Dear Mr Warhurst

Thank you for your letter dated 22 June to Emily Miles, CEO, on behalf of 10 NGOs concerning bisphenol A (BPA). Your letter has been passed to me as Chair of the Food Standards Agency (FSA) for reply. The FSA has responsibility for BPA under the food contact materials regulations.

Since leaving the European Union, the FSA, together with Food Standards Scotland (FSS), have taken on responsibility for assessing, managing and communicating food and animal feed safety risks in the UK. I would like to assure you that the assessment of BPA is being taken forward as part of our risk analysis process.

The European Commission, who undertake risk management in respect of the EU, have yet to update legislation on recommended levels of bisphenol A (BPA) based on the European Food Safety Authority (EFSA)'s recent scientific opinion. Whilst the EU has published details of their proposals to restrict BPA in all food contact materials, the current levels of protection remain the same in the UK as they are in the EU. The current legislation applicable across the EU and UK also includes the prohibition of BPA migrating from varnishes and coatings applied to food contact articles intended for infants and young children (for example, infant feeding bottles and beakers).

As per our Risk Analysis guidance, any new action in the UK will be considered after the independent risk assessment has been concluded. The FSA has instructed the UK's independent Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) to evaluate the latest evidence alongside the European Food Safety Authority's (EFSA's) scientific opinion before it offers advice to the FSA on the latest health risk from the substance. The FSA will review the risk assessment and consider whether changes to currently permitted limits for BPA are warranted. Other factors such
as impacts on the economy and the environment will also need to be considered before deciding on whether additional restrictions are required in legislation. Part of this process will need to consider the likelihood of any unintended consequences. If warranted, temporary risk management measures for the UK can be put in place under the precautionary principle, and we will decide whether these are needed through closely monitoring the ongoing risk assessment and initial outputs/recommendations.

We recently updated our dedicated webpage on BPA to reflect the latest advice and position. Further updates on the evaluation will also be obtainable from our publicly available Risk Analysis tracker in due course: https://www.food.gov.uk/about-us/risk-analysis/register-of-risk-analysis-issues.

The FSA will keep the situation in relation to BPA under review. I hope this has answered the group’s questions.

Yours sincerely,

Professor Susan Jebb OBE, PhD, FRCP (Hon), FMedSci

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