

February 24, 2011

Can Manufacturers



Institute

CMI Opposes SB 637- Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction

The Can Manufacturers Institute (CMI) respectfully opposes SB 637: Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction Act as overly burdensome, duplicative, and would impact consumer confidence and restrict the wide range of canned food and beverages available to consumers.

The Can Manufacturers Institute appreciates the opportunity to comment on SB 637: the Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction Act. CMI is the national trade association of the metal can manufacturing industry and its suppliers in the United States. The can industry accounts for the annual domestic production of approximately 130 billion food, beverage and general line metal cans; together they employ some 32,000 people with plants in 36 states; generating about \$15 billion in direct economic activity. In the State of Maryland, we have four plants employing some 750 persons. Our members are committed to providing safe, nutritious and refreshing canned food and beverages to consumers.

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CMI is commenting today to inform you of its opposition to SB 637: Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction Act. An unwarranted listing or restriction on food and beverage cans could greatly disrupt the manufacture of metal cans and significantly reduce the availability of food and beverage products in Maryland, and hinder consumer ability to find nutritious, valuable and shelf-stable foods and beverages. Canned foods represent about 20% of unit sales for total edible categories and offers the lowest cost, most efficient means of delivering fruits and vegetables to the U.S. population, helping citizens meet the fruit and vegetable intake goals advised by the USDA/HHS Dietary Guidelines for Americans.

FDA, under federal law, has established a comprehensive regulatory scheme to ensure the safety of food-contact materials, which provides a large margin of safety. CMI believes that a separate duplicative regulated scheme would inhibit technological innovation and development that is important to ensure the safety of food and provide consumers with even safer and more environmentally friendly food packaging materials. Thus, the further regulation of food-contact materials under SB 637 is unnecessary.

All stakeholders recognize that it is time to update the Toxic Substances Control Act (TSCA) of 1976. A modernized TSCA will help improve confidence in the safety of chemicals used to manufacture consumer products and packaging and promote even greater innovation and U.S. competitiveness in the global economy.

Improvements to TSCA should recognize changes in science and technology, establish deadlines for review of priority chemicals, ensure that the U.S. Environmental Protection Agency (EPA) has timely and adequate information on use and exposure, promote innovation, and integrate the conflicting patchwork of state laws governing product safety. We urge Maryland officials to work with the US EPA, FDA and Congress on this endeavor.

In sum, we are very concerned about this bill that would needlessly list, ban or restrict metal packaging, negatively impact consumer confidence; severely restrict the wide range of canned food and beverages available to consumers; and put workers out of jobs in the state of Maryland.

For more information, contact Geoffrey Cullen, gcullen@cancentral.com