

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS, TOYS & JUVENILE PRODUCTS

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## FRANCE BANS BPA IN ALL FOOD CONTACT PRODUCTS

France recently approved measures to prohibit bisphenol A (BPA) beyond the scope of baby bottles and the phthalate di-2-ethylhexyl phthalate (DEHP) in tubing materials in medical devices. The effective date is dependent on the nature of the product and starts on 1 January 2013.

In 2010, France approved measures to prohibit the use of BPA in baby bottles<sup>1</sup>.

On 26 December 2012, France published [Act 2012-1442 of 24 December 2012](#) in the Official Journal of the French Republic to prohibit the use of BPA and DEHP in specific products. The new law

- expands the scope on the prohibition of BPA from baby bottles to all food contact materials and products
- requires a health warning label for food contact materials and articles containing BPA
- prohibits DEHP in tubing materials used in medical devices in pediatrics, neonatology and maternity wards

By approving the new measures, France becomes the first member state in the

European Union (EU) to prohibit BPA in all food contact materials and articles. France is also one of four member states in the EU to institute some form of ban on BPA in specific products; joining Austria, Belgium and Denmark. The effective date is dependent on the nature of the product and starts on 1 January 2013. Highlights of the new law and a comparison on the restriction of BPA in the EU and other member states are summarised in Tables 1 and 2<sup>2</sup>.

**TABLE 1. SUMMARY OF ACT 2012-1442 OF 24 DECEMBER 2012.**

JURISDICTION	CITATION	SUBSTANCE	SCOPE	REQUIREMENT	EFFECTIVE DATE
France	Act 2012-1442 of 24 Dec 2012	BPA	Food contact materials and articles for children up to 3 years old ( Article 2, Directive 2006/141/EC) and follow-on formulas (Directive 1999/21/EC)	Prohibited	1 Jan 2013
			Food contact materials and articles other than above	Prohibited	1 Jan 2015
		DEHP	Tubes in medical devices in paediatrics, neonatology and maternity wards	Prohibited	1 July 2015

<sup>1</sup> [SGS-SafeguardS 121/10](#)

<sup>2</sup> [SGS-SafeguardS 178/12](#)

**TABLE 2. SUMMARY ON THE RESTRICTION OF BPA IN THE EU AND OTHER EU MEMBER STATES.**

JURISDICTION	CITATION	SUBSTANCE	SCOPE	REQUIREMENT, UNLESS OTHERWISE STATED, IS BPA CONTENT	EFFECTIVE DATE
EU	Regulation (EU) 10/2011	BPA	Food contact plastics	≤ 0.6 mg/kg (migration)	Dec 2012
EU	Regulation (EU) 321/2011	BPA	Polycarbonate infant feeding bottles for children up to the age of 1	Prohibited	Jun 2012
Austria	Food Safety and Consumer Protection Act, LMSVG	BPA	Pacifiers and teethers	Prohibited	Jan 2 012
Denmark	Danish Veterinary and Food	BPA	Food contact materials and articles for children up to the age of 3	Prohibited	2010
Belgium	Act of 4 Sept 2012	BPA	Food contact materials and articles for children up to the age of 3	Prohibited	1 Jan 2013
France	Act 2010-729	BPA	Baby bottles	Prohibited	2010
	Act 2012-1442 of 24 Dec 2012	BPA	Food contact materials and articles for children up to 3 years old ( Article 2, Directive 2006/141/EC) and follow-on formulas (Directive 1999/21/EC)	Prohibited	1 Jan 2013
		BPA	Food contact materials and articles other than above	Prohibited	1 Jan 2015

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for BPA, phthalates and other restricted substances in consumer products for the EU and international markets. Please do not hesitate to contact us for further information.

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