

Commission Directive 2005/79/EC of 18 November 2005 amending  
Directive 2002/72/EC relating to plastic materials and articles  
intended to come into contact with food (Text with EEA relevance)

*Article 1*

Annexes II, III, V and VI of Directive 2002/72/EC are amended in accordance with Annexes I to IV to this Directive.

*Article 2*

PVC gaskets containing epoxidised soybean oil, with reference number 88640 in section A of Annex III to Directive 2002/72/EC, which are used to seal glass jars containing infant formulae and follow-on formulae as defined by Commission Directive 91/321/EEC<sup>(1)</sup> or containing processed cereal-based foods and baby foods for infants and young children as defined by Commission Directive 96/5/EC<sup>(2)</sup>, filled before 19 November 2006 and which comply with the restrictions and/or specifications provided for in Section A of Annex III to Directive 2002/72/EC as amended by Directive 2004/19/EC, may continue to be placed on the market provided that the date of filling appears on the materials and articles.

The date of filling may be replaced by another indication, provided that that indication permits the identification of the date of filling. Upon request the date of filling shall be made available to the competent authorities and any person enforcing the requirements of this Directive.

The first and second subparagraphs shall apply without prejudice to Directive 2000/13/EC of the European Parliament and of the Council<sup>(3)</sup>.

*Article 3*

1 Member States shall adopt and publish, by 19 November 2006 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions in such a way as to:

- a permit the trade in and use of plastic materials and articles intended to come into contact with food and complying with this Directive, from 19 November 2006;
- b prohibit the manufacture and importation into the Community of plastic materials and articles intended to come into contact with food and which do not comply with this Directive, from 19 November 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 4*

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After  
IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

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*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 18 November 2005.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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- (1) [OJ L 175, 4.7.1991, p. 35](#). Directive as last amended by Directive 2003/14/EC ([OJ L 41, 14.2.2003, p. 37](#)).
- (2) [OJ L 49, 28.2.1996, p. 17](#). Directive as last amended by Directive 2003/13/EC ([OJ L 41, 14.2.2003, p. 33](#)).
- (3) [OJ L 109, 6.5.2000, p. 29](#). Directive as last amended by Directive 2003/89/EC ([OJ L 308, 25.11.2003, p. 15](#)).