



OPEN LETTER

Brussels, 03 December 2024

To: Ursula von der Leyen, the President of the European Commission

(Via email: Ursula.VON-DER-LEYEN@ec.europa.eu)

Subject: Safety of food contact materials: 20 years of inaction on EU's basic rules

Dear President von der Leyen,

We, the undersigned, are deeply concerned about the current state **of the EU Food Contact Materials Regulation revision (EC 1935/2004) due to its significant delay**. The European Commission committed to updating these 20 year-old rules to better regulate harmful chemicals in food contact materials (FCMs) as part of the 2020 EU 'Farm to Fork' and 'Chemicals Strategy for Sustainability' initiatives. While new rules on recycled plastic in FCMs were introduced in 2022, **the overall revision of the law is still pending**.

FCMs, including food packaging, make up a large segment of consumer goods. Undeniable evidence shows that hundreds of chemicals possessing well-known hazardous properties are intentionally used in these products, made from both plastic and non-plastic materials. For example, **more than 70 carcinogens were found in FCMs** purchased from markets including the European Union. **Thousands of FCM chemicals continue to be detected in human samples**, such as urine, blood, and breast milk, with links to serious health effects, particularly for vulnerable populations like children and pregnant women. Many chemicals remain insufficiently tested, and current EU risk assessments do not address their cumulative toxicity.

This regulatory failure is contributing to rising health concerns. The EU is seeing an increase in cancer rates, infertility, and metabolic diseases like Type 2 diabetes. The estimated cost of exposure to endocrine-disrupting chemicals, including phthalates and bisphenols found in food packaging, is €157 billion annually.

There is also growing evidence of health risks associated with some alternative materials introduced after the Single Use Plastic Directive. Studies from the Netherlands and Belgium highlight the potential dangers of these materials, making it crucial to **harmonise and strengthen EU regulations on all FCMs to ensure consumer safety**.

Therefore, along with political demand for long-term competitiveness, sustainable circular economy solutions and creation of a strong secondary materials market in the EU, the critical aspect of **safety of all food contact materials, both conventional and alternative, virgin and recycled, cannot be left behind any longer**.

The need for change is urgent. According to the European Environmental Agency, the next decade is critical for reducing long-term chemical risks. **We urge the European Commission to deliver a revised FCM Regulation within a clear timeframe and finalise the process during this legislative term.**

We thank you for your consideration of this important matter and remain at your disposal for any questions you may have.

Zero Waste Europe, on behalf of

ANEC, the European consumer voice in standardisation

ALPAL (Bulk Packaging Solution)

Cantine sans plastique, France

Center for International Environmental Law (CIEL)

Center for Environment/Friends of the Earth Bosnia and Herzegovina

CHEM Trust

Child Rights International Network (CRIN)

ClientEarth

ConsumAction, Belgium

Društvo Ekologi brez meja, Slovenia

ECOCITY, Greece

Ecopreneur.eu - The European Sustainable Business Federation

ECOS - Environmental Coalition on Standards

Ekō

Environmental Investigation Agency (EIA)

Environmental Protection Network (EPN)

European Environmental Bureau (EEB)

Exit Plastik Alliance, Germany

Fair Resource Foundation (FRF), The Netherlands, Belgium

Federation SEPANSO Aquitaine, Bordeaux, France

Friends of the Earth Malta

Friends of the Earth Cyprus

Foodwatch international

Gallifrey Foundation, Switzerland

Génération Futures

GLOBAL 2000 - Friends of the Earth Austria

Health and Environment Alliance (HEAL)

Health and Environment Justice Support (HEJSupport)

Hogar sin Tóxicos, Spain

Humusz Szövetség, Hungary

New ERA - New European Reuse Alliance

No Plastic In My Sea

Ocean. Now! e.V., Germany

Plastic Change, Denmark
Plastic Soup Foundation
Polish Zero Waste Association, Poland
Réseau Vrac et Réemploi, France
Recirculate Systems Ltd, United Kingdom
Réseau Environnement Santé (RES), France
Rethink Plastic Alliance
Retorna, Spain
Reusable Packaging Europe
Rezero, Spain
Safe Food Advocacy Europe (SAFE)
Safer Chemicals Alternative (ALHem), Serbia
sykell GmbH
Surfrider Foundation Europe (SFE)
Voice of Irish Concern for the Environment (VOICE), Ireland
Women Engage for a Common Future, WECF
Zelena akcija / Friends of the Earth Croatia
ZERO -Association for the Sustainability of the Earth System, Portugal
Zero Waste Estonia SA (ZWEE)

Contact person:
Dorota Napierska, PhD
ZWE Policy Officer on Toxic-Free Circular Economy
Email: dorota@zerowasteurope.eu

References

[Evaluation of Food Contact Materials](#) (FCMs), European Commission (Food Safety)
[A vision for safer food contact materials: Public health concerns as drivers for improved testing](#). Environment International. 2023. 180(108161)
[Scientific challenges in the risk assessment of food contact materials](#). Environmental Health Perspectives. 2017. 125(9)
[Chemicals and Health](#). European Environment Agency, Last modified 13 Mar 2023
[Cancer cases and deaths on the rise in the EU](#). European Commission, Joint Research Centre, 02-10-2023
[Factsheet on infertility](#) – prevalence, treatment and fertility decline in Europe. European Society of Human Reproduction and Embryology. July 2021
[Alarming rise in young-onset type 2 diabetes](#). Lancet editorial. 06-06-2024. [Type 2 Diabetes: A Preventable Catastrophe?](#) A Call to Action by International Diabetes Federation Europe. May 2023
[Estimating Burden and Disease Costs of Exposure to Endocrine-Disrupting Chemicals in the European Union](#). J Clin Endocrinol Metab. 2015 Mar 5;100(4):1245–1255. [Cross-cutting story 3: PFAS](#), European Environment Agency, Last modified 13 Mar 2023
[Impacts of food contact chemicals on human health: a consensus statement](#). Environmental Health 2020; 19(25).
[Implementing the EU Chemicals Strategy for Sustainability: The Case of Food Contact Chemicals of Concern](#). Journal of Hazardous Materials 2022; 437: 129167.
[Potential mammary carcinogens used in food contact articles: Implications for policy, enforcement, and prevention](#). Frontiers in Toxicology 2024; vol.6.
[Evidence for widespread human exposure to food contact chemicals](#). Journal of Exposure Science and Environmental Epidemiology 2024.
[Food packaging: safety first](#) Zero Waste Europe Policy Briefing, 11-07-2023

[Alternative food contact materials on the Dutch market after implementation of the Single Use Plastic Directive and prioritisation of potential migrating chemical substances](#) RIVM report on behalf of the Netherlands Food and Consumer Product Safety Authority (NVWA). 28-04-2023

[Investigation of potential migratables from paper and board food contact materials](#). Front. Chem. 2023, Sec. Green and Sustainable Chemistry 11.

[Risks associated with the presence of PFAS in FCM: An investigation of the Belgian market](#). Chemosphere 2024; 363, 142907

[Chemical migration from reusable plastic drinking bottles for children](#) Tegengif Foundation (17 September 2024)