



Commissioner Vytenis Andriukaitis
DG Health and Food Safety
European Commission
Rue de la Loi 200
B-1049 Brussels

25th February 2014

**(1) Concerns regarding EFSA's reporting of panel report on risks of bisphenol A and
(2) follow up of letter to previous Commissioner on chemicals in Food Contact Materials**

Dear Commissioner,

CHEM Trust is a UK registered charity that works at EU, UK and International levels to protect humans and wildlife from harmful chemicals. We would like to take this opportunity to send belated congratulations on your appointment as Commissioner for Health and Food Safety.

We are writing to you on two issues today:

The first is to express our concern at the way in which the European Food Standards Agency (EFSA) has been communicating about the report of the CEF panel on the safety of Bisphenol A (BPA). We have a number of concerns about this panel report¹, however we are particularly concerned and surprised about the way that EFSA has reported the conclusions of this panel. The conclusions of the summary report are different to the message in EFSA's communication: while the report speaks of "*low health concern*" for aggregated exposure, the press release only says "*no health concern.*" (see explanatory annex for more details)

Why has the 'low concern' conclusion been ignored in the press and communications work around the panel report? Are there any plans for a follow-up on the EFSA conclusions given the considerable uncertainties in the exposure estimate for the non-dietary sources?

As a second point, we would also like to follow up a letter we sent to the previous Commissioner for Health Tonio Borg, last July, regarding inadequacies in the regulation of chemicals in food contact packaging².

¹ "*Bisphenol A – new EFSA assessment cuts safe exposure level, calls for more research*"

<http://www.chemtrust.org.uk/bisphenol-a-new-efsa-assessment-cuts-safe-exposure-level-calls-for-more-research/>

² "*Hazardous chemicals in food packaging: CHEM Trust writes to EU Commissioner Borg*"

<http://www.chemtrust.org.uk/hazardous-chemicals-in-food-packaging-chem-trust-writes-to-eu-commissioner-borg/>

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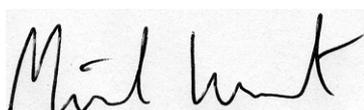
We were told in August 2014 that your DG would be commissioning research from the Joint Research Centre to understand this issue better³, but we are concerned that this research does not seem to have started yet. Our concerns have since been reflected in a conference and an EFSA workshop⁴, which in our view emphasises the need to take rapid action to address this acknowledged area of regulatory deficiency.

Given that it is clear that the current regulatory system for chemicals in food contact materials is not properly protecting the public, we are surprised at the fact that this issue has not already been addressed by DG Health and Food Safety.

In view of the public interest in this matter we will make this letter available on our website.

In conclusion, we would appreciate the opportunity to discuss these two issues with you.

Yours sincerely,



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Explanatory annex (see also footnote 1)

In the 'Overall Conclusions' of the Executive Summary of the CEF panel's report of its findings on Bisphenol A, it states that: (our emphasis)

central estimates for aggregated exposure to BPA via the dietary and non-dietary sources ..., is also below the t-TDI of 4 µg/kg bw per day, indicating that the **health concern for BPA is low** at the estimated levels of exposure. **However, the CEF Panel noted that there is a considerable uncertainty in the exposure estimate for the non-dietary sources.**

The emphasis on 'central estimates' is important, as in another part of the paper it is stated:

Upper bounds for the uncertainty of high but not average aggregate exposure estimates to BPA exceed the t-TDI

To summarise, the panel has found that exposure could exceed the t-TDI, as there are lots of uncertainties in exposure estimates. They have then described health concern as 'low'.

In contrast, the abstract of the panel report, the press release and other communications materials state that the panel found "no health concern" or "no health risk". In our view any reasonable person would agree that 'no health concern' and 'low health concern' are not the same thing.

³ "Commission studying the problem of chemicals in packaging – but will the new Commissioner act on the results?"

<http://www.chemtrust.org.uk/commission-studying-the-problem-of-chemicals-in-packaging-but-will-the-new-commissioner-act-on-the-results/>

⁴ "Chemicals in food packaging: A can of worms?"

<http://www.chemtrust.org.uk/chemicals-in-food-packaging-a-can-of-worms/>