

Dingell, Stupak Continue Investigation into FDA's Questionable Handling of Bisphenol A

Washington, D.C. — Reps. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, and Bart Stupak (D-MI), Chairman of the Oversight and Investigations Subcommittee, announced today that they will widen their investigation into the safety of the chemical Bisphenol A (BPA), to include a potential conflict of interest involving the chair of the FDA's advisory panel on BPA and a large donation from a medical device manufacturer who believes the chemical is safe.

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The chair of the FDA's advisory panel looking into the safety of BPA, Dr. Martin Philbert, heads a research center that received a \$5 million donation from Charles Gelman, a retired medical equipment manufacturer who has stated that BPA is "perfectly safe" and has also indicated that he has told Dr. Philbert of his opinion several times. The FDA requires advisory panel members to disclose such potential conflicts of interest, and in the case of the BPA panel, specifically asked for any financial interests between panel members and medical device manufacturers. Dr. Philbert did not disclose this donation.

“It appears that the FDA’s conflict-of-interest disclosure rules may have been violated,” said Dingell. “The American public expects the FDA to make the best decisions possible based on the best available science, and this episode may cast doubt upon the Agency’s ability to do so.”

“BPA may be a serious health concern and yet the FDA has ignored the totality of science on the chemical, and now its advisory panel chairman has the appearance of a conflict of interest,” Stupak said. “I have serious concerns about this agency’s ability to protect our children from a potentially dangerous chemical.”

Dingell and Stupak began investigating BPA in January 2008 and have asked the largest liquid infant formula manufacturers to find a safer alternative and remove BPA from their product packaging, which the manufacturers have agreed to do. Retailers such as Wal-Mart and Toys “R” Us have announced plans to pull products containing BPA from their shelves. Some scientists have raised concerns that BPA affects brain development and could contribute to diabetes, cancer, and obesity. Based on these health concerns, attorneys general from Connecticut, New Jersey, and Delaware recently asked 11 companies to stop using BPA in their baby bottles and baby formula packaging.

On June 10, 2008, the Subcommittee on Commerce, Trade, and Consumer Protection held a hearing titled, “Safety of Phthalates and Bisphenol A in Everyday Consumer Products.” For more information about this hearing or the Committee’s ongoing investigation, visit <http://energycommerce.house.gov/Investigations/Bisphenol.shtml>

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Prepared by the Committee on Energy and Commerce
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