
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 471

**The Materials and Articles in Contact
with Food (Scotland) Regulations 2007**

PART 1

Preliminary

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Materials and Articles in Contact with Food (Scotland) Regulations 2007, and come into force—

- (a) for the purposes of regulations 5, 7 and 15(1)(b), on 1st August 2008, and
- (b) for all other purposes, on 16th November 2007.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

“Directive 2002/72/EC” means Commission Directive [2002/72/EC](#) relating to plastic materials and articles intended to come into contact with foodstuffs⁽¹⁾;

“Directive 2007/42/EC” means Commission Directive [2007/42/EC](#) relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs⁽²⁾;

“import” means import in the course of a business from a place other than a Member State;

“plastics” means those materials and articles to which Directive 2002/72/EC applies;

“preparation” includes manufacture and any form of treatment or process, and “prepare” is to be construed accordingly;

“regenerated cellulose film” means a thin sheet material obtained from refined cellulose derived from unrecycled wood or cotton, with or without the addition of suitable substances, either in the mass or on one or both surfaces, but does not include synthetic casings of regenerated cellulose;

“Regulation 1935/2004” means Regulation (EC) No. [1935/2004](#) of the European Parliament and of the Council on materials and articles intended to come into contact with food and repealing Directives [80/590/EEC](#) and [89/109/EEC](#)⁽³⁾;

(1) O.J. No. L 220, 15.8.02, p.18. This Directive has been amended as at the date these Regulations were made by Commission Directives [2004/1/EC](#) (O.J. No. L 7, 13.1.04, p.45), [2004/19/EC](#) (O.J. No. L 71, 10.3.04, p.8) and [2005/79/EC](#) (O.J. No. L 302, 19.11.05, p.35) and corrected by Corrigendum to Commission Directive 2002/72/EC (O.J. No. L 39, 13.2.03, p.1).

(2) O.J. No. L 172, 30.06.07, p.71.

(3) O.J. No. L 338, 13.11.04, p.4.

“Regulation 2023/2006” means Commission Regulation (EC) No. 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food⁽⁴⁾;

“sell” includes offer or expose for sale or have in possession for sale, and “sale” and “sold” are to be construed accordingly;

“the 2006 Regulations” means the Plastic Materials and Articles in Contact with Food (Scotland) (No. 2) Regulations 2006⁽⁵⁾.

(2) Except in regulations 5 and 7, any reference in these Regulations to a numbered Article is a reference to the Article bearing that number in Regulation 1935/2004.

(3) Expressions used in these Regulations and in Regulation 1935/2004 or Regulation 2023/2006 bear the same meaning in these Regulations as they bear in those Regulations.

(4) Any reference to Regulation 2023/2006 or to an Annex of Directive 2002/72/EC or of Directive 2007/42/EC is a reference to that Regulation or that Annex as amended from time to time.

Scope

3. The provisions of these Regulations do not apply to those materials and articles specified in Article 1(3).

(4) O.J. No. L 384, 29.12.06, p.75.

(5) S.S.I. 2006/517.