

SENATE No. 1315

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to chemicals in food packaging.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------|--------------------------------|------------------|
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>1/28/2019</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>1/28/2019</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>2/1/2019</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>2/1/2019</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/6/2019</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>6/5/2019</i> |

SENATE No. 1315

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1315) of Michael O. Moore, Mike Connolly, Jack Patrick Lewis, Sal N. DiDomenico and other members of the General Court for legislation relative to chemicals in food packaging. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to chemicals in food packaging.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Whereas, Perfluoroalkyl and polyfluoroalkyl substances, known as PFAS,
2 are highly persistent chemicals that are transported long distances in the environment; and

3 Whereas, U.S. manufacturers have voluntarily worked to reduce releases of long-chain
4 PFASs due to their toxic effects on human health; and

5 Whereas, the PFAS with fewer than 8 carbon-fluorine bonds currently being used as
6 alternatives to PFOA and PFOS are also highly persistent and subject to long-range transport and
7 have similar potential for harm as the long-chain PFAS; and

8 Whereas, over 200 scientists from all over the world have signed a statement calling for
9 governments to limit the use of PFAS while studies determine the safety of these chemicals,
10 given their persistence in the environment, potential for harm, and lack of adequate data proving
11 safety; and

12 Whereas, Food packaging, contains PFAS in order to resist grease and other fats from
13 sticking to the paper packaging; and

14 Whereas, alternatives are already in use in food packaging.

15 SECTION 2. It is hereby resolved, that the policy goals of this Act shall be to limit
16 exposure of Massachusetts residents to PFAS through food packaging.

17 SECTION 3. Chapter 94B of the General Laws, as appearing in the 2016 Official
18 Edition, is hereby amended by inserting after Section 10 the following new section:-

19 “Section 11. (a) Definitions

20 The following words as used in this section shall have the following meanings:

21 “Food package" means a package or packaging component that is intended for the
22 marketing, protection, or handling of a product intended for food contact or used to store food
23 and foodstuffs for sale.

24 "Manufacturer" means a person, firm, association, partnership, government entity,
25 organization, joint venture, or corporation that applies a package to a product for distribution or
26 sale.

27 "Package" means a container providing a means of marketing, protecting, or handling a
28 product and shall include a unit package, an intermediate package, and a shipping container.

29 "Package" also means and includes unsealed receptacles such as carrying cases, crates, cups,
30 pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

31 "Packaging component" means an individual assembled part of a package such as, but not
32 limited to, any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior
33 strapping, coatings, closures, inks, and labels.

34 "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of fluorinated
35 organic chemicals containing at least one fully fluorinated carbon atom.

36 (b) Perfluoroalkyl and polyfluoroalkyl substances

37 Commencing January 1, 2020, no person or entity shall manufacture, knowingly sell,
38 offer for sale, distribute for sale, or distribute for use in the commonwealth food packaging to
39 which PFAS have been intentionally added in any amount.