

# FYI Column: January 2022

# FYI COLUMN, CHEMICALS OF INTEREST, PRODUCTS OF INTEREST, PROPOSITION 65, US FDA, WARNINGS

By FIONA SMITH, January 15, 2022

Personal Care Products

The stink continues over the revelation that several products—including deodorants and pharmaceuticals—contain benzene. **USA Today writes**<sup>1)</sup> about the growing number of lawsuits Procter & Gamble Co. is facing over the presence of benzene in its Old Spice and Secret antiperspirant products. Meanwhile **Bloomberg reports**<sup>2)</sup> that the U.S. Food and Drug Administration (FDA) has directed drug makers to test their products for benzene.

Unwelcome news for consumers buying greener beauty products—**Environmental Health News writes**<sup>3)</sup> that testing of 83 cosmetics detected an indicator of per-and polyfluoroalkyl substances (PFAS) in more than 60 percent of the items.

It's not just the makeup, but it's the environmental footprint of packaging and plastic waste that some in the cosmetics industry are looking to address, **according to Fortune**<sup>4)</sup>.

# Food Packaging

Public health groups fighting to cut people's exposure to phthalates have sued the FDA over its lack of response to a 2016 petition they filed asking the agency to ban phthalates in food packaging, according to a **press release from Earthjustice**<sup>5)</sup>.

**The Intercept dives**<sup>6)</sup> into the U.S. Environmental Protection Agency's and FDA's actions on phthalates, including litigation over EPA's decades-long delay in adding the phthalate DINP to its Toxics Release Inventory.

**National Geographic writes**<sup>7)</sup> about a recent study on PFAS in fast food packaging, which showed higher PFAS levels in people eating fast food versus home-cooked meals.

# Food

Proposition 65 gets the TikTok treatment after a woman was recorded returning a package of frozen White Castle burgers because she noticed a Prop. 65 warning for the presence of furfuryl alcohol—the saga is covered by both **Survivornet.com**<sup>8)</sup> and **Mashed.com**<sup>9)</sup>.

And it's not just White Castle in the chemical spotlight, but the color white itself. The European Union

has banned the use of E171 titanium dioxide as a food additive over its possible genotoxic effects, according to Sheppard Mullin Richter & Hampton. The additive has been used in "chewing gum, confectionery, pastries, soups and ready meals, due to its ability to opacify and color a product," according to the article.

And the FDA has overhauled its food testing protocols—approving a new rule for the accreditation of food testing laboratories as **discussed by Covington**<sup>10)</sup>.

### Chemicals

Feeling good about that plastic you just recycled? Well, think again, **according to the National Observer**<sup>11)</sup>. Recycled plastic pellets can contain chemicals such as bisphenol-A (BPA) and brominated flame retardants that when made into new plastic products could pose an exposure risk to people, according to the article.

One woman has blamed tear gas released by police in Portland during protest marches for wreaking havoc on her menstrual health and has sued the city over it, writes Newsweek<sup>12)</sup>.

The long-term drop in human fertility rates could be linked to chemical exposure from fossil fuel production according to a recent Danish study, **writes Nature World News**<sup>13)</sup>.

The financial hit to Bayer from lawsuits related to its production of the herbicides glyphosate and dicamba as well as polychlorinated biphenyls (PCB's)—has affected Wall Street's outlook on the company, **according to Yahoo**<sup>14)</sup>.

The World Health Organization is cleaning up its own act—moving out of its headquarters in Geneva while the 1966 building is cleared of asbestos, **writes Reuters**<sup>15)</sup>.

And in case you were wondering, God must also comply with Prop. 65, as reportedly discovered by televangelist Jim Bakker after he sold blankets that he claimed could miraculously pay your bills for you, writes Politizoom.com<sup>16)</sup>.

#### Resources for this article

#### 1. USA Today writes

https://www.usatoday.com/story/money/business/2021/12/22/procter-gamble-lawsuits-benzene/8996306002/

#### 2. Bloomberg reports

https://www.bloombergquint.com/business/fda-tells-drugmakers-to-test-for-benzene-contamination

#### 3. Environmental Health News writes

https://www.ehn.org/pfas-in-makeup-2655912186/makeup-a-surprising-pfas-hotspot

#### 4. according to Fortune

https://fortune.com/2021/12/22/sustainable-future-beauty-industry-france-la-bouche-rouge-makeup/

#### 5. press release from Earthjustice

https://earthjustice.org/news/press/2021/groups-sue-to-force-fda-decision-on-petitions-to-ban-phthalates-in-food

# 6. The Intercept dives

https://theintercept.com/2021/12/07/epa-dinp-phthalates-child-sexual-development-cancer-birth-defects/

#### 7. National Geographic writes

https://www.nationalgeographic.com/science/article/fast-food-increases-exposure-forever-chemical-pfas

#### 8. Survivornet.com

https://www.survivornet.com/articles/white-castle-burgers-cancer-causing-warning-label-diet-cancer-risk/

#### 9. Mashed.com

https://www.mashed.com/713173/this-white-castle-label-had-tiktok-arguing/

#### 10. Sheppard Mullin Richter & Hampton

https://www.lexology.com/library/detail.aspx?g=bbcd54c7-9d20-498d-841b-dde734e2989c&utm\_source=Lexology+Daily+Newsfeed&utm\_medium=HTML+email+-+Body+-+General+section&utm\_campaign=Lexology+subscriber+daily+feed&utm\_content=Lexology+Daily+Newsfeed+2021-12-22&utm\_term=

## 11. discussed by Covington

https://www.lexology.com/library/detail.aspx?g=125f6de5-364b-4544-add8-6dc552f2c164&utm\_source=Lexology+Daily+Newsfeed&utm\_medium=HTML+email+-+Body+-+General+section&utm\_campaign=Lexology+subscriber+daily+feed&utm\_content=Lexology+Daily+Newsfeed+2021-12-09&utm\_term=

## 12. according to the National Observer

https://www.nationalobserver.com/2021/12/14/news/insidious-side-effects-recycling-plastic

#### 13. writes Newsweek

https://www.newsweek.com/lanora-vasquez-sues-portland-oregon-says-tear-gas-caused-damage-her-menstrual-health-1657885

#### 14. writes Nature World News

https://www.theguardian.com/society/2021/dec/15/fall-fertility-rates-may-be-linked-fossil-fuel-pollution-finds-study

#### 15. according to Yahoo

https://www.yahoo.com/now/bayer-us-finance-ii-llc-114706157.html

#### 16. writes Reuters

https://www.reuters.com/lifestyle/who-opens-sleek-new-site-iconic-building-cleansed-asbestos-2021-12-21/

#### 17. writes Politizoom.com

https://politizoom.com/behold-jim-bakker-space-alien-lady-mix-astrology-with-creation-myths-in-order-to-explain-january-6/