

Cookware and Bakeware

Covered Products

This specification covers cookware (including saucepans, pots, frying pans, Dutch ovens, skillets, griddles, etc.) and bakeware (including cookie sheets, muffin pans, roasting pans, etc.) purchased for use at NYS facilities.

Goals

To provide a framework for environmentally preferable purchasing of cookware and bakeware, and to encourage sustainable materials management principles throughout the product lifecycle.

Background

As part of their operations, New York State agencies may need to purchase cookware and bakeware to prepare meals at their facilities. While these items are necessary for daily operations, it should be noted that some substances used as base materials or coatings may be released into the environment during production and may be ingested through food contact during use. Due to the environmental and health impacts associated with these items, this specification has been developed to help agencies find more environmentally preferable alternatives.

Definitions

Base material – Materials which are typically metallic or ceramic that form the structure of a cookware or bakeware item. Coatings and other functional components such as handles are typically added to the base material to create a finished product. In many cases, the base material may be composed of several layers of different materials to provide better thermal conductivity or durability.

California Proposition 65 (CA Prop 65) - Known as the Safe Drinking Water and Toxic Enforcement Act of 1986, requires the State of California to publish a list of chemicals known to cause cancer, birth defects or other reproductive harm. The California Office of Environmental Health Hazard Assessment follows a rigorous scientific and open, public process to evaluate available scientific information and lists chemicals based on recommendations from State committees of scientists and health professionals, presence on an authoritative list of chemicals of concern (e.g. IARC or NTP), identification by a state or federal agency as a carcinogen or teratogen, or satisfaction of certain criteria defined in the California Labor Code.

FDA Import Alert – The US Food and Drug Administration (FDA) maintains a public list of items that are subject to detention for being in violation of certain standards. As items that come into contact with foods such as cookware and bakeware are subject to FDA regulations they may appear on this list. Of particular concern are ceramic items

imported from countries with lax regulations as the ceramic material or glaze may contain lead, cadmium, or mercury.

Nanoparticle – Engineered particle with overall dimensions less than 100 nanometers.

Non-stick coating – An engineered coating applied to the cookware/bakeware surface that prevents the adhesion of food or other materials. Non-stick properties may also be inherent to the base material to some degree, but for the purposes of this specification, the term will be used for engineered coatings applied to a surface.

Per- and polyfluoroalkyl substances (PFAS) - A class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

Standard-Setting and Certification Programs

FDA Health and Safety Guidelines for Metal Cookware and Bakeware are a set of standards regarding product integrity, durability, sanitary compliance, and safety. The full guidelines are available on the [FDA website](#).

New York State Sanitary Code, Section 14-1.91 sets standards for materials used in equipment and utensils in NYS-operated kitchens. The full regulation is available on the [New York State Department of Health website](#).

Specifications

The following specific actions are necessary when purchasing cookware and bakeware:

Minimizing the Purchase of Cookware and Bakeware

To the maximum extent practicable, all affected entities shall explore the following options before purchasing new cookware or bakeware items.

- *Surplus Goods*

Affected entities are encouraged to consider surplus property before purchasing cookware and bakeware from other sources. Guidelines for registering for and handling surplus property can be found at: [State Surplus Property Program](#)

- *Reconditioning*

For certain materials such as cast iron and carbon steel, surfaces should be reconditioned to restore function and appearance, rather than purchasing new items.

Purchasing New Cookware and Bakeware

All affected entities shall purchase cookware and bakeware that *avoids the following*:

- Items bearing a CA Prop 65 warning or items manufactured outside the US that are on the FDA list of Import Alerts shall be avoided. The Import Alerts are available at https://www.accessdata.fda.gov/cms_ia/industry_52.html

- Items with PFAS-based non-stick coatings, especially those made of PTFE, which may be sold under several brand names.
- Items with nanoparticle-infused non-stick coatings, especially those containing titanium dioxide nanoparticles.

In addition, all affected entities are encouraged to purchase cookware and bakeware items that have one, or preferably both, of the following attributes:

- Contains recycled content. Several manufacturers offer options with recycled aluminum, cast iron, and stainless steel.
- Limits the amount of packaging and complies with the packaging language at the end of this specification.

For cooking that regularly involves high-acidity foods, all affected entities are encouraged to *avoid the following* base materials when purchasing new cookware or bakeware:

- Unlined copper and unlined aluminum
- For populations with a sensitivity to nickel, stainless steel blends other than 18/0 (420 grade) should be avoided

Usage and Handling During the Product Lifetime:

- Follow the manufacturer's use and care instructions to ensure best results.
- Ensure that cooking utensils are compatible with the cookware or bakeware being used to avoid scratching or removing protective and non-stick coatings and linings.
- Store cookware and bakeware according to manufacturer's recommendations. If stacking items, it is typically recommended that a soft cloth or pad is used to separate items and prevent damage to coatings.
- Cooking oils should be used to prevent foods from sticking to cooking surfaces. An oil with a [smoke point](#) suitable for the cooking temperature should be selected.

Take-Back/Recycling

As agencies may have made past purchases of cookware and bakeware, the below options are encouraged for management of existing items:

- Return via a mail-back program, which may be available through the cookware or bakeware manufacturer.
- Check with your local recycling coordinator about curbside pickup or acceptance at the local transfer station.
- Bring to a local scrap metal facility for recycling.

Packaging

Packaging shall comply with Environmental Conservation Law section 37-0205. Packaging shall not contain inks, dyes, pigments, adhesives, stabilizers, or any other

additives to which any lead, cadmium, mercury or hexavalent chromium is intentionally added or contain incidental concentrations of lead, cadmium, mercury or hexavalent chromium which together are greater than 100 parts per million by weight (0.01%).

New York State encourages affected entities to adopt the following:

- The use of bulk packaging.
- The use of reusable packaging.
- The use of innovative packaging that reduces the weight of packaging, reduces packaging waste or utilizes packaging that is a component of the product.
- That all packaging remain the property of the supplier and not become the property of the affected state entity under any circumstance or condition. The vendor shall certify that the packaging material will be reused, recycled, or composted, and managed in compliance with applicable local, state, and federal laws.
- Packaging that maximizes recycled content and/or meets or exceeds the minimum post-consumer content level for packaging in the U.S. Environmental Protection Agency Comprehensive Procurement Guidelines.
- Packaging that is recyclable or compostable.