



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## New York State Legislature Passes Hoylman/Fahy Bill Prohibiting PFAS Chemicals In Food Packaging

BRAD HOYLMAN-SIGAL July 23, 2020

| ISSUE: [SD 27](#), [SENATOR BRAD HOYLMAN](#), [PFAS CHEMICALS](#), [ENVIRONMENT](#), [FOOD PACKAGING](#)

NEW YORK—Today, the New York State Legislature passed legislation ([S.8817/A.4739-C](#)) sponsored by Senator Brad Hoylman and Assembly Member Patricia Fahy that will ban the use of per- and polyfluoroalkyl chemicals (PFAS) in food packaging. PFAS at any level have been scientifically linked to cancer, kidney disease, and weakened immune systems.

**Senator Hoylman said:** “Donald Trump’s FDA has failed to properly regulate the dangerous class of chemicals known as PFAS, putting the health of families across New York at risk. If the federal government won’t lead, New York will. Today, New York is joining Washington State and Maine in passing strong protections against cancer-causing PFAS chemicals in food packaging. Major brands including Sweetgreen, Trader Joe’s, and Whole Foods have already taken steps to reduce or eliminate PFAS and it is time to codify this policy statewide. I’m thrilled to see this legislation pass the Senate thanks to the leadership of Senate Majority Leader Andrea Stewart-Cousins and grateful to my colleague Assemblymember Patricia Fahy for shepherding this bill through the Assembly, as well as the advocates in the JustGreen Partnership whose dedicated organizing made it possible.”

**Assembly Member Fahy said:** “When we buy food from the grocery store or our favorite takeout place, we assume that product is safe for our families. PFAS chemicals, commonly

used in food packaging, however, are anything but safe. The short-chain PFAS most commonly used in food packaging has been shown to have similar toxicity to long-banned long-chain PFAS. New Yorkers must have a right to non-toxic food and water. I am proud to champion this legislation with Senator Hoylman to protect New York families and I hope to see New York lead the way, once again, on getting dangerous chemicals out of food systems.”

**Kathleen Curtis, Executive Director of Clean and Healthy New York and Co-Leader of the JustGreen Partnership, said:** “We are done playing whack-a-mole with the chemical industry. Thank you to Senator Hoylman and Assemblywoman Fahy for achieving a stunning victory for everyone in New York State by turning off the tap on an entire class of chemicals that has wantonly contaminated our people, communities, food, water, and soil.”

**Cecil-Corbin Mark, Deputy Director of WE ACT for Environmental Justice and Co-Leader of the JustGreen Partnership, said:** “Today, New York State legislators demonstrated that they can protect us from PFAS ‘forever chemicals’ in food packaging, and that Black Lives Matter by passing S. 8817 and A. 4739-C, prohibiting PFAS in food packaging in New York. WE ACT for Environmental Justice applauds Senator Hoylman and Assembly Member Fahy for leading the way. Studies have shown that access to fast food is higher in communities with greater concentrations of African American/Black residents, making them vulnerable to high exposure to PFAS from fast food packaging. We look forward to bills being signed into law.”

**Rich Schrader, New York Policy Director at NRDC, said:** “It’s high time the chemical industry stops running roughshod over New York communities – and this legislation helps make sure of it. New Yorkers shouldn’t have to worry about being exposed to harmful chemicals from handling everyday items like pizza boxes or milk cartons. Getting PFAS out of our food supply is a no-brainer that will help keep New Yorkers safe from these toxic, pervasive chemicals.”

**Liz Moran, Environmental Policy Director for NYPIRG, said:** "NYPIRG applauds Senator Hoylman and Assemblymember Fahy for the passage of this important legislation that protects public health from further exposure to dangerous PFAS chemicals. Too many communities and lives have already suffered from these chemicals - over 1.5 million New Yorkers rely on drinking water with levels of PFOA and PFOS considered by many scientists to be unsafe. Any route of exposure to these chemicals must be eliminated, which is why eliminating their use in food containers is a crucial step. We urge the Governor to sign this legislation into law."

Senator Hoylman and Assembly Member Fahy's S.8817/A.4739-C will amend New York's Environmental Conservation Law to prohibit the sale of food packaging containing intentionally added PFAS chemicals. Companies found violating the law will be subject to a \$10,000 first-time fine with subsequent violations reaching up to \$25,000 penalty. The EPA, CDC, and NYS DEC have all found a litany of deadly health effects associated with PFAS. Any level of these chemicals is simply unsafe for New Yorkers. With the support of a coalition of environmental advocacy groups in the JustGreen Partnership, it is clear PFAS have no place in food packaging.

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#### RELATED LEGISLATION

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### **2019-S8817**

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- Introduced

- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging

July 20, 2020

Senate Floor Calendar

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?