



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

Goya Foods, Inc.  
350 County Road  
Jersey City, NJ 07307

April 29, 2022

RE: Maine Phthalates in Food Packaging Sales Prohibition

Dear Governmental Affairs Officer,

This letter is to inform you that the Maine Department of Environmental Protection (Department) has received credible information that indicates some of the food items sold under the Goya Foods, Inc. (Goya) brand may contain intentionally added phthalates in their packaging, which, effective January 1, 2022, is prohibited in the State of Maine (Maine Law Title 32, Chapter 26-A §1733(3-A), Reduction of Toxics in Food Packaging).

In 2019, the Maine Legislature enacted An Act to Protect the Environment and Public Health by Further Reducing Toxic Chemicals in Packaging (32 MRSA Chapter 26-A), which establishes a sales prohibition for the use of phthalates in food packaging sold in the State of Maine. Specifically, section 1733, paragraph 3-A of the law states: “Beginning January 1, 2022, a manufacturer, supplier or distributor may not offer for sale or for promotional purposes in the State a food package that includes inks, dyes, pigments, adhesives, stabilizers, coatings, plasticizers or any other additives to which phthalates have been intentionally introduced in any amount greater than an incidental presence.”

The specific food items sold in Maine that the Department has been informed of as having measurable concentrations of phthalates in their packaging include: Refresco Coconut Soda, Refresco Strawberry Soda, Jamaican Style Ginger Beer, Sofrito, Malt Beverage, and Cola Champagne.

Based on this information, the Department requests that an authorized representative of Goya Foods, Inc. respond within 30-days of receipt of this correspondence by either providing a certificate of compliance (32 MRSA §1735) stating that these and other packaged foods sold by Goya Foods, Inc. in the State of Maine do not contain intentionally added amounts of phthalates, or an explanation of the steps Goya has taken to come into compliance with the law and a date by which you expect to meet this statutory requirement.

We appreciate your prompt response. Please feel free to contact me directly with any questions at 207-215-1894.

Sincerely,

Kerri Malinowski Farris  
Safer Chemicals Program Manager

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