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Our Ref: BC2019/00253  

Dear Mr Warhurst,  

Thank you for your letter of 24th October.  

As you have pointed out, EFSA published their opinion on perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) in food in December 2018. The introductory text states that this opinion is the first part of a two-part assessment of perfluoroalkylated substances (PFAS) and thus the conclusions are provisional and will be reviewed once the second part of the assessment, on PFAS other than PFOS and PFOA, is published. This draft opinion is scheduled for publication for comment on 27th January 2020, somewhat later than EFSA originally planned. Since the conclusions on PFOS and PFOA may be subject to revision it would be appropriate to consider the implications for the current Tolerable Daily Intake (TDI) when these final conclusions are available.  

As you will be aware, the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) made a number of comments on the EFSA opinion prior to its publication. A statement, setting these out, will be available in due course. The minutes are available at the link below:

https://old.food.gov.uk/committee/committee-on-toxicity/cot-meetings/cotmeets/cot-meeting-11-september-2018

The COT will have the opportunity to comment on the draft EFSA opinion on PFAS when it is published, in addition to considering any changes to the PFOS and PFOA opinion, on behalf of the FSA Board. At this stage it will be appropriate to consider the TDI, TWI, and
the implications for UK consumers of PFAS exposure. Similarly, risk management options for PFAS both as environmental contaminants and from use in food contact materials will be considered once the EFSA opinion has been finalised.

With regard to food contact materials, as you know, any item that is expected to come into contact with food has to be compliant with UK requirements, namely the Materials and Articles in Contact with Food Regulations, to ensure that it will not be a health risk to the consumer. Strict requirements specify that all materials and articles expected or likely to be placed in contact with food have to be manufactured in compliance with provisions on good manufacturing practice. This means that all food contact materials and articles made or marketed in the UK should not transfer any chemicals into food at levels that could endanger health or degrade the food’s quality.

Manufacturers may use PFAS in food packaging and cookware appliances but need to ensure they are safe to human health, do not adversely change the composition of food, or its desirability. Whilst fluorinated compounds can be used in some specialist paper and cardboard products, industry in the UK has moved away from their use in favour of alternatives. Where they are used, they tend to be used to fulfil very particular technical requirements. This includes a minority of speciality applications for moisture or grease resistance. They can also be used in non-stick cookware.

A blanket ban risks being counter-productive as these substances provide essential functions, including, prevention of certain materials corroding or adversely reacting with the food. Although reducing the general use of substances of very high concern (SVHCs) is certainly desirable, alternatives are justifiably encouraged - on the condition they can provide similar positive functions in food contact materials. Crucially, any proposed alternatives need to be comprehensively evaluated for safety in their expected use.

I hope that the information above reassures you that the FSA continually reviews ongoing developments relating to food safety seeking advice as appropriate from our independent Scientific Advisory Committees such as COT.

Yours sincerely

[Signature]

Emily Miles