

Food contact materials

Food is considered to be one of the most important sources of human exposure to chemicals. The safety of materials coming into contact with food should therefore be carefully evaluated, as chemicals from these can migrate into food. The European Parliament's Committee on the Environment, Public Health and Food Safety (ENVI) has drafted an own-initiative report highlighting the problems related to the implementation of the Food Contact Materials Regulation, and this is due to be debated during the October I plenary session.

Background

Food contact materials (FCMs) encompasses all materials and articles intended to come into contact with food, such as packaging and containers, processing machinery, kitchen equipment, cutlery and dishes. There are an estimated 15 000 different substances present in FCMs. The safety of these materials should be evaluated, as chemicals from them can migrate into food, possibly changing the composition, taste or smell of the food, or endangering human health.

General requirements for food contact materials are laid down in the [Food Contact Materials Regulation \(EC\) No 1935/2004](#), setting out general safety requirements for all FCMs. The Regulation also includes the possibility for the European Commission to adopt specific measures for 17 materials listed in its Annex 1. So far, specific EU measures have only been adopted for four of them: [plastics](#) (including [recycled plastic](#)), [ceramics](#), [regenerated cellulose film](#) and [active and intelligent materials](#). In the absence of specific EU measures, Member States may adopt their own national provisions. Some Member States have adopted specific national measures concerning, for example, paper and board, glass, silicones and printing inks. This could create barriers in the internal market and hinder the achievement of a uniform level of public health and consumer protection, as such measures may differ between the countries.

European Parliament evaluation work

The European Parliament's Committee on the Environment, Public Health and Food Safety (ENVI) [decided](#) to undertake an own-initiative implementation report on the Food Contact Materials Regulation (EC) No 1935/2004, appointing Christel Schaldemose (S&D, Denmark) as rapporteur in September 2015.

To support this parliamentary work, a workshop was organised in January 2016 and the European Parliamentary Research Service (EPRS) undertook a comprehensive implementation assessment, published in May 2016.

Experts participating in the [workshop](#) organised by Policy Department A cautioned that food contamination from food contact materials is under-estimated as an issue, and called for further harmonisation of legislation governing FCMs. They pointed out that there is a dangerous gap between reality and legal requirements: risk assessment is not possible in many cases, because the identity of substances present in FCMs is not known.

The Ex-post Impact Assessment Unit of EPRS published a [European Implementation Assessment](#) of the Food Contact Materials Regulation. This assessment builds on the perceptions of stakeholders as regards the implementation of FCM rules. The data was collected through a stakeholders' survey conducted by the Unit between December 2015 and February 2016. The competent authorities of all 28 Member States took part in the survey, along with businesses covering 13 widely used food contact materials; researchers; consumer, environmental and health organisations; as well as the European Commission and European Food Safety Authority, thus ensuring strong representativeness in the research findings. As reported by the majority of stakeholders participating in the survey, the lack of specific measures at EU level for some FCMs negatively



impacts the functioning of the internal market for the relevant material, and the aim of ensuring a uniform, high level of food safety across Member States. Stakeholders – across businesses, consumers, environmental and health NGOs, researchers, as well as Member States' competent authorities – are in favour of specific measures at EU level for the FCMs that are not yet harmonised at EU level. The study also spotted problems with the implementation of existing rules. In particular, day-to-day implementation problems concern traceability and official controls within the EU, but also as regards imports from third countries.

ENVI report on the implementation of the FCMs Regulation

In the [report](#), adopted by the ENVI Committee in July 2016 and due to be debated in plenary on 6 October 2016, the rapporteur recommends that specific EU measures be adopted for non-harmonised materials, giving priority to those that constitute a particular risk to human health, or are widely used on the market: that is, paper and board (including recycled material), varnishes and coatings, metals and alloys as well as printing inks and adhesives. According to the report, special attention needs to be paid to FCMs with a higher risk of migration, such as materials surrounding liquids and high-fat foods, and to materials that are in contact with food for a long time. The report stresses that the use of FCMs made from recycled products must not lead to a higher amount of contaminants in the final product. The report also draws attention to non-intentionally added substances (NIASs), including impurities and substances resulting from chemical reactions, whose identity and structure are often unknown, and encourages further scientific research on them.

The report regrets that EFSA does not take account of the so-called 'cocktail effect' of multiple exposures in its current risk assessments. It also points out that biocides may be present in FCMs to keep their surface free from microbial contamination and preserve the food, and underlines that FCMs containing biocides may also contribute to the occurrence of antibiotic-resistant bacteria in humans. FCMs are also a significant source of human exposure to chemicals of concern, including [endocrine-disrupting chemicals](#) (EDCs), such as phthalates and bisphenols. Further research into nanomaterials is also called for, as their effects on human health are as yet poorly understood.

According to the report, shortcomings in the implementation and enforcement of the legislation in place have to be tackled urgently, as the level of enforcement of FCM legislation varies greatly across the EU. The Member States are urged to increase the frequency and efficiency of controls. The report underlines that further harmonisation of food contact materials and articles would help to achieve a uniformly high level of public health protection.

Other ongoing work on FCMs

The European Commission offers information on legislation concerning FCMs on its dedicated [webpages](#), including an [online database](#) of FCMs and a [brochure](#) on Food Contact Materials in all EU languages.

The European Commission's Joint Research Centre (JRC) operates a [European Union Reference Laboratory for Food Contact Materials](#) that provides scientific support to EU policies on food safety. The JRC is currently carrying out a study on the current situation in Member States concerning food contact materials for which there are no specific measures at EU level. The study will collect information on the current national measures in place for these materials. The study was launched in late 2014, and is scheduled to be completed soon. Based on the results, the Commission will consider if the current regulation of food contact materials needs to be changed.

The European Food Safety Authority (EFSA) provides [scientific advice](#) on the safety of substances used to manufacture materials which come into contact with food, as well as the safety of related processes (e.g. recycling of plastics). In January 2016, EFSA published a [scientific opinion](#), in which it recommends refining the safety assessment of substances used in food contact materials based on a review of advances in science.

The [Food Packaging Forum](#) is a non-profit foundation in the area of food contact materials, which aims at enhancing basic understanding of scientific principles and recent scientific findings relevant to the field of food packaging and health.

Other stakeholders active in the area of FCMs include [Health & Environment Alliance](#) (HEAL), [CHEMTrust](#) and the [Danish Consumer Council](#).