

## **CITPA feedback on EC draft regulation on restriction of BPA in FCM and articles**

The International Confederation of Paper & Board Converting Industries (CITPA) representing branch associations among paper & board value chain would like to offer the following comments to the draft regulation on the use of bisphenol A (BPA) and other bisphenols and their derivatives in certain materials and articles intended to come into contact with food.

CITPA considers that certain measures proposed in the draft regulation are leading to unnecessary costs and administrative burdens. Therefore, while endorsing the food safety and sustainability elements of the draft regulation, we encourage the Commission to take into consideration the sectorial concerns substantiated below.

The comments are structured into topics and combine the views of CITPA members association and their company members.

- 1. Scope limitation to materials:** BPA is not intentionally used in the manufacture of paper and board and its production systems. CITPA is requesting a limitation of the monitoring of Bisphenol-A (BPA) to food contact materials only. The analysis of articles, when the materials are already analysed, is redundant and imposes unnecessary costs to the economic operators. Additionally, downstream users should rely on Declarations of Compliance provided by suppliers to streamline processes and reduce administrative burdens.
- 2. Scope limitation to paper and board intended for moist and fatty foodstuffs:** Bisphenols are non-volatile and do not migrate through the gas phase into food packages. Aligning with the BfR Recommendation XXXVI, which is used as an "informal standard" in several European countries, we propose limiting testing for BPA to fatty and moist foods, excluding other applications.
- 3. Clarity on analytical methodology:** The lack of specificity in the proposed extraction analysis methodology raises concerns about result comparability. Moreover, BPA is ubiquitous within the environment, therefore it is challenging to prevent any cross-contamination which could potentially produce false positives. Additionally, we seek clarification on source identification, considering the complexity of the paper and board recycling sector where raw materials come from diverse streams.
- 4. Frequency of analysis:** The proposed high frequency of analysis, especially for converting companies, is impractical. Conducting over 1000 analyses per year for companies not adding any BPA or bisphenols intentionally is an excessive burden. Additionally, the draft regulation proposes extensive monitoring measures for BPA in recycled paper, boards, and cardboards intended for food contact, but it overlooks the fact that manufacturers already monitor bisphenol levels in accordance with national food compliance testing and Recommendation (e.g. BfR).

5. **Ensure Better Regulation to avoid legislative overlap:** The suggested regulation could disproportionately weigh on European manufacturers, potentially forcing them out of the market. **Board manufacturers already perform risk assessments, taking into account application, exposure, and raw material nature, implementing follow-up actions when necessary.** Board Manufacturers adhere to the limit values in accordance with BfR Recommendation XXXVI, which is used as an "informal standard" in several European countries. Therefore, we propose recognizing these existing risk assessment procedures to avoid unnecessary requirements.