Chemical Makers Say BPA No Longer Used in Bottles

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Makers of the controversial chemical bisphenol-A have asked federal regulators to phase out rules that allow its use in baby bottles and sippy cups, saying those products haven't contained the plastic-hardening ingredient for two years.

The unusual request from the American Chemistry Council may help quash years of negative publicity from consumer groups and head off more stringent laws that would ban the chemical from other types of packaging.

For now, the industry says concerns over bottles and spill-proof cups are unnecessary.

"All the evidence we have is that those products have been off the market for several years," said Steven Hentges, the American Chemistry Council's director for BPA issues. "We're trying to bring clarity and certainty that BPA isn't used in baby bottles and sippy cups today, and it won't be in the future."

The group maintains that BPA is safe and that its decision was not influenced by science.

The chemical industry's petition points out that the six leading makers of baby bottles stopped using BPA in 2009. And none of the 13 major BPA producers, which make 97 percent of the global supply, sell the chemical to bottle makers.

The group represents BPA producers including Dow Chemical Company, Bayer and Momentive.

The FDA regulates chemicals used in food packaging. It is illegal for companies to use substances not covered by FDA rules.

An agency spokesman said the industry information is "consistent" with its own research, suggesting regulators would approve the request. The FDA typically takes comments on petitions for 60 days before making a decision.

BPA is found in hundreds of plastic items from water bottles to CDs to dental sealants. Some researchers are convinced that ingesting the chemical can interfere with development of the reproductive and nervous systems and possibly promote cancer.

The industry move also appears designed to head off state-level efforts to ban BPA across the U.S. On Wednesday, California became the 11th state to pass a law banning bisphenol from baby drink containers. Connecticut, Maryland, Minnesota,

New York and a half-dozen other states have passed similar laws in the last two years.

"This move eliminates the need for state and federal governments to spend further time and effort on a matter that has no practical outcome," the group said in a statement.

But while the 11 state BPA bans only affect baby bottles and cups, federal lawmakers including Ed Markey, D-Mass., have introduced legislation that would go further, banning BPA from all canned food, water bottles and food containers. Those products are not addressed in the industry's petition.

The vast majority of canned goods in the U.S. are sealed with BPA-containing resin to prevent contamination and spoiling. Canned food manufacturers have used the chemicals since the 1950s. The practice is approved by the FDA.

But some manufacturers have responded to concerns by switching to alternatives. Heinz uses BPA-free coatings for its Nurture baby formula cans, and ConAgra and General Mills have switched to alternative sealants for some of their canned tomatoes.

The chemical industry says BPA is the safest, most effective sealant.

The federal government has been grappling with the safety of BPA for nearly three years. The FDA revised its opinion on BPA in 2010 saying there is "some concern" about the chemical's impact on the brain and reproductive system of infants, babies and young children. Previously the agency said the trace amounts of BPA that leach out of food containers are not dangerous

The FDA said dozens of animal studies linking the chemical to tumors and abnormal growth are not applicable to humans. The government is spending $30 million to study the chemical's impact in humans.

About 90 percent of Americans have traces of bisphenol in their urine.

While older children and adults quickly eliminate the chemical through their kidneys, newborns and infants can retain it for much longer. Scientists pushing for a ban on the chemical argue that BPA mimics the effects of the hormone estrogen, interfering with growth.

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