

2021 -- H 5356 SUBSTITUTE A

LC000479/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY - PFAS IN FOOD PACKAGING

Introduced By: Representatives Cortvriend, Speakman, Bennett, Carson, Cassar,
McGaw, Morales, Blazejewski, Kazarian, and Donovan

Date Introduced: February 05, 2021

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 25.6

4 PROHIBITION OF PFAS IN FOOD PACKAGING ACT

5 **23-25.6-1. Short title.**

6 This chapter shall be known and may be cited as the "Prohibition of PFAS in Food
7 Packaging Act".

8 **23-25.6-2. Legislative findings.**

9 It is recognized and acknowledged by the general assembly that:

10 (1) PFAS are highly persistent chemicals that are transported long distances in the
11 environment.

12 (2) United States manufacturers have voluntarily worked to reduce releases of long-chain
13 PFAS due to their toxic effects on human health.

14 (3) The PFAS with fewer than eight (8) carbon-fluorine bonds currently being used as
15 alternatives to PFOA and PFOS are also highly persistent and subject to long-range transport. In
16 addition, the alternative PFAS have similar potential for harm as the long-chain PFAS.

17 (4) Over two hundred (200) scientists from all over the world have signed a statement
18 calling for governments to limit the use of PFAS while studies determine the safety of these
19 chemicals, given their persistence in the environment, potential for harm, and lack of adequate data

1 proving safety.

2 (5) Food packaging contains PFAS in order to resist grease and other fats from sticking to
3 the paper packaging.

4 (6) Alternatives are already in use in food packaging.

5 **23-25.6-3. Definitions.**

6 As used in this chapter:

7 (1) "Food package" means a package or packaging component that is intended for the
8 marketing, protection, or handling of a product intended for food contact or used to store food and
9 foodstuffs for sale.

10 (2) "Manufacturer" means a person, firm, association, partnership, government entity,
11 organization, joint venture, or corporation that applies a package to a product for distribution or
12 sale.

13 (3) "Package" means a container providing a means of marketing, protecting, or handling
14 a product and shall include a unit package, an intermediate package, and a shipping container.
15 "Package" also means and includes unsealed receptacles such as carrying cases, crates, cups, pails,
16 rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

17 (4) "Packaging component" means an individual assembled part of a package such as, but
18 not limited to, any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior
19 strapping, coatings, closures, inks, and labels.

20 (5) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances, a class of fluorinated
21 organic chemicals containing at least one fully fluorinated carbon atom.

22 **23-25.6-4. Prohibition of PFAS in food packaging.**

23 No person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute
24 for use in this state food packaging to which PFAS have been intentionally added in any amount.

25 **23-25.6-5. Penalties.**

26 Any person who violates any provisions of this chapter shall be subject to a fine of not
27 more than one thousand dollars (\$1,000) for each offense.

28 SECTION 2. This act shall take effect on January 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO HEALTH AND SAFETY - PFAS IN FOOD PACKAGING

- 1 This act would prohibit PFAS, a class of fluorinated organic chemicals, from being used
- 2 in food packaging.
- 3 This act would take effect on January 1, 2023.

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