GUIDANCE

Substances of concern in food packaging and food contact materials

BISPHENOL A (BPA)

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Contents

Key points of Regulation 2024/3190

- Bisphenol A (BPA) **must not be used** in the manufacture of the following food contact materials, including food packaging (except in two specific exceptions – see section 3):
    - adhesives
    - rubber
    - ion-exchange resins
    - plastics
    - printing inks
    - silicones
    - varnishes and coatings.
- Other bisphenols or bisphenol derivatives **classified as hazardous** – including bisphenol S and bisphenol AF - also must not be used in the manufacture of food packaging.
- **Non-hazardous** bisphenols or bisphenol derivatives may still be used if no BPA is present in the final packaging.
- All food packaging containing one or several of the materials listed above, including final products, must be accompanied by a **declaration of compliance**.
- No packaging containing banned bisphenols may be sold in the EU after **20 July 2027** – ***except*** for packaging intended for fruits and vegetables or fish products, which may be legally sold until **20 January 2028**.
- Laboratory analysis of BPA in food packaging is only required where non-hazardous bisphenols have been used to ensure no presence in the packaging, or for the exceptions listed above which require a specific migration of BPA.
- The food chain is advised to **focus primarily on eliminating the use of prohibited BPAs**. Analytical testing of prohibited BPAs is not recommended due to the limited number of laboratories currently able to test to the established detection limit of 1 µg/kg, and the potential risk of BPA contamination from sources other than packaging.

Further detail can be found in the European Union's Note for Guidance on the implementation of EU rules on the use of BPA and other bisphenols (derivatives), published in December 2025.

1. What is bisphenol A?

Bisphenol A (BPA) is a chemical that is used as a starting substance in the manufacture of a variety of industrial products. In relation to food contact materials, including food packaging, the main applications are as follows.

Polycarbonate (plastic)

Polycarbonate is a plastic which is very resistant and highly transparent, and looks similar to glass. It hasvery high impact and heat resistance.
Polycarbonate is not commonly used in food packaging, but is used in other food contact areas such as machinery and kitchenware.

Polysulfones (plastic)

Polysulfones are extremely rigid plastics even when exposed to high temperatures. They are not commonly used in food packaging, but their exceptional properties are exploited in food production equipment such as pipes, filters, and valves.

Epoxy resins (coating)

BPA, and also bisphenol S and bisphenol F, are used to produce epoxy resins – a component of strong, durable, heat-resistant coatings. This type of coating is used on metal cans to protect their internal wall from corrosion caused by aggressive, acidic food ingredients such as pineapples or citrus fruits. Metallic screw caps, large storing tanks, and pipes can be coated with epoxy resins.

Printing inks

Ultraviolet (UV) curing inks that are heat- and scratch-resistant are used in a specific printing technique, and may also contain BPA.

2. Why regulate BPA?

Health risk

The European Food Safety Authority (EFSA) found strong evidence that BPA presents risks for the immune system, as BPA behaves similarly to the female sexual hormone oestrogen. EFSA has reported extensively on the current scientific knowledge and the reasoning for the current legislation.[1] In 2015, EFSA initially set the amount of BPA that can be ingested daily over a lifetime without an appreciable health risk (the tolerable daily intake, TDI) at 4 micrograms (µg) per kg body weight. In 2023, it lowered the TDI to 0.2 nanograms (ng) per kg body weight.

Non-intentionally added substances

BPA and other hazardous bisphenols can be present in food packaging even if they were not intentionally added, such as impurities, side products from manufacturing or processing, or degradation products. These non-intentionally added substances (NIAS) might pose a risk to chemical safety, including through recycling.

1 EFSA (2023) Bisphenol A in food is a health risk. 4 minutes read, 19 April.

3. What are the new EU rules for BPA?

Regulation 2024/3190 sets rules for the use of all bisphenols that are classified as hazardous.

Scope

These rules apply to the following food contact materials:

- adhesives
- rubber
- ion-exchange resins
- plastics
- printing inks
- silicones
- varnishes and coatings.

The Regulation does **not** apply to incidental amounts of BPA found in recycled materials, and it does not apply to paper and cardboard when used alone (without adhesives or printing inks).

Key requirements

The Regulation sets out four fundamental requirements.

- BPA must not be used in the manufacture of food contact materials. There are two exceptions (described in Annex II):
  - for varnishes and coatings applied to the inner surface of tanks and containers with a capacity of more than 1,000 litres
  - when used as one chemical to produce plastic (polysulfone) filter membranes.
- Where materials contain BPA under these exceptions, the manufacturer needs to prove that no migration of BPA is detectable.
- Any other bisphenol or bisphenol derivate which is classified as **hazardous**, is also prohibited in the manufacture of food contact materials.
- All food packaging containing one or several of the materials listed above under “Scope”, including final products, must be accompanied by a declaration of compliance (Regulation 2024/3190, Annex III) at all stages of placing on the market except during the retail stage (sales to final consumers). Although paper and cardboard are not directly targeted by this Regulation, a declaration of compliance is required when these materials contain printing inks, adhesives, or any listed materials.

The EU Regulation on classification, labelling, and packaging of chemicals (“CLP Regulation” (EC) 1272/2008) categorises bisphenols as hazardous if they are carcinogenic, mutagenic, toxic to reproduction, or endocrine disrupting. The most relevant examples currently of such bisphenols (besides BPA) are bisphenol S and bisphenol AF, which are used as substitutes for BPA for the same applications.

Any bisphenol or bisphenol derivate which is not classified as hazardous may still be used in the manufacture of food contact materials provided that no BPA is present in the final article or material.

Analytical testing

Analytical testing for the presence of BPA is required where the following conditions apply.

- Use is made of the exceptions to the ban on intentional use of BPA referred to above (i.e. in relation to tanks or containers, and polysulfone filter membranes). Testing requirements depend on the specific use of these articles, and are defined in Annex V of the EU Plastic Regulation 10/2011.
- The residual content in any material which is manufactured with a **non-hazardous** bisphenol (see Key requirements, above). Unfortunately no harmonised method is available yet for such residual BPA testing.

For all other materials, no analytical verification is required by Regulation 2024/3190.

The EU has clarified in a December 2025 Note for Guidance that unintended contamination in recycled plastics does not have to comply with the rules set by this Regulation.[2] This means that recycled plastics unintentionally containing residues of BPA from the recycling process may be placed on the EU market.

4. What are the challenges for managing new BPA requirements?

Communication along the supply chain

Regulation 2024/3190 bans the intentional use of BPA in food contact materials, rather than setting a maximum limit. The primary requirement is to obtain **written confirmation** from all suppliers that BPA was not used. Analytical verification is needed **only** in the very limited situations described in section 3 of this guidance.

Some stakeholders along the supply chain currently push suppliers to undertake analytical controls that are not required by the new Regulation. However, unintended contamination cannot generally be controlled by operators in the supply chain. Laboratories undertaking sensitive testing (see next subsection) might report the presence of tiny quantities of chemicals, but they cannot determine whether the BPA present is the result of intentional use or unintended contamination. Carrying out extensive testing on materials beyond what is required by the Regulation may introduce uncertainty across the food chain, raising questions such as “where does this contamination originate?” and “how can it be reduced?” – questions that operators may not be able or legally obliged to answer. A major priority for companies along the supply chain is therefore to build a common understanding by all parties regarding which materials require an analytical control, and to ensure that controls are performed only when legally required.

Detection limit

Regulation 2024/3190 requires analytical verification in relation to very specific uses of BPA or other non-hazardous bisphenols or bisphenol derivates. The detection limit for laboratory analysis is set at 1 µg/kg (= parts per billion, ppb) either in the packaging material or in relation to specific migration (Art. 9). Today, there are only a very limited number of laboratories that can achieve this detection limit.

2 Note for Guidance on the implementation of Commission Regulation (EU) 2024/3190 on the use of bisphenol A (BPA) and other bisphenols and bisphenol derivatives with harmonised classification for specific hazardous properties in certain materials and articles intended to come into contact with food (2025).

A detection limit of 1 µg/kg is associated with a high risk of false positive results, meaning that the presence of BPA is caused by other sources of contamination, rather than the packaging itself. For instance, solvents or other chemicals used by the laboratory for analysis may contain tiny amounts of BPA. Laboratory equipment may also contain polycarbonate or coated surfaces that can contaminate samples during analysis. There are further contamination risks in the transportation of samples to the laboratory: recycled cardboard typically contains several milligrams of BPA per kg originating from the recycling process. Contamination from the cardboard may be transferred to the samples shipped to the laboratory if they are not properly packed, for example through a double layer of tightly wrapped aluminium foil.

Availability of testing

Analytical capacities for the analysis of BPA are much more developed in the EU and in the United States of America (USA) than in most non-EU countries. Stakeholders in most supplying countries may have very limited or no access to national or regional test laboratories. They may therefore need to rely on shipping samples to the EU or the USA. Nevertheless, even within the EU and the USA capacity is limited and access to analysis may be difficult.

Testing costs

As analysis of BPA at such low detection limits is not yet routine, the cost of BPA analysis in the EU is currently very high. With the introduction of the new Regulation, and increased demand for testing, these costs are expected to reduce significantly over time.

5. How to prepare for the new requirements?

Implementation timetable

Regulation 2024/3190 sets several deadlines for the implementation of the new requirements.

- No packaging manufactured with BPA or any other hazardous bisphenols, including bisphenol S and bisphenol AF, may be legally sold after **20 July 2026**.
- A transitional period applies to food contact materials, including food packaging, manufactured with BPA **before 20 July 2026**: the food manufacturer may fill this packaging until **20 July 2027** and the food packaged can be sold to the consumers until stocks are exhausted. In contrast to BPA, there is, as of now, no transitional period for other hazardous bisphenols.
- An exception applies to **food packaging intended for fruits and vegetables or fish and fish products**: these types of packaging manufactured with BPA or any other hazardous bisphenols may be sold until **20 January 2028**. They can be filled until **20 January 2029** and the food packaged can be sold until stocks are exhausted.

Articles manufactured with BPA or any other hazardous bisphenols that are used in professional food production may be legally sold until **20 January 2028**. Such articles may stay on the market until **20 January 2029**. These rules cover only the trading of these products. Manufacturing equipment that includes parts that do not comply with the new Regulation are not obliged to replace these parts after 20 January 2029.

Declaration of Compliance

All materials listed in section 3 above (plastics, rubber, silicone, etc.) must be accompanied by a declaration of compliance (Annex III Regulation 2024/3190) when sold. For the first time, the EU also requires a declaration of compliance for materials such as printing inks, silicones, or coating materials when used in contact with food, or when applied to materials and articles contacting food.

Food packaging produced from one or more listed materials must be accompanied by a declaration of compliance covering these materials (for example, ink on printed paper and cardboard).

Although paper and cardboard are not directly targeted by this Regulation, a declaration of compliance is required when these materials contain printing inks, adhesives, or any listed materials.

Regulation 2024/3190 requires a BPA-related declaration of compliance (Annex III) that must contain the following information:

- identity and address of the company issuing the declaration of compliance, as well as contact details including either a current telephone number or email address
- identity and address of the company that manufactures or imports the food contact material or article, as well as contact details including either a current telephone number or email address
- identity of the food contact material or article, including both intermediate food contact materials and final food contact articles
- date of the declaration
- list of any bisphenols or bisphenol derivatives used in the manufacture of the food contact material or article
- a statement that the intermediate food contact material or article, or final food contact article, complies with this Regulation and the requirements set out in Arts. 3, 15, and 17 of Regulation (EC) No 1935/2004.

This declaration is very similar to that required by Regulation 10/2011 (Annex IV) for plastic food contact materials. If the material is made from plastics, both declarations can be merged into one document (see Food contact materials explained).

Communication and dialogue along the supply chain

The supply chain must develop a common and coordinated approach to managing the presence of BPA in food packaging. As noted above, this means:

- communication on the **need from July 2026 onwards for a declaration of compliance** demonstrating non-intentional use of BPA
- a common understanding that **analytical verification of BPA is only required in certain specific cases**; requesting analytical verification beyond these cases will not support legal compliance and could create unnecessary confusion and uncertainty in the supply chain.

GROWING PEOPLE

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