

# SAFEGUARDS

## CONSUMER GOODS AND RETAIL

HARDGOODS

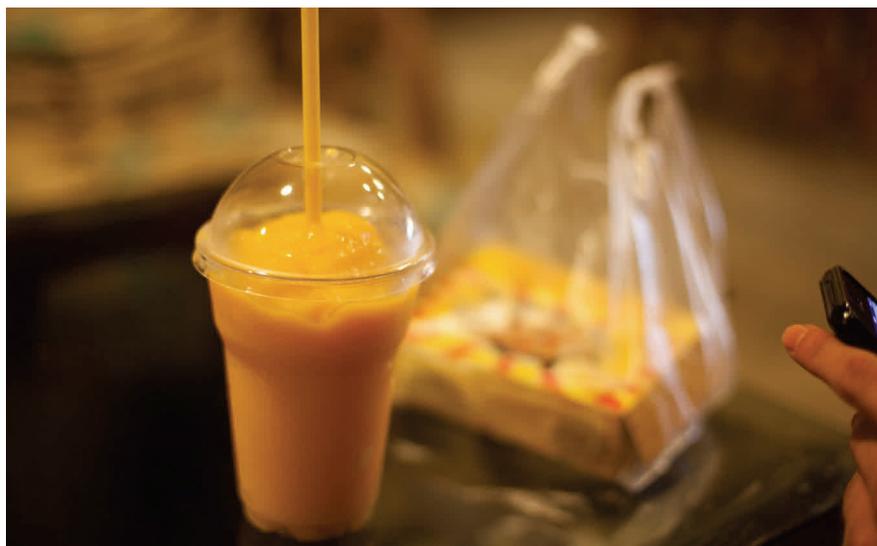
NO. 081/15 MAY 2015

## EU INFORMS WTO ABOUT REGULATORY CHANGES FOR PLASTIC FOOD CONTACT MATERIALS

The European Commission informed the World Trade Organization (WTO) on April 29, 2015 about its intention<sup>1</sup> to significantly amend Regulation (EU) No 10/2011 for Food Contact Materials (FCM) made from plastic. Highlights of the amendments include newly added substances to the positive list of approved substances, new specific migration limits for some metals, as well as clarification on specific migration test conditions and the regulation's scope with regard to rubber FCM.

With regard to the amount and variety of FCM made from plastic Regulation (EU) No 10/2011 is one of the most important legislative acts to assure food safety with regard to substance migration from food packaging or articles into foodstuff. Applicable since May 1, 2011 in the European Economic Area it has seen some amendments (e.g. Regulations (EU) No. 1183/2012, 202/2014, and 2015/174) but the recently announced amendment proposals<sup>2,3</sup> may be considered as the most comprehensive ones touching a large number of areas and clarifying issues which lead to some discussions in the past.

Some highlights (amongst others) of the proposal are summarised in Table 1.



<sup>1</sup> [WTO Results List](#)

<sup>2</sup> [Commission Regulation](#)

<sup>3</sup> [Commission Regulation Annex](#)

TABLE 1.

HIGHLIGHT	DETAILS
Rubber	Clarification of rubber definition and that is not within the scope of the Regulation. However, vulcanised rubber used as an additive to plastics (e.g. certain thermoplastic Elastomers) should remain in the scope of the Regulation.
Compliance testing	Introduction of new temperature requirements for specific migration conditions at T > 175°C and specific conditions for contact times above 30 days at room temperature and below
Specific migration limits of certain metals	Setting new limits for <ul style="list-style-type: none"> <li>• Aluminum: ≤1 mg/kg food or food simulant</li> <li>• Nickel: ≤0.02 mg/kg food or food simulant</li> <li>• Zinc: ≤5 mg/kg food or food simulant</li> </ul> Other metal migration limits remain unchanged
Migration limit units for caps	Removal of the possibility to express the migration from caps in mg/dm <sup>2</sup> and usage mg/kg food.
FCM substances	Addition of 8 organic substances to the list of approved substances found to be safe for use by the European Food Safety Authority (EFSA). Nevertheless, migration limits for some of the substances have been defined.

The proposed date of publication in the Official Journal of the European Union and adoption by Member States of the European Economic Area is December 2015.

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