Canada have found that BPA is safe for use in consumer products. In January, FDA affirmed these assessments and once again found that foods in cans with linings that utilize BPA are safe. In fact, FDA Principal Deputy Commissioner Joshua Sharfstein said, "if we thought [BPA] was unsafe, we would be taking strong regulatory action."

Currently, the FDA is reviewing BPA and is expected to complete a safety assessment within the next 18 to 24 months. In addition, the National Institutes of Health has devoted \$30 million to study the safety of BPA.

Our industries welcome FDA and NIH review of BPA. If the FDA or other competent regulatory authorities conclude that BPA poses a risk to our consumers, our industries will move quickly to address these risks. Safety is the top priority of our industries.

The organizations listed below urge you to allow the FDA and NIH to complete their assessment of the safety of BPA and we urge you to oppose amendments to ban BPA and short-circuit the agency's review process.

Sincerely,

American Beverage Association  
American Chemistry Council  
American Frozen Food Institute  
American Fruit and Vegetable Processor and Grower Coalition  
American Iron and Steel Institute  
Beer Institute  
California League of Food Processors  
California Olive Association  
Can Manufacturers Institute  
Canned Food Alliance  
Grocery Manufacturers Association  
International Bottled Water Association  
International Dairy Foods Association  
International Formula Council  
Juice Products Associations  
Michigan Food Processors Association  
Mid America Food Processors Association  
Midwest Food Processors Association  
National Association of Manufacturers  
National Barley Growers Association  
National Fisheries Institute  
North American Metal Packaging Alliance, Inc.  
Northwest Food Processors Association  
Seafood Products Association  
SPI: The Plastics Industry Trade Association  
The Aluminum Association  
U.S. Chamber of Commerce