

MERCOSUR STRENGTHENS LEGISLATION ON FOOD CONTACT MATERIALS ARGENTINA EXTENDS BPA BAN IN BABY BOTTLES

Mercosur recently updated technical regulations on the list of authorised substances allowed in food contact plastic materials and articles. Members are obliged to transpose the new measures into their national law by 1 November 2012. Argentina extended the compliance date for the ban on BPA in baby bottles to January 2013.

On 19 April 2012, the Common Southern Market, resulting from the economic and political agreement among Argentina, Brazil, Paraguay, and Uruguay and unified under the Mercosur organisation, approved GMC Resolution No. 2/12 to update the list of authorised substances for food contact materials and articles¹. The new measures also apply to polymeric coatings in direct contact with food.

The new resolution contains an authorised list of almost 300 substances and repeals GMC Resolution Numbers 47/93, 86/93, 13/97, 14/97 and 24/04 .

Some of the amendments include:

- i. strengthening the specific migration of melamine
- ii. new requirements for the specific migration of salts of zinc and lithium

The Mercosur member countries are required to transpose these new measures into their national law by 1 November 2012. Highlights of the Resolution and a comparison of some of the requirements between GMC Resolutions 24/04 and 2/12 are summarised in Table 1.

TABLE 1.

ENTRY	SUBSTANCE (SPECIFIC MIGRATION)	GMC RESOLUTION 24/04	GMC RESOLUTION 2/12 (NEW REQUIREMENT)	EFFECTIVE DATE
1	Melamine	≤ 30 mg/kg	≤ 2.5 mg/kg	1 November 2012
2	Lithium salts	—	≤ 0.6 mg/kg (expressed as lithium)	
3	Zinc salts	—	≤ 25 mg/kg (expressed as zinc)	

¹ Mercosur, GMC, Resolution 2/12, 19 April 2012

In March 2012, we informed you that Argentina implemented Regulation 1207/2012 to prohibit the use of bisphenol A (BPA) in baby bottles². Under the Regulation, companies were given 30 days to comply with the new measures.

On 27 April 2012, the Argentine ANMAT published Disposición 2269/2012 to amend the time given to companies to comply with the prohibition of BPA in baby bottles³. The new law entered into force on 28 April 2012 and the effective date for compliance is 10 January 2013, 180 (working) days from date of entry into force. During the 180-day period, companies who are marketing polycarbonate bottles are required to label these products. Companies are also required to submit an affidavit informing their labelling plan as well as their quantity of products in stock within 10 (working) days from date of entry into force. Highlights of the new Disposición are summarised in Table 2.



TABLE 2.

JURISDICTION	SUBSTANCE	SCOPE	EFFECTIVE DATE	REMARK (DISPOSICIÓN 2269/2012)
Argentina	BPA	Polycarbonate baby bottles	10 Jan 2013	<ul style="list-style-type: none"> Companies marketing PC baby bottles before 10 Jan 2013 require labelling <i>'Atención: No caliente alimentos dentro de este biberón. Deje entibiar los alimentos calientes previo a su llenado. Reemplace este biberón cuando presente desgaste (rayones, grietas, pérdida de color)'</i>

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for food contact products for Mercosur and international markets. Please do not hesitate to contact us for further information.

² [Safeguards 049/12](#)

³ http://www.anmat.gov.ar/comunicados/Bisfenol_nuevos_plazos.pdf (only Portuguese is available)

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