



**TO: House Committee on Environment and Natural Resource Finance and Policy**

**FROM: Jason Culotta  
President  
Midwest Food Products Association**

**DATE: February 4, 2021**

**RE: Amendment Request to HF 79**

The Midwest Food Products Association (MWFEPA) appreciates the opportunity to express a concern with House File 79 as drafted, which would ban the use of perfluoroalkyl and polyfluoroalkyl substances, known as PFAS, in food packaging in January 2022. **We ask that the Committee grant one additional year to January 2023 to allow compliance with the proposed legislation.**

MWFEPA is the trade association representing food manufacturers and their allied industries throughout Illinois, Minnesota, and Wisconsin. Minnesota is a national leader in vegetable production, ranking second in sweet corn and green peas among many other crops grown in the state.

#### **Adoption in Other States**

Three states have adopted similar legislation to ban PFAS compounds from use in food packaging: Maine, New York, and Washington state. New York's law has the earliest effective date of the three bills, on December 31, 2022. The Maine and Washington restrictions do not take effect until two years after their state agencies complete an alternatives assessment and find that safer alternatives to PFAS exist. Given that neither state has completed their assessment, this means that the earliest those bans would go into effect would be the spring of 2023.

#### **Federal Regulatory Change**

In July 2020, the U.S. Food and Drug Administration (FDA) announced a voluntary three-year phaseout of PFAS in food packaging.

#### **Effective Date**

The timelines adopted by these states and FDA are a reflection of the challenges and time food manufacturers need to make a successful transition away from PFAS. Our members are committed to meeting these timeframes but strongly urge that the January 2022 effective date in HF 79 will not allow sufficient time to test and bring to market safe alternatives to PFAS compounds used in food packaging.

**Consequently, we respectfully request that the effective date be amended to January 2023.**

Thank you for your consideration of this request.