

The Search for PFAS-Free Food Packaging: What's Happening in WA State?

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CA DTSC: Public Workshop on Food Packaging with Perfluoroalkyl and Polyfluoroalkyl Substance (PFAS)

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Outline

- Introduction & Background
- What's been done?
 - Stakeholder Engagement
 - Identification of the PFAS base-case
 - Hazard & Exposure Decision Rules (almost)
 - Product Scoping (almost)
- Where we're going?
 - Cost & Availability Assessment
 - Performance Assessment
 - Challenges and Opportunities
- Conclusions

WA State Law RCW 70.95G

- Bans perfluorinated and polyfluorinated substances from food packaging materials
- If Ecology determines that there are alternatives that meet the requirements of the law, then ban will take effect. Otherwise, the assessment must continue on a yearly basis.
- Dept of Ecology will conduct an Alternatives Assessment that considers: **Chemical hazard; Exposure; Performance; Cost & availability**
- **“Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS chemicals”** means, for the purposes of food packaging, a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.”

What is Alternatives Assessment?

- ▶ “A process for identifying, comparing, and selecting safer alternatives to chemicals of concern on the basis of their hazards, comparative exposure, performance, and economic viability” – *National Academy of Sciences*, 2014
- ▶ GOALS:
 - Informed Substitution
 - Avoid regrettable substitutes

Source: [A4 \(2018\) Alternatives Assessment 101 Webinar](#); National Research Council. 2014. *A Framework to Guide Selection of Chemical Alternatives*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/18872>

What AA Is Not

- ▶ NOT a Safety Assessment
 - Exposure is below prescribed level
- ▶ NOT a Risk Assessment
 - Risk is calculated based on exposure and hazard
- ▶ NOT a Sustainability Assessment
 - Considers all aspects of product life cycle

Source: [A4 \(2018\) Alternatives Assessment 101 Webinar](#)

Following the IC2 Guidelines

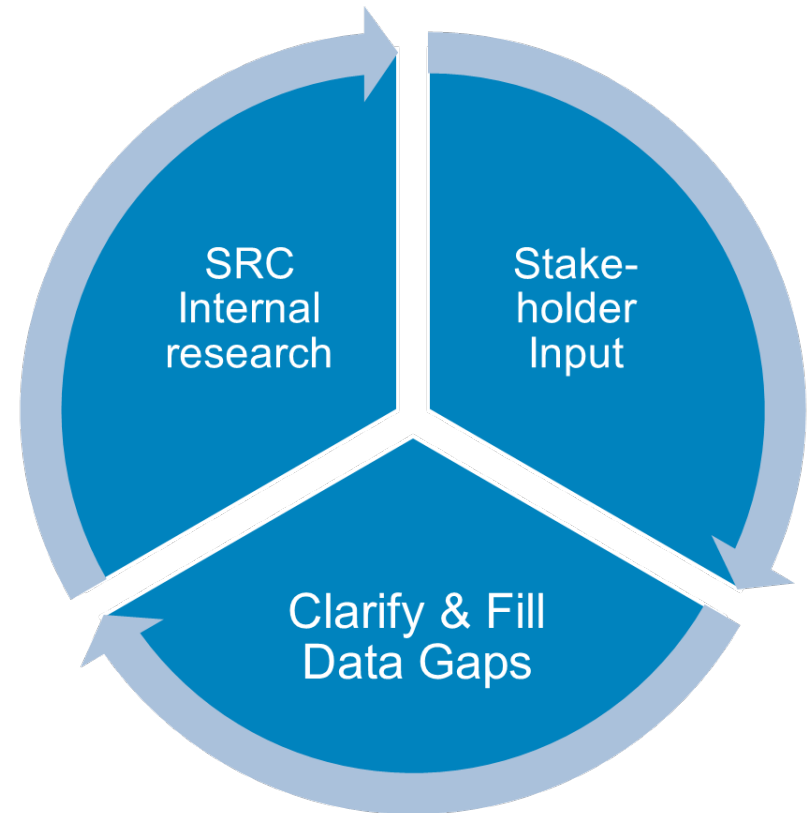
- ▶ Level 2 Hazard Assessment
- ▶ Level 1 Exposure Assessment
- ▶ Level 1 Performance Assessment
- ▶ Level 1 Cost & Availability Assessment
- ▶ Available at: http://theic2.org/article/download-pdf/file_name/IC2_AA_Guide_Version_1.1.pdf
- ▶ Supporting guideline: WA State Alternatives Assessment Guide for Small and Medium Businesses (January 2015)
<https://fortress.wa.gov/ecy/publications/documents/1504002.pdf>

What is Our Role in This Assessment?

SRC's Role	Ecology's Role
Develop methodology to assess hazard, exposure, performance, and cost & availability	Finalize and approve methodologies
Recommend products and product types for evaluation	Approves the selection of products and product types
Evaluates products against the assessment methodologies	Decides if safer alternatives exist the meet the letter of the law
	Prepares final report to legislature

What's been done: Stakeholder Engagement (Ongoing)

- Current active stakeholders ~60
- Chemical Action Plan (CAP) and project listserve membership ~240
- Representatives from **government, chemical manufacturers, product manufacturers, suppliers, paper producers, trade organizations, purchasers/users, NGO's, academia/research groups, and others.**



What's been done: Hazard & Exposure Methodology

- ▶ Draft Hazard Assessment Methodology and Decision Rules were released October 3, 2019
- ▶ Ecology and SRC are responding to comments and making updates
- ▶ https://www.ezview.wa.gov/Portals/_1962/Documents/PFAS-Food/PFAS_AA_Hazard_Assess_Overview.pdf
- ▶ A Draft Exposure Assessment Methodology is currently being finalized and will be released soon
- ▶ Will be discussed during next call - **Tuesday, January 28th at 11:00 PST/2:00 EST**

What's been done: Product Scoping

- Initial Product Scope presented during September 11, 2019 call proposed assessing Wraps/Liners and possibly Bags
- Initial stakeholder concerns were that this was too narrow.
- November 11, 2019 – Ecology announced that the scope will be expanded to include more products, leveraging product types where there is overlap between the formulation or material alternatives.
- SRC is currently working with stakeholders to identify overlap between alternatives in different products
- Can clarify more at the panel discussion

Where We're Going? Cost & Availability

- **IC2 Level 1: Basic Cost & Availability Evaluation**
 - “1. Is the alternative currently used in the application of interest?”
 - “2. Is the alternative currently offered for sale for the application of interest? Is the price of the alternative **close to current?**”
- What is a **close to current** price in the context of the law?
 - [RCW 70.95G.070](#) says “sufficient quantity and comparable cost”
- SRC will be working with economists from the Ecology staff

Where We're Going: Performance Assessment

- ▶ **IC2 Level 1: Basic Performance Evaluation**
- ▶ Set of 5 questions that aims to identify favorable alternatives based on their existing use, marketing information, and/or public reports.
- ▶ Not a deep dive, but we still need evidence to support conclusions
- ▶ Impact of product types and performance requirements?
- ▶ Stakeholder input will be critical to defining the decision rules for this process & obtaining supporting data
- ▶ Discussions will be happening after cost & availability, based on staff availability.

Challenges and Opportunities

▶ Timeline

- Underestimated level of effort to engage with stakeholders
- Enabled an increase in momentum and interest

▶ Access to information

- Supply chain communication is a known issue
- Ecology developed a CBI protocol so stakeholder can share proprietary information.

▶ Ensuring transparency in the process

- Emails, documents, phone calls, presentations = effort = \$\$
- New dedicated webpage containing updates, FAQ's, and archives:

https://www.ezview.wa.gov/site/alias__1962/37610/DesktopDefault.aspx?alias=1962&PageID=37610

Acknowledgments

▶ Thank you!

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- PFAS AA Stakeholders

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- Ecology POC: Ken Zarker ken.zarker@ecy.wa.gov

- ▶ To learn more about Alternatives Assessment:
- ▶ www.saferalternatives.org



A4 Webinar Series: How to Get to Safer Alternatives Using Non-Animal Testing Methods

Date: Wed Jan 29, 2020

Time: 9-10 AM PT; 12-1 PM ET

FREE!