Sample Letter Sent to Grocery and Big Box Retailers

Bob Miller, President and CEO
Albertson’s
250 E Parkcenter Blvd
Boise, ID 83706-3999

September 23, 2015

Re: Bisphenol A (BPA) and other Chemicals in Canned Food

Dear Mr. Miller:

We are consumer advocates who are working with major retailers across the United States to help identify and replace dangerous chemicals in everyday products with safer substitutes. Our “Mind the Store” campaign is a project of Safer Chemicals, Healthy Families, a national coalition of more than 450 health-minded organizations.

We are writing now to learn more about the chemicals in your canned food linings. Bisphenol A (BPA) is a chemical of high concern that we have flagged for priority action on the Hazardous 100+ List of Chemicals of High Concern (see http://saferchemicals.org/chemicals/). Consumer demand for BPA-free food packaging continues to grow as the body of scientific research highlighting the hazards of bisphenol A (BPA) at extremely low doses expands. However, BPA replacements could themselves be a chemical or material of concern that has not been adequately tested for safety, which causes us great concern. This underscores the need for retailers to adopt comprehensive chemical policies to identify, disclose, eliminate and safely substitute chemicals such as BPA.

The Mind the Store campaign plans to co-release a national report in late November informing the public, the press and policymakers about the current state of the canned food sector regarding the composition of food can linings in use. We are particularly interested in better understanding the landscape of the use of bisphenol A (BPA) versus non-BPA alternatives to line canned foods.

As a part of this report, our colleagues with the Ecology Center’s HealthyStuff.org project are testing a large selection of canned food linings to identify where BPA and/or BPA alternatives are being used in canned food across the country. We are also surveying major food brands and retailers to assess their position on BPA and alternatives in canned food.
We would appreciate your response to the following questions by Friday October 23rd so we can include accurate and up-to-date information on your company’s position on BPA and BPA alternatives for both private label and brand name canned food.

1. Do you use bisphenol A (BPA) to line your canned foods?

2. If so, do you have a timeline and plan in place to phase out your use of BPA? Please describe and/or attach any policy you have in place.

3. What percentage of the canned food that you use contains BPA?

4. If you are not using BPA, what chemicals and chemical additives are used in your canned food linings (e.g. vinyl, oleoresin, etc.)?

5. Have you or your suppliers conducted an alternatives assessment (using for example a tool such as the GreenScreen for Safer Chemicals) of the BPA-alternative chemicals used to line your canned linings?

6. Who is the supplier(s) of your canned food linings?

Please do not hesitate to contact me at mikeschade@saferchemicals.org or by phone at 646-783-3477 if you have any questions.

We look forward to your timely response to the questions we raised, and would appreciate your response by Friday October 23rd.

Thank you in advance for your cooperation.

Sincerely,

Mike Schade, Mind the Store Campaign Director
Safer Chemicals, Healthy Families
641 S St. NW, 3rd floor
Washington, DC 20001
646.783.3477 / mikeschade@saferchemicals.org
www.saferchemicals.org
www.MindTheStore.org

CC: Chris Ratto, Director of Sustainability
Mr. Mike Schade
641 S St NW Fl 3
Washington, DC 20001
October 21, 2015
Case # 42141

Hi Mike,

Thank you for reaching out to us. Please know that we require our suppliers to comply with the U.S. Department of Agriculture (USDA) and Food and Drug Administration (FDA) regulations.

The safety and quality of our products is our highest priority, therefore all of our suppliers’ products go through rigorous third party testing and their plants and processes are audited by a third party. In the United States, we only use additives that are approved and deemed safe by the FDA.

At this time, we can tell you that some of our product packages do not contain BPA. We’re continuing to work with our suppliers to evaluate ingredients in our product processes. We have shared this information with appropriate members of our Corporate team.

Thank you, again, for contacting us.
Sincerely

ALDI Customer Service
Response from Albertsons:

October 22, 2015

Mike Schade, Mind the Store Campaign Director
Safer Chemicals, Healthy Families
641 S St. NW, 3rd floor
Washington, DC 20001

Dear Mr. Schade:

Thank you for your recent letter. While Albertsons Companies Own Brand products are compliant with FDA regulations, we also understand that BPA in food containers, and other packaging and products, poses a concern for some consumers. In response to these concerns, Albertsons Companies Food Safety team has been closely monitoring third-party research on BPA and its effects. We have asked industry trade associations such as the Food Marketing Institute and the Grocery Manufacturers of America to do the same. The Company’s principal objective has been to find ways to limit the presence of BPA in several areas.

For example, our immediate priority was to remove BPA from products that commonly are used by small children, including baby bottles, sippy cups, pacifiers and utensils. Several years ago, we notified our suppliers that we would no longer accept products such as these. That transition happened in all stores, not just those where specific BPA-free packaging is mandated by law.

Albertsons Companies has been working with our Own Brand product suppliers to identify acceptable alternatives to packaging containing BPA. It is our desire as a company to use BPA-free packaging for as many products as possible. We expect to make the transition on an ongoing basis as new options become commercially available. In the meantime, using alternatives that are currently available, we have made notable packaging and product changes. In addition to those changes noted to the above children’s products, we have eliminated the use of register paper containing BPA. We now utilize alternative packaging including aseptic pour cartons on some products, including O Organics soups.

Many canned goods have a thin lining containing a small amount of BPA to ensure the safety of the product until a customer is ready to use the product. While there is no conclusive scientific evidence that this minimal exposure to BPA in can linings poses any risks to consumers, Albertsons Companies has been collaborating with our suppliers in exploring alternatives for our Own Brand products.

The process of identifying BPA-free packaging alternatives is time-consuming and complex. We must do our due diligence to ensure that our decisions are based on sound scientific data and that all packaging alternatives are safe and viable. Food safety is a critical company priority. BPA-free packaging alternatives are being researched by the most knowledgeable authorities within Albertsons Companies and the retail food industry. In the meantime, we will continue to closely monitor scientific developments, and make changes as appropriate.

Chris Ratto
Director of Sustainability
Response from Kroger

---------- Forwarded message ----------
From: Lindsay-Walker, Suzanne A <suzanne.lindsay-walker@kroger.com>
Date: Thu, Oct 22, 2015 at 1:02 PM
Subject: RE: Letter to Kroger - BPA and chemicals in canned food
To: "Mike Schade (Mind the Store)" <mikeschade@saferchemicals.org>
Cc: "McMullen, Rodney" <rodney.mcmullen@kroger.com>, "Marmer, Lynn"<lynn.marmer@kroger.com>

Good Afternoon-

Thank you for your recent letter. Below please find our responses to your questions.

1. Do you use bisphenol A (BPA) to line your canned foods?

   Yes, some of our canned food products have BPA as the can liner.

2. If so, do you have a timeline and plan in place to phase out your use of BPA? Please describe and/or attach any policy you have in place.

   Kroger recognizes that BPA is perceived as a chemical of concern by some customers. To address these concerns, Kroger is working with its suppliers to transition to non-BPA can liners in numerous categories. While we don’t have a set timeline for all product, we continue to engage with suppliers to communicate our intent to transition to non-BPA liners.

   Kroger Information on BPA can be found here and in our Sustainability Report on page 43.

3. What percentage of the canned food that you use contains BPA?

   Today, all Simple Truth Organic canned products are packed in non-BPA liners.

   75% of our Banner Brand canned fruit has transitioned or is transitioning to non-BPA liners by the end of 2015. Some Banner Brand canned vegetables have transitioned or are transitioning to non-BPA liners by end of 2015, however, due to the acidity for some canned vegetables there currently isn’t a viable alternative to BPA.

4. If you are not using BPA, what chemicals and chemical additives are used in your canned food linings (e.g. vinyl, oleoresin, etc.)?

   Our canned suppliers are using oleoresin and non-epoxy can liners.
5. Have you or your suppliers conducted an alternatives assessment (using for example a tool such as the GreenScreen for Safer Chemicals) of the BPA-alternative chemicals used to line your canned linings?

   Our suppliers conduct rigorous testing on BPA can-lining alternatives to ensure product safety, product quality and shelf life are not compromised.

7. Who is the supplier(s) of your canned food linings?

   Kroger does not disclose who our suppliers work with to secure canned food linings.

If you have further questions, please feel free reach out.

Thank you.

Suzanne Lindsay-Walker  
Director, Sustainability  
The Kroger Co.  
http://sustainability.kroger.com
Response from Loblaws

Their response did not arrive in time for publication of the full report but is included here:

------- Forwarded message -------
From: Sonya Fiorini (LCL) <Sonya.Fiorini@loblaw.ca>
Date: Wed, Feb 17, 2016 at 10:52 AM
Subject: RE: Survey regarding Bisphenol (BPA) A and other chemicals in canned food
To: Maggie MacDonald <mmacdonald@environmentaldefence.ca>

Hi Maggie,

My sincere apologies for not responding to you sooner. There was some miscommunication internally and I thought someone from Loblaw had already responded with our statement.

Below is our position statement.

Thank you for your patience,

Sonya

The safety of the food and products we sell to Canadians is of the utmost importance to us. As a company, Loblaw has committed to reviewing ingredients of concern and to taking measured and educated steps to remove them, where possible, from our products.

We are aware of the ongoing concern surrounding bisphenol-A (BPA) and have been actively involved in sourcing alternatives. We currently have a number of packaging options in the market, including glass containers and plastic pouches.

In particular, we have focused our efforts on products for infants, transitioning our formula, food and snack products to BPA-free packaging.

As the science evolves and alternatives become more readily available, we are committed to exploring further replacements.
Hi Mike.
We are a privately held company and do not complete surveys that require us to share what we would consider proprietary information.

What I can tell you is that Meijer has forbidden our suppliers from using BPA in any Meijer brand infant formula or baby food plastic containers, baby food jars or cans, reusable food or beverage containers including lids, baby bottle liners, pacifiers or straws.

Additionally, our current environmental sustainability plan includes relevant goals regarding Chemicals & Toxics with targets to reduce chemicals and toxics across the value chain, including BPA. Thanks.

Frank J. Guglielmi | Senior Director | Communications
Meijer | 989/1 | 2350 3 Mile Road N.W. | Grand Rapids, MI 49544
frank.guglielmi@meijer.com
Response from Publix

---------- Forwarded message ----------
From: Maria Brous <Maria.Brous@publix.com>
Date: Wed, Dec 16, 2015 at 8:47 AM
Subject: RE: Letter to Publix - BPA and chemicals in canned foods
To: Mike Schade <mikeschade@saferchemicals.org>
Cc: Maria Brous <Maria.Brous@publix.com>

Good morning, Mr. Schade.

We appreciate your taking the time to contact Publix requesting we complete a survey as part of the Mind the Store Campaign. For many years, we have taken the position of not responding to group surveys or participating in research projects.

We have found it nearly impossible to accurately reflect all the progress, developments, policies and procedures our company has in place to truly reflect our culture, associate commitment and our responsibility to sustainable practices. Rather, we guide customers to our company website, www.publix.com, http://corporate.publix.com/about-publix/publix-faq/position-statements, to receive in-depth information to the most commonly asked questions. In addition, we offer our customers the opportunity to interact with us and ask additional questions by contacting our consumer relations department, the link also found on our website.

While our philosophy may not assist your organization in obtaining the requested information, we hope that you will respect our position and know that for 85 years, Publix has been a community grocer dedicated to our associates, customers, suppliers and communities we serve. We have consistently been recognized as One of FORTUNE’s Most Admired Companies (1994-2015).

As the community grocer of choice for so many, we would never knowingly disappoint our customers. We commit to doing business in the most ethical, genuine, transparent and sustainable ways.

Best,

Maria
Response from Target

-------- Forwarded message --------
From: Melissa.McLean <Melissa.McLean@target.com>
Date: Mon, Nov 2, 2015 at 4:00 PM
Subject: RE: Melissa/Greg - letter to Target re BPA and other chemicals in canned food
To: "Mike Schade (Mind the Store)" <mikeschade@saferchemicals.org>, "Greg.Downing"
    <Greg.Downing@target.com>

Hello Mike,

In preparation for our call tomorrow, I wanted to share with you Target’s response to the below request regarding canned food.

At Target, product and food safety is a top priority. The select Target Owned Brand canned products that utilize BPA in packaging meet current FDA standards, and Target requires its manufacturers to comply with federal and state governmental agency regulations (such as Proposition 65 in California). Target recognizes the need to satisfy the demands and expectations of our guests and the importance of staying informed of technical developments within the food industry that offer the potential to replace or minimize the use of BPA in food-contact packaging materials.

All the best. Talk soon. Melissa
October 21, 2015

Mike Schade
Mind the Store Campaign Director
Safer Chemicals, Healthy Families
641 S St. NW, 3rd Floor
Washington, DC 20001

Dear Mike,

Thank you for writing to Doug McMillon and members of our sustainability team about the interest of Mind the Store, Campaign for Safe Cosmetics and Women’s Voices for Earth in the Sustainability Leaders shop as well as Mind the Store’s focus on BPA in private label canned goods. We appreciate your work to raise awareness about the importance of safer chemicals.

We believe that customers shouldn’t have to choose between affordability and sustainability. And the Walmart Sustainability Leaders Shop makes it easier for our customers to find products made by companies that have scored as best-in-class in Walmart’s Sustainability Index. The Index helps us to drive continuous improvement and identify hot spots for special initiatives, such as factory energy efficiency and fertilizer optimization. The Sustainability Leaders Shop, powered by the Index, describes the major hot spots affecting more than 80 product categories and showcases suppliers who score the highest on the Index in each category. The Sustainability Leaders badge does not make any representations about the environmental or social impact of an individual product; it means that a manufacturer is an industry leader in sustainability efforts in a product category. Although the badge isn’t specific to the individual product’s environmental impact, our supplier- and category-level approach is intended to help customers identify companies leading in sustainability.

Thank you also for raising your concern about BPA in private label canned goods in our supply chain. We believe in providing our customers with safe, affordable and sustainable food. We seek continuous improvement in our supply chain and work with industry experts, suppliers and NGOs to develop and advance practices. While we are unable to participate in the survey, the information you shared gives us an important perspective and helps us determine what, if any, changes should be made to current
practices. We will take this information into consideration as we continue to develop our policies and efforts.

Thank you, again, for your work to raise awareness about safer chemicals. We are glad you are working on this important issue and wish you the best of success.

Sincerely,

Katherine Neebe
Director of Sustainability
Walmart

cc: Janet Nudelman
    Director of Program and Policy, Breast Cancer Fund
    Director, Campaign for Safe Cosmetics

    Erin Switalski
    Executive Director, Women's Voices for the Earth
Hi Maggie,

I connected with my colleagues in the US re this topic and survey. They received a similar request from Mike Schade at Mind the Store. Their response is below:

“Thank you also for raising your concern about BPA in private label canned goods in our supply chain. We believe in providing our customers with safe, affordable and sustainable food. We seek continuous improvement in our supply chain and work with industry experts, suppliers and NGOs to develop and advance practices. While we are unable to participate in the survey, the information you shared gives us an important perspective and helps us determine what, if any, changes should be made to current practices. We will take this information into consideration as we continue to develop our policies and efforts.

Thank you, again, for your work to raise awareness about safer chemicals. We are glad you are working on this important issue and wish you the best of success.”
Response from Wegmans

---------- Forwarded message ---------
From: Jason Wadsworth <jason.wadsworth@wegmans.com>
Date: Wed, Oct 21, 2015 at 2:34 PM
Subject: RE: Jason - letter to Wegmans - BPA and alternatives in canned foods
To: "Mike Schade (Mind the Store)" <mikeschade@saferchemicals.org>

Hi Mike,

Thank you for your inquiry about the materials used as alternatives to BPA in canned foods.

We require that food contact materials used to pack Wegmans brand food products are compliant with FDA regulations, but we do not specify or prohibit specific approved substances or materials. A couple of years back, we asked that suppliers look for suitable alternatives to BPA. They have had some success and continue to work on this, but have also shared that this has been a difficult task and that different foods and shelf life expectations present unique challenges. Some Wegmans brand canned products are now packed in BPA non-intent cans and have been tested for shelf-life and product quality; progress is happening with other Wegmans brand products.

We reached out to some of our largest canned food suppliers and based on their responses, it is clear to us that the limited and varied information we received would not be helpful in addressing your specific questions.

In order for you to get the most-accurate and up-to-date information, we suggest you direct similar questions to the can manufacturers and their component suppliers.

Thank You!

Jason
Jason Wadsworth | Sustainability Manager | Wegmans Food Ma
Response from Whole Foods

----------- Forwarded message -----------
From: Blaire Kniffin (CE CEN) <Blaire.Kniffin@wholefoods.com>
Date: Fri, Oct 23, 2015 at 12:22 PM
Subject: Re: Letter to Whole Foods - BPA and chemicals in canned food
To: "Mike Schade (Mind the Store)" <mikeschade@saferchemicals.org>

Hi Mike,

Thank you for your initial note and follow-up. I wanted to provide a response to your inquiry as it relates to Whole Foods Market's efforts in the safer chemical space.

At this time BPA based epoxy lining is the industry standard in canned foods with very few exceptions. This is true of most aluminum cans in the US and does include some of our store brand (private label) products. We are working to transition to BPA free packaging, but since every other manufacturer is also looking at the switch, supplies of BPA free packaging are limited. In our store brands, our buyers are not currently accepting any new canned items with BPA in the lining material, and we have transitioned many of our private label products to BPA free packages, including our waters, our canned fish line, our coconut milks, our tomatoes, our canned pumpkin for the holidays, and new aseptic bean, soup, and broth packaging, and that number continues to increase as supplies of BPA free packaging increase. The U.S. can market is dominated by a small number of very large companies.

Whole Foods Market represents a very tiny slice of the overall canned good manufacturing market, so our leverage to access the limited supplies of BPA free cans is small. Our hope is that with the guidance from the FDA and increased demand from manufacturers for alternatives, companies will be encouraged to increase production of alternate materials. We are committed to continuing to search for the safest and most functional packaging materials for our stores.

Best,
Blaire

Blaire Kniffin
Global Corporate Communications
Whole Foods Market Global Headquarters
550 Bowie St | Austin TX 78703
Office 512.542.3483 | Cell 512.656.3849