

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

NO. 064/11 MARCH 2011

## EU SPECIFIES IMPORTING RULES FOR PLASTIC KITCHENWARE FROM CHINA

Kitchenware from China and Hong Kong can only be imported into the EU with a declaration certifying their compliance with requirements on primary aromatic amines (PAAs) and formaldehyde. The new regulation takes effect on 1 July, 2011.

In January 2011, we informed you that the EU was proposing to tighten importing rules for polyamide and melamine plastic kitchenware from China and Hong Kong<sup>1</sup>. The specific conditions and detailed procedures for these kitchenware products have been published in the Official Journal of the European Union on 23 March, 2011<sup>2</sup>. Under the new regulation, these products can only be imported into the EU if the importer submits to the competent authority for each consignment, a declaration confirming that it meets the EU limits on PAA and formaldehyde. The declaration shall be accompanied by a laboratory test report demonstrating that specific migration results are:

- $\leq 0.01$  mg/kg PAAs (polyamide materials in kitchenware)
- $\leq 15$  mg/kg formaldehyde (melamine materials in kitchenware)

As part of the new controls, importers or their representatives will be required to notify the competent authorities at the first point of entry of a consignment into the EU at least 2 working days before the estimated date and time of arrival of the consignment.

The competent authorities at the first point of entry shall carry out:

- Documentary checks on all consignments within 2 working days upon arrival,
- Identify and physical checks, including laboratory analysis of 10% of consignments in such a way that it is not possible for importers or their representatives to predict whether any particular consignment will be subjected to such checks.



In addition to other applicable food contact plastic legislative and regulatory requirements, the new regulation in effect enforces the specific migration requirements of PAA in polyamide and formaldehyde in melamine kitchenware under the existing Directive 2002/72/EC for products from China and Hong Kong.

Highlights of the new regulation are summarised in Table 1. The release of goods for free circulation is subject to the presentation of the declaration to customs authorities by importers who import from China and Hong Kong as set out in Annex 1.

Table 1

Substance	Scope of kitchenware from Hong Kong and China	Specific Migration Requirement (mg/kg)	Effective date
Primary Aromatic Amines (PAA)	Polyamide (eg nylon)	≤ 0.01	1 July 2011
Formaldehyde	Melamine	≤ 15.0	

Annex 1. Declaration to be provided for every consignment of polyamide and melamine plastic kitchenware originating in or consigned from the People's Republic of China and Hong Kong Special Administrative Region, China

Name and full address (including telephone or e-mail) of natural or legal person issuing this declaration	
Name and full address (including telephone or e-mail) of business operator(s) who manufacture(s) the plastic kitchenware of consignment	
Name and full address (including telephone or e-mail) of business operator who is responsible for the first introduction in the Union of the consignment	
Identification code of the consignment: Type and number of articles in the consignment: This consignment contains plastic kitchenware made of: <ul style="list-style-type: none"> <li><input type="checkbox"/> Polyamide               <ul style="list-style-type: none"> <li>• Analytical tests have been carried out demonstrating that the articles do not release PAA in a detectable quantity</li> <li>• The detection limit of the method used is</li> <li>• The results of these tests as well as the description of the method analysis used are attached to this document</li> </ul> </li> <li><input type="checkbox"/> Melamine               <ul style="list-style-type: none"> <li>• Analytical tests have been carried out demonstrating that the articles do not release formaldehyde in a quantity exceeding the SML of 15 mg/kg</li> <li>• The results of these tests as well as the description of the method of analysis used are attached to this document.</li> </ul> </li> </ul>	
List of documents annexed confirming that the consignment meets the requirements concerning the release of primary aromatic amines or formaldehyde laid down in Directive 2002/72/EC:	
The undersigned as importer in the Union of the consignment confirms that such consignment meets the requirements concerning the release of primary aromatic amines or formaldehyde laid down in Directive 2002/72/EC	Place and date Name of signatory Signature Full address (including telephone and email address)
Declaration of the competent authority on the consignment	Acceptable for release into free circulation <ul style="list-style-type: none"> <li><input type="checkbox"/> Conforms</li> <li><input type="checkbox"/> Does not conform</li> </ul> Place and date Name of signatory Signatory Full address (including telephone and email address)

SGS will follow up and keep you informed about developments on regulations or policies in consumer products as a complimentary service.

Throughout our global network of laboratories, we are able to provide a wide range of services, including analytical testing and consultancy, for compliance with Directive 2002/72/EC including PAAs and formaldehyde for food contact plastic materials and articles for the EU and international markets. Please do not hesitate to contact us for further information.

<sup>1</sup> [SafeGuards 006/11](#) Jan 2011

<sup>2</sup> [Commission Regulation \(EU\) 284/2011](#)  
'laying down specific conditions and detailed procedures for the import of polyamide and melamine plastic kitchenware originating in or consigned from the People's Republic of China and Hong Kong Special Administrative Region, China, L 77/25 – L 77/29, Official Journal of the European Union, 23 March 2011,

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