



Department
for Environment
Food & Rural Affairs

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Dear Kerry,

Thank you for your letters of 24 February to the Secretary of State for Environment, Food and Rural Affairs, the Secretary of State for Business, Energy and Industrial Strategy and the Secretary of State for Health and Social Care, on behalf of a number of signatories, about the UK Government's response to the threat posed by poly- and perfluoroalkyl substances (PFAS) to human health and the environment. Your letters to the Department of Business, Energy and Industrial Strategy and the Department of Health and Social Care were passed to Defra to answer, as the Government Department with responsibility for this issue.

I am replying as the Minister responsible for this policy area and apologise for the delay in doing so. Defra is currently dealing with high volumes of correspondence due to COVID-19. Thank you for your understanding during this challenging time.

The UK has implemented existing regulatory controls on PFAS substances as a party to the Stockholm Convention and we are working internationally to develop an effective approach to the wider group of substances. How we manage these chemicals will be under consideration as we develop the Chemicals Strategy announced under the 25 Year Environment Plan. I have set out below a summary of the regulatory controls in the UK and the work we are doing to develop our future approach, both for food contact materials and other uses of these substances.

A number of PFAS are already banned or highly restricted. The UK was the first European country to propose a national ban of perfluorooctane sulfonate (PFOS) in 2004, in advance of EU legislation. There are existing restrictions on the use of certain PFAS under the Stockholm Convention, to which the UK is a signatory, and under the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulation.

PFOS and perfluorooctanoate (PFOA), and their precursors, are recognised global persistent organic pollutants (POPs) covered by the Stockholm Convention. These chemicals are toxic, accumulate in living organisms and pose a risk to our health and environment. A third substance, perfluorohexane sulfonate (PFHxS), is also being considered for global controls under the Convention.

Several long chain perfluorocarboxylic acids have also been listed as substances of very high concern (SVHCs) under the EU REACH regulation, along with GenX (HFPO-DA, 2,3,3,3-tetrafluoro-2-(heptafluoropropoxy)propionic acid) and perfluorobutanesulfonate (PFBS). These listings, as well as the POPs restrictions, will be retained in UK law now we have left the EU.

The Food Standards Agency (FSA) is responsible for ensuring the safety of food contact materials (FCMs) in England, Wales and Northern Ireland. In Scotland, this responsibility lies with Food Standards Scotland (FSS). For all packaging in contact with food or drink, food contact material legislation is in place to ensure that the final material or article is not dangerous to health, does not change food or drink in a detrimental way, or does not reduce the product's desirability by tainting it with an odd taste or smell or altering its texture.

PFOS is also classed as a priority hazardous substance under the Priority Substances Directive 2013, which is a daughter directive of the Water Framework Directive. The Environment Agency (EA) is consulting on actions to address levels observed in the environment as part of its 'Challenges & Choices' consultation.

The quality of drinking water in England and Wales is regulated by the Water Supply (Water Quality) Regulations 2016, enforced by the Drinking Water Inspectorate. Water companies must ensure that substances which are a potential danger to health are adequately considered in their risk assessments and monitor for them if appropriate.

Whilst fluorinated compounds from food contact materials, such as paper and board, have not raised specific safety concerns to date, the FSA regularly reviews new information on this subject. The European Food Safety Authority (EFSA) published its draft opinion on the 'Risk to human health related to the presence of perfluoroalkyl substances in food' on 24 February. The latest draft EFSA Opinion refers to several food contact studies in its overall risk assessment in relation to PFAS in food. The FSA is currently evaluating its relevance for food, including for paper and board food packaging, before considering whether any risk management action is required. This will include a consideration of the draft opinion by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment.

The food packaging industry in the UK has moved away from the use of fluorinated compounds in many paper and board products. They are now predominantly used only in specialist packaging that have particular technical requirements, such as moisture or grease resistance. Manufacturers retain the option to use PFAS in food contact materials, where necessary to perform a specific technological function, but they still need to ensure they are safe in expected use. There are strict migratory limits for specific PFAS that have been authorised for use in food contact plastics. Any proposed alternatives will need to be evaluated for their safety in expected use.

We agree that exposure to all chemicals from food packaging should be kept to a minimum. The current evidence has yet to demonstrate that this particular issue meets the threshold for specific legislation on PFAS in paper and board and we believe that current legislation is sufficient to protect citizens. Nevertheless, as mentioned, we are currently considering the latest draft EFSA Opinion and any new evidence that may inform any future policy changes.

Human Biomonitoring (HBM) is a technique used to assess exposure to chemicals. The method is an integrated measure of exposure from all sources. HBM studies across Europe have detected PFAS in human samples, but these are generally declining reflecting declining usage. Public Health England has initiated an HBM programme under the Health Protection Research Unit (HPRU), Environmental Exposures and Health (2020-2025), held in collaboration with Imperial College London. One project of this HPRU will determine current levels of PFAS exposure. The results, when available, will be used to inform UK policy and exposure assessment.

Defra and the EA are working closely with other regulators to investigate sources, pathways and risks associated with PFAS chemicals in the environment, in order to facilitate decisions on future risk management options. The number of per-fluorinated chemicals and their diverse range of uses makes this a very challenging issue, but we are better placed than ever before to detect some of these chemicals at low levels in the environment.

We agree with you that these substances need to be addressed as a group, rather than on a substance by substance basis, in order to address their impacts effectively and avoid the risk of substitution by alternatives that may have similar properties. The UK has participated in recent discussions on PFAS at the Organisation for Economic Co-operation and Development, where we offered our scientific expertise to support work on new PFAS assessments and life cycle approaches. We will continue to work with partners around the world to develop an effective approach.

At the end of the Transition Period the UK will put in place its own independent chemicals regulatory framework, UK REACH. Future UK decisions to control the environmental and human health impacts of substances will be taken under our independent regime and will be based on rigorous assessment of the scientific evidence. The work that our regulators are doing this year to understand the risks associated with PFAS in the UK will contribute to our evidence base.

Thank you once again for taking the time to contact the Secretary of State about this important issue. Please let me know if I can be of any further assistance with this or any other matters in the future.



REBECCA POW MP