

# State-Level Actions on Hazardous Chemicals in Food Contact Materials in the United States

---

Food Packaging Forum

October 23, 2020

# Oregon's approach: a vision for materials management

**By 2050 Oregonians produce and use materials responsibly**

- **conserving resources**
- **protecting the environment**
- **living well**



# Oregon Applied Sustainability Experience

*Developing Oregon's  
environmental workforce through  
hands-on student internships*





Regulatory Structure

States Actions

*Focusing on PFAS*







-Ingredients and Packaging  
-Chemicals, Metals & Pesticides in Foods

#### NAVIGATE THE FOOD SECTION

##### **Labeling & Nutrition**

Nutrition Facts Label, Label Claims, Menu & Vending Machine Labeling, Gluten-Free Labeling

##### **Ingredients & Packaging**

Food & Color Additives, GRAS, Food Allergens, Food Contact Substances, New Plant Varieties

##### **Food Defense**

Protecting the Food Supply, Intentional Adulteration, Food Defense Plan Builder

##### **Dietary Supplements**

Products & Ingredients, New Dietary Ingredients Notification Process, Structure/Function Claim Notifications

##### **Science & Research**

Laboratory Methods, Whole Genome Sequencing, Risk Analysis, Total Diet Study, Consumer Research

##### **Compliance & Enforcement**

Reportable Food Registry, Warning Letters, Inspections, Compliance Programs, Adverse Event Reporting

##### **International & Interagency Coordination**

International Outreach, Visitor's Program, Trade Agreements, Interagency Agreements

##### **Chemicals, Metals & Pesticides in Food**

Acrylamide, Arsenic, Chemicals, Metals, Toxins & Pesticides in Food

# Federal Department of Health and Human Services

Individual State Health Agencies

Oregon  
Health  
Authority







# U.S. Environmental Protection Agency

State Environmental &  
Natural Resource Agencies



# U.S. Environmental Protection Agency

State Environmental &  
Natural Resource Agencies





# regulating pollutants

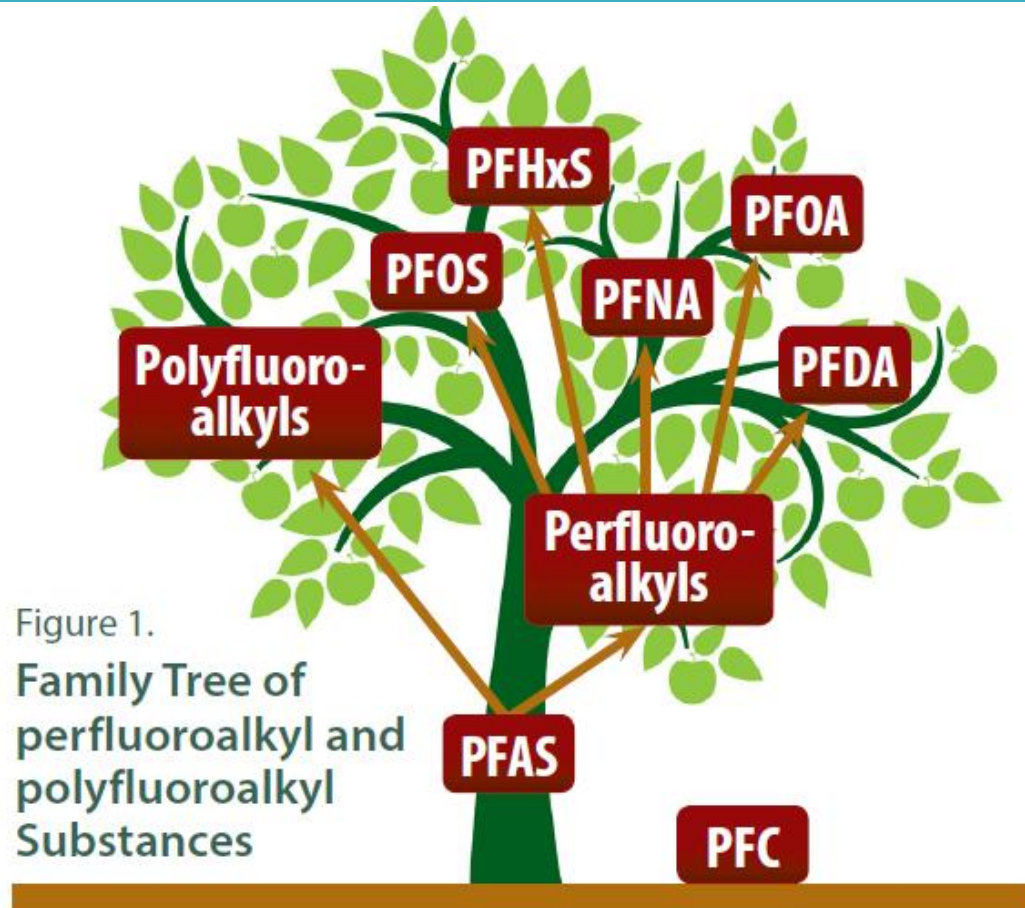


Figure 1.  
Family Tree of  
perfluoroalkyl and  
polyfluoroalkyl  
Substances

Agency for Toxic Substances and Disease Registry  
Division of Community Health Investigations



Chemical by chemical  
approach

Decades to study,  
develop criteria, permits

Focused on controls, not  
prevention or elimination

# pollutants contained in materials





# materials are not equal

- Foam released at a specific, trackable point in time
- Broad definition of “pollutant”
- Support from fire fighters





## Prioritized

- Drinking water
- Funding Research
- Clean up standards
- How to dispose of materials with PFAS

## PFAS Action Plans

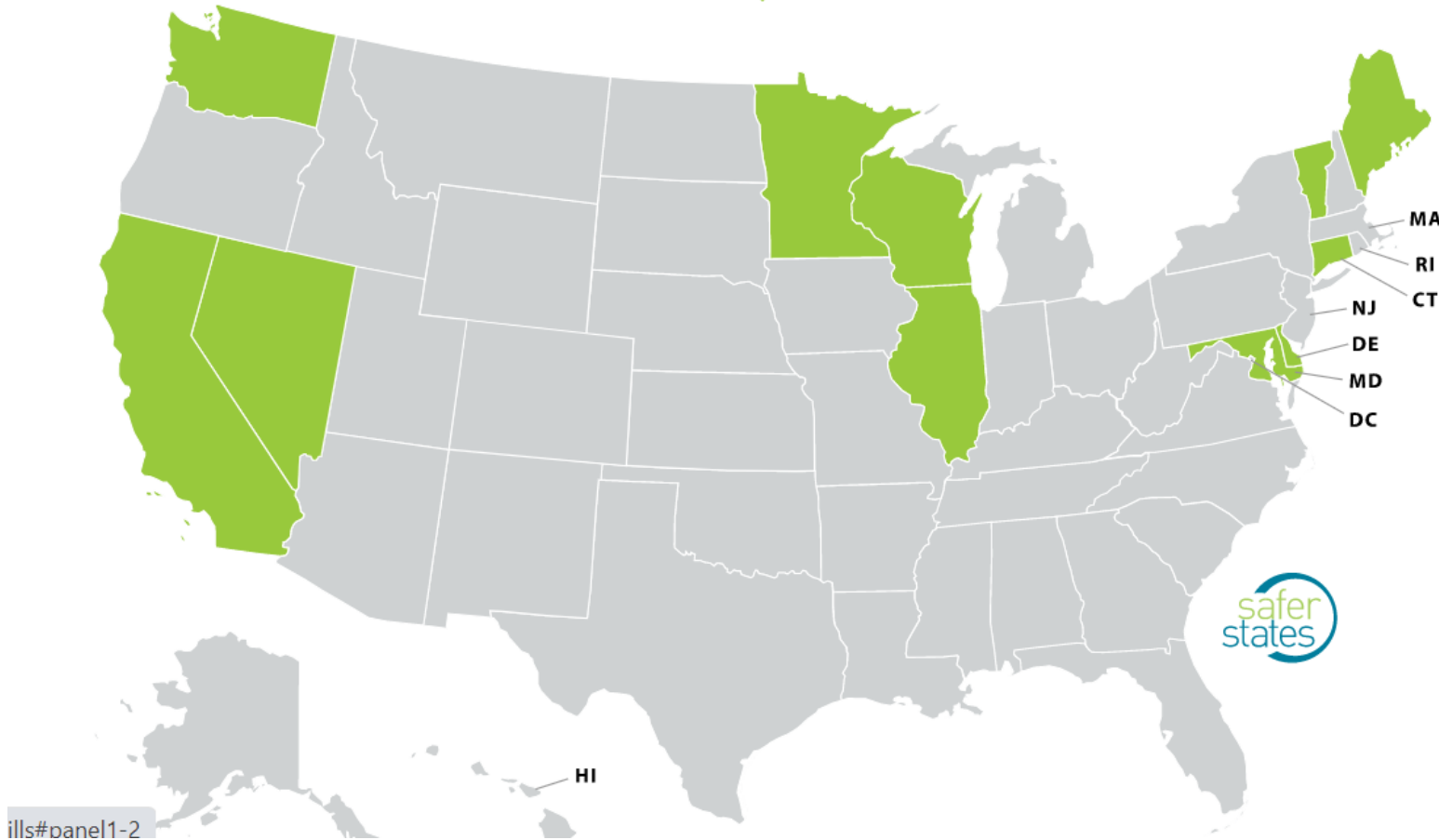
# States Actions





## Food Packaging

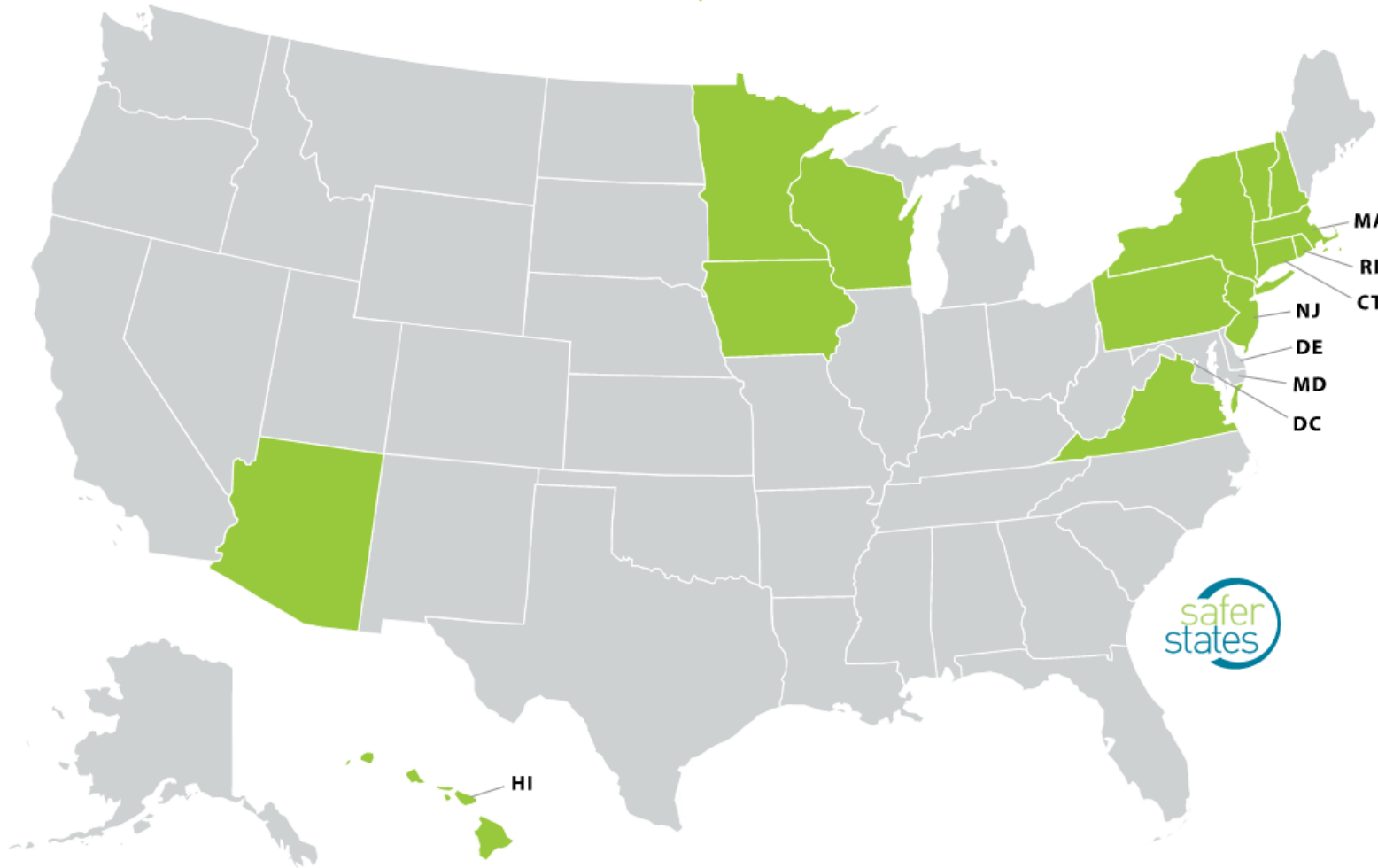
14 Adopted Policies in 11 States



Washington  
California  
Nevada  
Minnesota  
Wisconsin  
Illinois (not PFAS)  
Maine  
Vermont  
Connecticut  
Delaware  
Maryland,  
Washington DC

## Food Packaging

25 Current Policies in 14 States



Arizona  
Connecticut  
Iowa  
Hawaii  
Maine  
Massachusetts  
Minnesota  
New Hampshire  
New York  
New Jersey  
Rhode Island  
Virginia  
Vermont  
Wisconsin

# state case studies

7.6 million people

Identity connected to “the Sound” waterbody

Liberal

Innovative culture (agriculture & technology)

Orca story



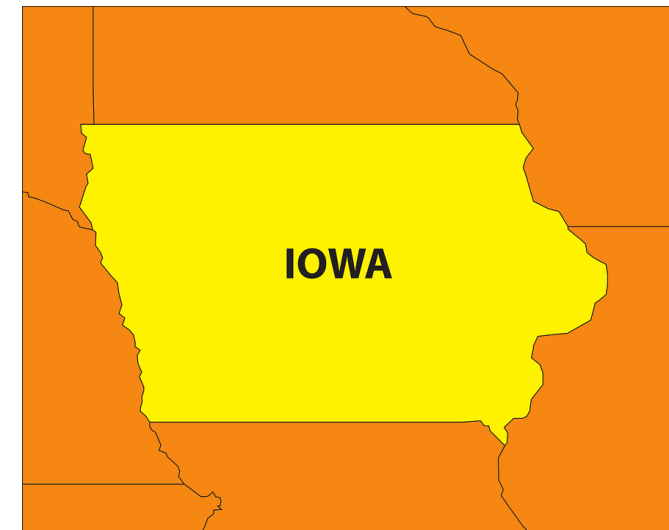
3.18 million people

Farming, prairie

Conservative, agricultural culture


Manufacturing, biotechnology, finance and government services

Drinking water



# purchasing & executive orders

**Office of the Governor  
State of Oregon**



**EXECUTIVE ORDER NO. 12-05**

**FOSTERING ENVIRONMENTALLY-FRIENDLY PURCHASING AND  
PRODUCT DESIGN**

Emerging market opportunities driven by consumer demand and changing regulations in the U.S. and abroad are creating a shift to products that are designed to be safe for people and the environment. Building materials, electronics, apparel and cleaning products are just some of the products that are increasingly being designed to eliminate or significantly reduce the use of toxic materials. Businesses that use safer, cleaner alternatives to toxic chemicals and processes will be in the best position to capture this growing market.







Fostering innovation and encouraging new business development through a coordinated effort in Oregon will help firms take advantage of emerging market opportunities. Thoughtful application of green chemistry principles, aligned with an over-arching toxic reduction strategy, can foster a cleaner environment that will help all Oregonians live healthy and productive lives, free of illness and disease. Green chemistry is based on a philosophy of encouraging the design of products and processes to minimize the use and generation of toxic substances.



# collaborations with numerous stakeholders



## Nearly half of tested food packaging items likely contained PFAS chemicals

Number of samples that tested above the fluorine screening level out of the total number tested in each category			Burger or sandwich		Fries, other fried items, or desserts		Salads, warm bowls, or other meals	
			WRAPPER	CARDBOARD CONTAINER	PAPER BAG	PAPERBOARD CONTAINER	MOLDED FIBER BOWL	MOLDED FIBER TRAY
	7,000+ <sup>1</sup> stores	<b>3</b> out of 8	● ○ ○ <sup>2</sup>		● ●	○ ○ ○		
	15,000+ <sup>1</sup> stores	<b>3</b> out of 9	○ ○ ○ <sup>2</sup>	●	● ●	○ ○ ○		
	6,000+ <sup>1</sup> stores	<b>1</b> out of 4	○ <sup>2</sup>		●	○ ○		
	100+ stores	<b>4</b> out of 4	●		●		● <sup>2</sup>	●
	300+ <sup>1</sup> stores	<b>1</b> out of 2	○				● <sup>2</sup>	
	100+ stores	<b>2</b> out of 2					● ● <sup>2</sup>	
<b>TOTAL</b>		<b>14</b> out of 29	● ● ● ○ ○ ○ ○ ○ ○ ○ ○ ○	●	● ● ● ● ● ● ● ●	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○	● ● ● ● ● ●	●

<sup>1</sup> Number of stores in the U.S. and Canada.

<sup>2</sup> We collected and tested more than one of the same kind of wrapper or bowl from different locations in the U.S., but are reporting each set as 1 to reflect the number of unique items. For details, see our methodology page.



# individual behavior



# thank you!




join me for the small group discussion

8:05 AM

 Small group discussion with Jonathan Kaplan  
8:05 AM - 8:30 AM


View Session

Add to My Agenda

 Small group discussion with Ian Cousins  
8:05 AM - 8:30 AM

View Session

Add to My Agenda

 Small group discussion with Lisa Cox  
8:05 AM - 8:30 AM

View Session

Remove from Agenda

## Lisa Cox, Sr. Toxics Reduction Analyst

[cox.lisa@deq.state.or.us](mailto:cox.lisa@deq.state.or.us)



Lisa R. Cox | Oregon Department of Environmental Quality



I am only one  
But I am one.

I cannot do  
everything

But I can do  
something...



And I will not  
let

What I cannot  
do

Interfere with  
what I can do.

-Edward Everett Hale