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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Food, Drug, and Cosmetic Act to deem any perfluoroalkyl or polyfluoroalkyl substance used as a food contact substance to be unsafe and therefore treated as adulterated under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. DINGELL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to deem any perfluoroalkyl or polyfluoroalkyl substance used as a food contact substance to be unsafe and therefore treated as adulterated under such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Keep Food Containers
5 Safe from PFAS Act of 2019”.

1 **SEC. 2. PROHIBITION AGAINST FOOD CONTACT SUB-**
2 **STANCES CONTAINING PERFLUOROALKYL**
3 **AND POLYFLUOROALKYL SUBSTANCES.**

4 Paragraph (6) of section 409(h) of the Federal Food,
5 Drug, and Cosmetic Act (21 U.S.C. 348(h)(6)) is amend-
6 ed—

7 (1) by striking “(6)” and inserting “(6)(A)
8 DEFINITION.—”; and

9 (2) by adding at the end the following:

10 “(B) PERFLUORINATED COMPOUNDS.—

11 “(i) DEEMED UNSAFE.—Beginning on January
12 1, 2022, any PFAS used as a food contact sub-
13 stance is deemed to be unsafe for the purposes of
14 this section and the application of clause (2)(C) of
15 section 402(a).

16 “(ii) DEFINITIONS.—In this subparagraph:

17 “(I) The term ‘PFAS’ means a
18 perfluoroalkyl substance or a polyfluoroalkyl
19 substance that is man-made with at least 1
20 fully fluorinated carbon atom.

21 “(II) The term ‘perfluoroalkyl substance’
22 means a man-made chemical of which all of the
23 carbon atoms are fully fluorinated carbon
24 atoms.

25 “(III) The term ‘polyfluoroalkyl substance’
26 means a man-made chemical containing a mix

1 of fully fluorinated carbon atoms, partially
2 fluorinated carbon atoms, and nonfluorinated
3 carbon atoms.”.