American Forest & Paper Association

July 3, 2019

Senate Committee on Environmental Quality
State Capitol, Room 2205
Sacramento, CA 95814

RE: Testimony of Stewart Holm, Chief Scientist for the American Forest & Paper Association regarding AB 161 Solid Waste: Paper Waste: Electronic Proofs of Purchase

My name is Stewart Holm, Chief Scientist at the American Forest & Paper Association. I'm speaking in opposition to AB 161. AF&PA serves to advance a sustainable U.S. paper manufacturing industry,[i] and we are here today to speak on behalf of the manufactures and importers of receipt papers.

I am here today to address some of the misleading statements about paper receipts that are being used in support of this bill and appreciate this opportunity to offer some facts about our products.

Paper receipts are safe for consumers and point-of-sale personnel to handle.

The majority of BPA exposure is from food. The Food and Drug Administration's (FDA) current perspective, based on its most recent safety assessment, is that BPA is safe at the current levels occurring in foods.

To date, no studies have directly linked exposure to BPA with cancer in humans, and animal studies support this. Various scientific groups, including the US National Toxicology Program (NTP) and the European Union (EU), therefore, concluded that BPA is not a carcinogen.

The US NTP also concluded there is insufficient evidence to link consumer or occupational exposures to BPA with reproductive effects or developmental effects in humans.

Although BPA has been identified as a possible endocrine disruptor, subsequent studies examining developmental, reproductive, or immune effects in animals and humans do not support the occurrence of such adverse effects.

Both the US FDA and the European Food Safety Authority (EFSA) conclude that anticipated consumer exposures to BPA poses no health risk. Anticipated occupational exposure to BPA (such as by cashiers) are also judged to be safe.

We can provide you with citations to the literature showing that the weight of the evidence in literature supports that occupational exposure is safe.[ii]

Similar or even less BPS gets into the body from thermal receipts than BPA.

Based on studies in cells and simple organisms, BPS has similar, or lower, response than BPA.

This implies that the BPS concentrations consumers and cashiers might be exposed to will be safe.

Contrary to claims by bill supporters, the EU has not banned BPS in thermal receipt papers. The EU ban applies to BPA only, and no US manufacturers and none of the major importers who we represent use papers with BPA coatings.

This Legislation Should Not be the Vehicle to Ban BPS in Receipt Papers

Prop 65 requires businesses to provide warnings to Californians about significant exposures to chemicals that cause cancer, birth defects or other reproductive harm. The list includes over 900 chemicals and also includes the safe harbor level of each chemical if one has been adopted. It is also important to note that the Prop 65 list does not include BPS.

If California wants to appropriately regulate BPS in receipt paper, it should do so by this vehicle or through the Safer Consumer Products program to avoid chemical use bans that lack scientific foundation.

Furthermore, some thermal receipt paper, including California state lottery tickets, parking tickets, boarding passes and other government documents use BPS. If these products pose a hazard, as AB 161 claims, the state should not exempt itself while penalizing consumers and small businesses.

Summary

I urge you to oppose AB 161, which is an end-run around California's rigorous and protective process for regulation of chemicals in consumer products.

Sincerely,

American Forest & Paper Association

Stewart Holm
Chief Scientist

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[i] The American Forest & Paper Association (AF&PA) serves to advance a sustainable U.S. pulp, paper, packaging, tissue and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative — Better Practices, Better Planet 2020. The forest products industry accounts for approximately four percent of the total U.S. manufacturing GDP, manufactures over $200 billion in products annually and employs approximately 950,000 men and women. The industry meets a payroll of approximately $50 billion annually and is among the top 10 manufacturing sector employers in 45 states.

[ii] In our review of the literature the data are mixed. Some studies show transport and others do not. However, even if BPA/BPS were transported through the skin the levels are low compared to food sources and health effects would not occur. For example, Ehrlich et. al., (JAMA,311(8) 2014) noted that they observed an increase of urinary BPA concentrations after continuously handling receipts but the peak level (5.8 ug/L) was lower than that observed after canned soup consumption (20.8 ug/L). While Ndaw et al. (Int Arch Occup Environ Health 89:935-946, 2016) stated that there is no significant increase of BPA observed in urinary free (unconjugated) BPA concentration in occupational exposure of cashiers to BPA. They further state that the unconjugated BPA is considered to be the biologically active form for the effects related to estrogen receptors. Therefore, the data on level of free BPA is important for the assessment of human health risks. Also, a study by Porras et al. (Toxicol Lett 230:413-420, 2014) found no increase in BPA after volunteers simulated the work of cashiers in a supermarket. Finally, a study by Thayer et al., (Environ Health Perspect, 124(4): 437-44, 2016) noted that only a few cashiers had detectable levels of total BPA or BPS in serum (unconjugated BPA was not reported).

Key references:

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