

EUROPEAN COMMISSION

Cabinet of Commissioner Tonio Borg
Head of Cabinet

Brussels, 19. 08. 2014
A(2014)

Dear Mr Warhurst,

Thank you for your letter of 9 July 2014. In this letter you point out that not all chemicals used in food contact packaging are regulated at EU level. In your view the general principles established in Regulation (EC) No 1935/2004 *on materials and articles intended to come into contact with food* are not sufficient. More detailed rules should be established at EU level for food contact materials in particular for those other than plastics.

I would like to underline that Regulation (EC) No 1935/2004 specifies that food contact materials must not transfer their constituents to food in quantities that could endanger human health. This principle is directly applicable in all Member States. Specific EU legislation is in place not only for plastics but also for regenerated cellulose films (Directive 2007/42/EC), ceramics (Directive 84/500/EEC), active and intelligent materials (Regulation EC 450/2009) and recycled plastics (Regulation EC 282/2008).

Yet the concept of food contact materials covers many other materials such as glass, metal, paper, adhesives, printing inks, coatings etc., produced by very diverse industries adapted to at times distinct national rules. The Commission's Joint Research Centre has recently agreed to analyse the situation in detail. The resulting study should be finalised within a year. It will help to decide which action at EU level will be appropriate.

Endocrine disrupting chemicals are already specifically addressed in several Union laws (e.g. on plant protection products, biocidal products, industrial chemicals and cosmetics) and can be regulated under the Union rules applicable to occupational safety and health, pharmaceuticals, and food contact materials.

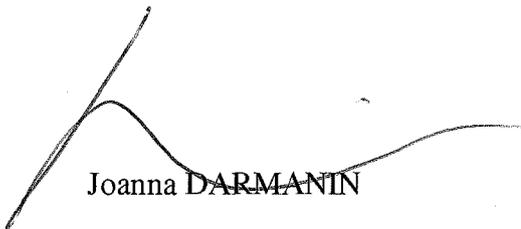
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The regulations on plant protection products (Reg. (EC) 1107/2009) and biocidal products (Reg. (EU) 528/2012) call for the setting of criteria to define these substances. As the criteria may have a considerable impact on the market in products concerned, the Commission decided in 2013 to carry out an impact assessment on options considered among scientists. A roadmap for this impact assessment has recently been published¹. A consultation will be launched in due course.

Bisphenol A (BPA) is a chemical used in food contact materials such as plastics packaging and coatings on the interior of food and beverage cans. It was recently identified as a potential endocrine disruptor. The European Food Safety Authority (EFSA) plans to finalise a review on the safety of BPA in food contact materials within 2014.

I hope this attends your concerns.

Yours faithfully,



Joanna DARMANIN

¹ http://ec.europa.eu/smart-regulation/impact/planned_ia/roadmaps_2014_en.htm#SANCO