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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 251**

**The Plastic Materials and Articles in Contact  
with Food Regulations (Northern Ireland) 2006**

**PART 1**

**Preliminary**

**Citation and commencement**

1. These Regulations may be cited as the Plastic Materials and Articles in Contact with Food Regulations (Northern Ireland) 2006 and come into operation on 30th June 2006.

**Interpretation**

2.—(1) In these Regulations —

“authorised officer” means any person, whether or not an officer of the district council, who is authorised by it in writing to act in matters arising under these Regulations;

“BADGE” has the meaning given in Article 1(1)(a) of Regulation 1895/2005;

“BFDGE” has the meaning given in Article 1(1)(b) of Regulation 1895/2005;

“business” is to be construed in accordance with Article 2(2) of the Order;

“capable” means capable as established under regulation 11;

“Directive 82/711” means Council Directive [82/711/EEC](#)(1) laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs, as last amended by Commission Directive [97/48/EC](#)(2);

“Directive 85/572” means Council Directive [85/572/EEC](#) laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs(3);

“Directive 88/388” means Council Directive [88/388/EEC](#) on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production(4);

“Directive 89/107” means Council Directive [89/107/EEC](#) on the approximation of the laws of the Member States concerning food additives authorised in foodstuffs intended for human consumption(5);

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(1) OJNo. L297, 23.10.1982, p.26

(2) OJ No. L222, 12.8.1997, p.10

(3) OJ No. L372, 31.12.1985, p.14

(4) OJ No. L184, 15.7.1988, p.61

(5) OJ No. L40, 11.2.1989, p. 27

“the Directive” means Commission Directive [2002/72/EC](#)(**6**) relating to plastic materials and articles intended to come into contact with foodstuffs, as last amended by Commission Directive [2004/19/EC](#)(**7**);

“EEA State” means a Member State (other than the United Kingdom), Norway, Iceland and Liechtenstein;

“EFSA” means the European Food Safety Authority;

“food” is to be construed in accordance with Article 15(5) of the Order;

“good technical quality” means good technical quality as regards the purity criteria;

“handling of food” means use in connection with the storage, preparation, packaging, sale or serving of food;

“import” means import in the course of a business;

“material or article” means a material or article falling within the definition of materials and articles in Article 1(2) of Regulation 1895/2005;

“monomer” means any substance which is included for the purposes of the Directive among monomers and other starting substances;

“NOGE” has the meaning given in Article 1(1)(c) of Regulation 1895/2005;

“the Order” means the Food Safety (Northern Ireland) Order1991;

“the 1998 Regulations” means the Plastic Materials and Articles in Contact with Food Regulations (Northern Ireland) 1998(**8**);

“the 2005 Regulations” means the Materials and Articles in Contact with Food Regulations (Northern Ireland) 2005(**9**);

“plastic material or article” means anything which for the purposes of the Directive is included among those plastic materials and articles and parts thereof to which the Directive applies;

“the Purity Directives” means Commission Directive [95/31/EC](#) laying down specific criteria of purity concerning sweeteners for use in foodstuffs(**10**), Commission Directive [95/45/EC](#) laying down purity criteria concerning colours for use in foodstuffs(**11**) and Commission Directive [96/77/EC](#) laying down specific purity criteria for food additives other than colours or sweeteners(**12**);

“Regulation 1895/2005” means Commission Regulation ([EC](#)) [No 1895/2005](#) on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food(**13**);

(2) For the purposes of these Regulations the supply otherwise than on sale, in the course of a business, of any material or article is deemed to be a sale.

(3) Any other expression used in these Regulations and in the Directive, Directive 82/711, Directive 85/572 or Regulation 1895/2005 bears the same meaning in these Regulations as it bears in that Directive or Regulation.

(6) OJ No. L220, 15.8.2002, p.18

(7) OJ No. L71, 10.3.2004, p.8

(8) [S.R. 1998 No. 264](#), as amended by [S.R. 2000 No. 402](#), [S.R. 2002 No. 316](#), [S.R. 2003 No. 2](#), [S.R. 2004 No. 493](#) and [S.R. 2005 No. 49](#)

(9) [S.R. 2005 No. 210](#)

(10) OJ No. L178, 28.7.97, p.1, as last amended by Commission Directive 2004/46, OJ No. L114, 21.4.2004, p.15

(11) OJ No. L226, 22.9.95, p.1, as last amended by Commission Directive 2004/47, OJ No. L113, 20.4.2004, p.24

(12) OJ No. L339, 30.12.96, p.1, as last amended by Commission Directive 2003/95, OJ No. L283, 31.10.2003, p.71

(13) OJ No. L302, 19.11.2005, p.28