
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 384

**The Materials and Articles in Contact with
Food Regulations (Northern Ireland) 2012**

PART 7

Requirements for certain epoxy derivatives

Restrictions on the use of certain epoxy derivatives (BADGE, BFDGE and NOGE)

16.—(1) In this Part —

- (a) any reference to a numbered Article or Annex is a reference to that Article or Annex in Regulation 1895/2005; and
- (b) paragraphs (2) and (3) are subject to Article 1(3) (scope)(1).

(2) Subject to Article 6(1), (2) and (4) (transitional provisions)(2) a person must not place on the market or use, in the course of a business in connection with the storage, preparation, packaging, sale or service of food —

- (a) any material or article in contravention of Article 3 (prohibition on use or presence of BFDGE) or Article 4 (prohibition on use or presence of NOGE); or
- (b) any material or article that fails to comply with the restrictions contained in Article 2 (BADGE) as read with Annex I (specific migration limit for BADGE and certain of its derivatives).

(3) Subject to Article 6(3)(3), a person must not place on the market any material or article which fails to comply with the requirements of Article 5 (written declaration)(4).

(4) Any person who contravenes paragraph (2) or (3) is guilty of an offence.

(1) Article 3 contains an exception relating to certain containers and storage tanks and pipelines belonging to them
(2) Article 6(1) (relevant date 1 March 2003) and (2) (relevant date 1 January 2005) provide for transitional arrangements for the application of Articles 2, 3 and 4 to specified materials and articles; Article 6(4) allows the marketing of specified materials and articles if certain labelling requirements are met
(3) Article 6(3) provides for a transitional provision in relation to the application of Article 5 to specified materials and articles that were brought into contact with food before 1 January 2007
(4) Article 5 requires materials and articles containing BADGE and its derivatives to be accompanied by specified written material when being marketed at the pre-retail stages