

Brussels, 13 May 2026

Final EFSA opinion on BPA – perspective from the plastics recyclers

The undersigned associations have read with great interest the final EFSA opinion of bisphenol A (BPA) published on (date). The derivation of safety threshold is essential to ensure a protective framework for food contact materials whilst enabling the continuity of the plastics recycling activities and its CO₂ savings. A vertical implementation of the tolerable daily intake (TDI) proposed by EFSA into legislation would have dramatic consequences on plastics recyclers as the threshold cannot be systematically met by all recycled plastics and the circular economy in Europe will be at stake. Considering the need to address adequately this opinion into legislation, we would like to provide some perspective from the plastics recycling industry.

As such, BPA is not intentionally added to recycled plastics. This substance is unintentionally present due to contamination of the input waste stream. Therefore, its presence must be addressed at different stages of the plastics value chain. First, the concentration in the input plastic waste should be reduced to avoid contamination of the recycler's feedstock. Additionally, an improvement of the collection system would be beneficial to further minimize incidental contamination. Secondly, the application of Regulation (EC) No 2023/2006¹ would be appropriate to manage the risks linked to the presence of BPA as prescribed in Regulation (EU) No 2022/1616².

Influence of the collection system on cross-contamination

BPA tends to be an omnipresent environmental contaminant with strong affinity for plastics. Consequently, avoiding BPA cross-contamination in the plastic waste streams is essential to prevent BPA from arising in the recyclates. Assessing in which articles BPA contamination may be present is key to manage the risks it might lead to. This point is already addressed in Regulation (EU) No 2022/1616 in Article 13 (5)(e) requiring providing data on the origin of the identified contaminants in view of removing them from the feedstock.

An appropriate collection system is a lever to prevent incidental contamination from happening. Separate plastic collection should be incentivized to limit articles containing BPA to be in contact with contact sensitive packaging free of BPA.

¹ Commission Regulation (EC) No 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food.

² Commission Regulation (EU) 2022/1616 of 15 September 2022 on recycled plastic materials and articles intended to come into contact with foods, and repealing Regulation (EC) No 282/2008.

Tackling the entire food packaging including printing inks and adhesives

The plastic that come into contact with foods is well regulated in the EU legislation. Indeed, plastics are regulated under Regulation (EU) No 10/2011³ and recycled plastics are targeted under Regulation (EU) No 2022/1616. Moreover, Regulation (EU) No 2022/1616 requires that recycled plastic materials and articles comply with Chapters II, III and V of Regulation (EU) No 10/2011.

However, when acknowledging the effect of cross-contamination as explained above, it should be noted that the elements constituting the packaging should also be regulated to prevent incidental contamination. The presence of inks or adhesives containing BPA has a strong influence on the concentration of BPA in the plastics value chain.

The revision of the framework Regulation for food contact material foresees to regulate the entire food packaging (packaging and its constituents such as the label, printing inks and adhesives) in the category “synthetic organic type materials”. It is also planned that *Paper and board as such and recycled*⁴ be regulated.

Moreover, the current framework Regulation for food contact, Regulation (EU) No 1935/2004, lists the possibility to establish targeted legislation for printing inks in Annex I. Thus, the undersigned associations believe that doing so will strongly reduce the presence of BPA in the plastic waste. Furthermore, design for recycling is a relevant tool to eliminate impurities at the earliest step of the value chain. As an example, in the Recyclclass Guidelines on design for recycling of PET bottles, the use of inks for direct printing is discouraged⁵.

Consequently, avoiding BPA use or BPA precursors at an early stage of the plastic value chain is essential to ensure the appropriate decontamination of the plastic waste in the recycling process. Moreover, subsequent knowledge on the origin of the contaminants is beneficial for recyclers to improve the processes and target the removal of specific impurities in the feedstock.

BPA, the example of the French legislation on risk management

In France, BPA is subject to a ban which forbids the intentional use of BPA in direct contact with foods. The interdiction of BPA use in France introduces specificities for recycled materials. The processes must ensure that the BPA concentration is as low as possible and that the risks are managed throughout the processes and in the output.

As an example, some French recyclers have reported the following measures:

- Regular control of the BPA concentration at the recycling facilities.
- Additional sorting to further reduce the amount of contaminants.

PET plastics recyclers supplying to the food contact packaging industry have in place a quality control routine that allows a monitoring of the potential contaminants in the stream. Several industry associations have developed guidelines for evaluation of non-intentionally added substances (NIAS) in recycled PET⁶.

³ Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food.

⁴ Working Group on Food Contact Material of the Toxicological Safety Section of the Standing Committee on Plants, Animals, Food and Feed, meeting of 9-10 February 2023.

⁵ Design for recycling guidelines for [transparent clear & light-blue PET bottles](#) and for [transparent coloured PET bottles](#).

⁶ Guidelines for Non-Intentionally Added Substances (NIAS) evaluation in PET & rPET, PETCORE, EFBW, UNESDA, Plastics Recyclers, CPME, November 2019.



Way forward – short term and long-term approach

On the short term, amendments of Regulation No 10/2011 may be foreseen to implement a “no migration” criteria to plastic materials and articles intended to come into contact with food. The “no migration” is meant as “not-detectable” as defined in Annex I under column 8 of Regulation (EU) No 10/2011. It must be noted that amendments to Regulation (EU) No 10/2011 also apply to recycled plastic materials and articles. Moreover, the application of the good manufacturing practices will be key to demonstrate compliance for business operators and for the competent authorities to enforce the Regulation. As applicable in the French legislation, the risks related to unintentional presence of BPA in the plastic value chain can be managed through quality control.

On the long term, establishing specific legislation on adhesives and printing inks is essential as the latter strongly influences the presence of substances such as BPA in the food contact materials and contaminates the waste streams.

From a risk perspective and taking into account migration potential, it may be useful to develop specific legislation on other materials than plastics, bringing it to the same level of safety as plastics and having a level playing field for all materials. This will minimize cross-contamination in the recycling value chain and avoid contaminants in the input plastics waste. The framework Regulation (EU) No 1935/2004 allows for these developments.

We remain available to discuss these elements with the Commission to further clarify the risk management measures to control the presence of BPA in the recycled plastics.

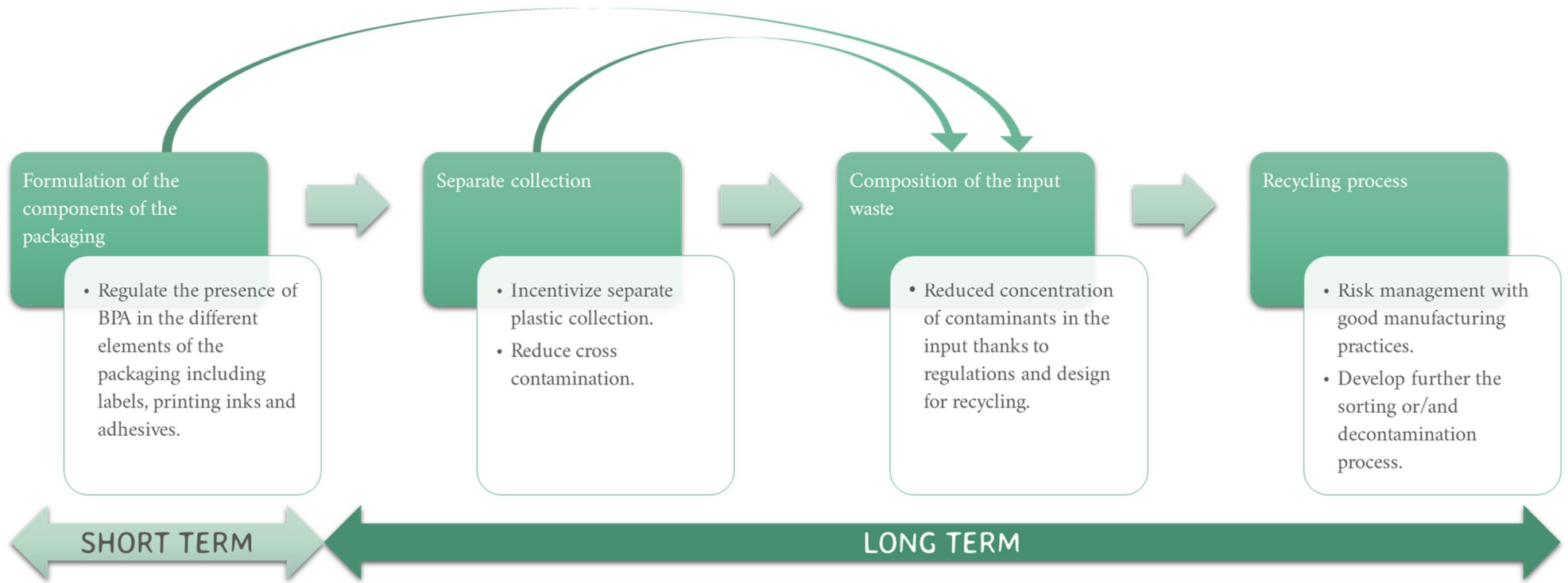


Figure 1: overview of the risk management measures to limit BPA concentration in recycled plastics



ABOUT PLASTICS RECYCLERS EUROPE

Plastics Recyclers Europe is an organization representing the voice of the European plastics recyclers who reprocess plastic waste into high quality material destined for production of new articles. Recyclers are important facilitators of the circularity of plastics and the transition towards the circular economy.

Plastics recycling in Europe is a rapidly growing sector representing over €8.7 billion in turnover, 11.3 million tonnes of installed recycling capacity, more than 730 recycling facilities, and over 30.000 employees.

www.plasticsrecyclers.eu

ABOUT Petcore Europe

Petcore Europe is a Brussels-based, not for profit organization, representing the entire PET value chain since 1993. Its membership consists of more than 165 companies (corporations) including PET producers, recyclers, converters, brand owners, recyclers, technology providers, PET prod converters, labels, cap suppliers, masterbatch suppliers, waste management companies, retailers and also includes 9 associations. Petcore Europe's vision is to achieve widespread recognition of the performance of PET as a circular material of choice for packaging and to make sure that PET is collected, sorted and recycled.