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UPDATE REGARDING CALIFORNIA PROP. 65: REVISED WARNING REQUIREMENTS FOR BPA IN CANNED FOODS EFFECTIVE MAY 11, 2016

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The Proposition 65 warning requirement for Bisphenol-A (“BPA”) takes effect on May 11, 2016, but a recent emergency regulation has revised the warning requirements for food and beverage products only.

Pursuant to an emergency regulation proposed by California’s Office of Environmental Health Hazard Assessment (OEHHA), the Proposition 65 warning for such food and beverage products may be posted at all point-of-sale devices. The warning should be at least 5 inches by 5 inches, and the language as revised should state:

WARNING

Many food and beverage cans have linings containing bisphenol A (BPA), a chemical known to the State of California to cause harm to the female reproductive system. Jar lids and bottle caps may also contain BPA.

You can be exposed to BPA when you consume foods or beverages packaged in these containers.

For more information, go to: www.P65Warnings.ca.gov/BPA

OEHHA intends to allow the point-of-sale warning for at least a year and a half in order to allow manufacturers time to provide product-specific warnings or to reformulate using BPA alternatives, and for safe harbor levels for exposure to BPA to be established. BPA is often found in the epoxy lining in canned foods and beverages, the lining in many jar lids and bottle caps, and in a wide range of hard plastic consumer products. OEHHA recently proposed a safe harbor level of 3 micrograms per day for dermal BPA exposure from solid materials.

The emergency regulation and point-of-sale warning only applies to BPA in canned and bottled foods and beverages. All other products that contain BPA may subject the sellers to liability if they are sold in California without a warning on or after May 11, 2016.

MEET THE TEAM



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