



## PVC TECH CORP COMPLIANCE SUMMARY - 2010

### Bisphenol A

Bisphenol A or BPA is a building block of several important polymers and polymer additives used in the production of polycarbonates.

**What products contain BPA?** Out of the seven classes of plastics used in packaging applications, Bisphenol A can only be found in plastic products marked as follows:



**PVC**  
Some Type 3 Plastics  
may leach Bisphenol A



**OTHER**  
Some Type 7 Plastics  
may leach Bisphenol A  
This includes:  
Acrylic  
Acrylonitrile  
Butadiene Styrene  
Fiberglass  
Nylon  
Polycarbonate  
Polylactic Acid

Bisphenol A is **NOT** used during polymerization or package forming for the following:

Type 1	PET
Type 2	HDPE
Type 4	LDPE
Type 5	POLYPROPYLENE
Type 6	POLYSTYRENE

So if you DON'T buy Type 3 PVC plastics or Type 7, then BPA legislation will probably not affect you.

### **Why is BPA such a hot button issue?**

BPA has become increasingly controversial over the last few years due to fears that continued human exposure to BPA would induce chronic toxicity. Particularly with polycarbonate baby bottles exposed to heat and heated liquids that would encourage leaching of BPA into food and drink content.

Being an endocrine disruptor, BPA is suspected to have adverse health effects, primarily affecting reproduction. There has also been environmental concern over the risk posed by having BPA leach into landfills and bodies of water, consequently affecting the food chain.



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### Bisphenol A (cont'd)

At this time, BPA is not **nationally** regulated in the United States. Though the FDA formerly deemed BPA to not be of sufficient concern to institute a ban, there has been enough public uproar over its effects that the FDA has recently revised its position on the matter to the extent of supporting steps to reduce exposure while it pursues additional studies.

### **Is BPA banned anywhere?**

In the US, there is currently no nationwide ban on BPA though several key states have issued regulations. Canada has a specific ban as well. See below:

<b>UNITED STATES</b>	
<b>CHICAGO – BPA Free Kids Ordinance Section 7-8-637, Chapter 7-28, Municipal Code of Chicago</b>	<b>Effective January 31, 2010 – Bans BPA in any containers such as an empty bottle or cup to be filled with food or liquid for children under 3 years old.</b>
<b>CONNECTICUT – State of Connecticut Substitute House Bill No. 6572 Public Act No. 09-103</b>	<p><b>Effective October 1, 2011 – Bans the manufacture, sale or distribution of any reusable food or beverage container with BPA, including but not limited to baby bottles, spill-proof cups, sports bottles and thermoses, and excluding, food or beverage containers intended for disposal after initial use.</b></p> <p><b>Effective October 1, 2011 – Bans the sale or distribution of infant formula or baby food (2 years and under) stored in a plastic container, jar or can that contains BPA.</b></p> <p><b>From October 1, 2011 to October 1, 2012 – Allows the sale or distribution of <u>existing</u> <u>inventory</u> of infant formula or baby food containers, jars or cans with BPA provided that the above can be proven to have been purchased or acquired prior to Oct. 1, 2011 in a quantity comparable to what was purchased for the same period of the prior year.</b></p>

This summary is non-legally binding. It has been published as an overview of the subject headed for purposes of summary review and does not replace the obligation of individual companies to identify, review and understand the subject and/or regulations discussed and its implications on their organization.



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**Bisphenol A (cont'd)**

<b>UNITED STATES</b>	
<b>MINNESOTA – Minnesota Statutes Chapter 40 Sections 325F.172 and 173</b>	<b>Effective January 1, 2010</b> – Bans the manufacture and wholesale. <b>Effective January 1, 2011</b> - Bans retail sales. Both of the above <b>applies to children’s products defined as an empty bottle or cup to be filled with food or liquid designed or intended by a manufacturer to be used by a child under 3 years of age.</b>
<b>NEW YORK SUFFOLK COUNTY – Toxin Free Toddler and Babies Act</b>	<b>Effective 90 days after filing at New York’s Secretary of State, estimated late 2009</b> – Bans BPA in <b>children’s beverage containers, defined as any bottle, cup, cup lid, straw or other container intended to be used by children under 3 years of age for the consumption of liquids.</b>

It is important to note that at this time, there are a total of approximately **thirty-six (36)** acts and regulations on the house and senate levels introduced by different states from the East to the West Coast as well as Hawaii.

Only five (5) of all these introduced pieces of legislation have died, the remainder are all under review.

<b>CANADA</b>	
<b>Health Canada</b>	<b>Canada has issued a ban on polycarbonate baby bottles containing BPA, there has been no further action concerning other products.</b>

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EUROPEAN UNION	
<b>EU Directive 2004/19/EC</b>	Food packaging has been assigned a specific migration limit for BPA of no more than 0.6 mg/kg or 0.6 ppm.
<b>EFSA (European Food Safety Authority)</b>	Designates a Tolerable Daily Intake (TDI) level of 0.05 ppm per day per individual.

### **PVC Tech Corp and BPA:**

Regulations concerning BPA continue to evolve as governments at every level attempt to address public concern and take varying scientific assessments into account. Market reactions have resulted in numerous products being pulled off shelves as well as products being liberally branded as “BPA Free” – a tag that can ultimately be misleading when products are found with traces of BPA.

**At PVC Tech Corp, we want to perpetuate accuracy and not confusion.** Therefore, we have been more prudent and precise in our approach by indicating that BPA in specifically engineered films we produce may be “low or limited”. Depending on the film requirement, we have and can design custom films significantly limiting BPA to a measure of 10 MDL or below. This would be for a custom designed film produced to an application and supplied with a third party test.

Though we do not regularly stock BPA-limited films at this time, we have the ability to engineer films to certain specifications which address this concern.