
STATUTORY INSTRUMENTS

1996 No. 2817

FOOD

**The Plastic Materials and Articles in Contact with
Food (Amendment) (No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>7th November 1996</i>
<i>Laid before Parliament</i>		<i>18th November 1996</i>
<i>Coming into force</i>	- -	<i>1st January 1997</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 6(4), 16(2), 17(1), 26(1)(a) and (3), 31 and 48(1) of the Food Safety Act 1990⁽¹⁾, and of all other powers enabling them in that behalf; the Minister of Agriculture, Fisheries and Food and the Secretary of State being Ministers designated⁽²⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽³⁾ in relation to materials and articles in contact with food or drink or intended for such contact, acting jointly, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf; and after consultation in accordance with section 48(4) of the said Act of 1990 with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations (in so far as the Regulations are made in exercise of the powers conferred by that Act), hereby make the following Regulations:

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Plastic Materials and Articles in Contact with Food (Amendment) (No. 2) Regulations 1996 and shall come into force on 1st January 1997.

(2) In these Regulations “the principal Regulations” means the Plastic Materials and Articles in Contact with Food Regulations 1992.⁽⁴⁾

Amendment of the principal Regulations

2. The principal Regulations shall be amended as follows:

(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act.
(2) S.I. 1976/2141.
(3) 1972 c. 68.
(4) S.I. 1992/3145, amended by S.I. 1995/360 and S.I. 1996/694.

- (a) in the definition of “the Directive” in regulation 2(1), for the words “as amended” there shall be substituted the words “, (as corrected) and as amended by Commission Directives [92/39/EEC](#), [93/9/EEC](#), [95/3/EC](#) and [96/11/EC](#)”;⁽⁵⁾
- (b) in regulation 5 (monomers) —
 - (i) in paragraph (1) —
- (A) after the words “the following paragraphs of this regulation” there shall be inserted the words “and regulation 14A”,
- (B) in sub-paragraph (a), for the date “1st January 1997” there shall be substituted the date “1st January 2002”, and
- (C) in sub-paragraph (b), for the date “31st December 1996” there shall be substituted the date “31st December 2001”;
 - (ii) in paragraphs (3), (4), (5) and (6), after the words “the relevant fraction of”(wherever they occur) there shall be added the words “, or section F of.”;
- (c) after regulation 14 there shall be inserted the following regulation —

“Manufacture until 1st January 1999

14A. Notwithstanding regulation 5(1), until 1st January 1999 a plastic material or article may be manufactured using one or more of the monomers identified by PM/REF No., CAS No. (if any) and name respectively in columns 1, 2, 3 of Section F of Part I of Schedule 1, if any such monomer is of good technical quality and is used in accordance with the restrictions (if any) specified in the corresponding entry in column 4 thereof.”;

- (d) the Item number and letter, PM/REF No., CAS No. and name for each monomer identified in Schedule 1 to these Regulations shall be inserted in Section A of Part 1 of Schedule 1 (monomers authorised without time limit) at the place corresponding to the number and letter specified for that monomer in the column headed “Item” in Schedule 1 to these Regulations;
- (e) the contents of Schedule 2 to these Regulations shall be substituted for Section B of Part 1 of Schedule 1;
- (f) in Section D of Part 1 of Schedule 1 (monomers authorised until 1st April 1996), in Item 16, for the figures “51” and “115” in column 4 (restrictions) there shall be substituted the figures “17” and “58” respectively;
- (g) the contents of Schedule 3 to these Regulations shall be inserted after Section E of Part 1 of Schedule 1; and
- (h) the Item number and letter, PM/REF No., CAS No. (if any) and name for each additive identified in Schedule 4 to these Regulations shall be inserted in Part I of Schedule 3 (additives) at the place corresponding to the number and letter specified for that additive in the column headed “Item” in Schedule 4 to these Regulations.

Angela Browning
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

5th November 1996

(5) Corrigendum in OJ No. L349, 13.12.90, p.26; amending Directives in OJ No. L168, 23.6.92, p.21, OJ No. L90, 14.3.93, p.26, OJ No. L41, 23.2.95, p.44 and OJ No. L61, 12.3.96, p.26.

Signed by authority of the Secretary of State for Health

Department of Health
7th November 1996

Cumberlege
Parliamentary Under Secretary of State,

Signed by authority of the Secretary of State for Wales

Welsh Office
5th November 1996

Gwilym Jones
Parliamentary Under Secretary of State,

Scottish Office
4th November 1996

Lindsay
Parliamentary Under Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 2(d)

ADDITIONAL MONOMERS AUTHORISED WITHOUT TIME LIMIT

Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
110C	19460	000050-21-5	Lactic-acid	
111A	19480	002146-71-6	Lauric acid, vinyl ester	
153A	23651	025322-69-4	Polypropyleneglycol	

SCHEDULE 2

Regulation 2(e)

NEW SECTION B SUBSTITUTED IN PART I OF
SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

“SECTION B

Monomers authorised up to the end of 2001”

Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
1	15280	000542-02-9	Acetoguanamine	
2	10599/90A	061788-89-4	Acids, fatty, unsaturated (C18), dimers, distilled	
3	10599/91	061788-89-4	Acids, fatty, unsaturated (C18), dimers, non-distilled	
4	10599/92A	068783-41-5	Acids, fatty, unsaturated (C18), dimers, hydrogenated, distilled	
5	10599/93	068783-41-5	Acids, fatty, unsaturated (C18), dimers, hydrogenated, non-distilled	
6	11000	050976-02-8	Acrylic acid, dicyclopentadienyl ester	
7	11245	002156-97-0	Acrylic acid, dodecyl ester	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
8	11500	000103-11-7	Acrylic acid, 2-ethylhexyl ester	
9	11530	000999-61-1	Acrylic acid, 2-hydroxypropyl ester	
10	12265	004074-90-2	Adipic acid, divinyl ester	
11	12910	001732-10-1	Azelaic acid, dimethyl ester	
12	As item 81	000528-44-9	1,2,4-Benzenetricarboxylic acid	
13	13060	004422-95-1	1,3,5-Benzenetricarboxylic acid trichloride	As item 81
14	As item 25	000091-76-9	Benzoguanamine	
15	As item 30	000080-09-1	Bisphenol S	
16	13720	000110-63-4	Butan-1,4-diol	
17	13780	002425-79-8	Butan-1,-diol bis(2,3-epoxypropyl) ether	The quantity in the finished plastic material or article of any substance within, or any combination of substances within, items 17 and 58 (and 16 and 20 of section D) shall not exceed 5mg/kg (expressed as epoxy)
18	13810	000505-65-7	Butan-1,4-diol formal	
19	13932	000598-32-3	But-3-en 2-ol	
20	14020	000098-54-4	4-tert-Butylphenol	
21	14260	000502-44-3	Caprolactone	
22	As item 101 Section A	000115-28-6	Chlorendic acid	As item 101, Section A
23	14800	003724-65-0	Crotonic acid	
24	15130	000872-05-9	Dec-1-ene	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
25	15310	000091-76-9	2,4-Diamino-6-phenyl-1,3,5-triazine	
26	15370	003236-53-1	1,6-Diamino-2,2,4-trimethylhexane	
27	15400	003236-54-2	1,6-Diamino-2,2,4-trimethylhexane	
28	15610	000080-07-9	4,4'-Dichlorodiphenyl sulphone	
29	15730	000077-73-6	Dicyclopentadiene	
30	16090	000080-09-1	4,4'-Dihydroxydiphenyl sulphone	
31	16210	006864-37-5	3,3'-Dimethyl-4,4'-diamino-dicyclohexylmethane	
32	16360	000576-26-1	2,6-Dimethylphenol	
33	16390	000126-30-7	2,2-Dimethylpropan-1,3-diol	
34	16450	000646-06-0	1,3-Dioxolane	
35	16540	000102-09-0	Diphenyl carbonate	
36	16690	001321-74-0	Divinylbenzene	
37	16697	000693-23-2	Dodecanedioic acid	
38	17110	016219-75-3	5-Ethylidenebicyclo-[2 2 1]hept-2-ene	
39	18220	068564-88-5	N-Heptylaminoundecanoic acid	
40	18370	000592-45-0	Hexa-1,4-diene	
41	18441	000085-42-7	Hexahydrophthalic anhydride	
42	18700	000629-11-8	Hexan-1,6-diol	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
43	18820	000592-41-6	Hex-1-ene	
44	19060	000109-53-5	Isobutyl vinyl ether	
45	19150	000121-91-5	Isophthalic acid	
46	19180	000099-63-8	Isophthalic acid dichloride	
47	As item 62	000078-79-5	Isoprene	
48	19490	000947-04-6	Lauro lactam	
49	19570	000999-21-3	Maleic acid, diallyl ester	
50	19600	000105-76-0	Maleic acid, dibutyl ester	
51	19990	000079-39-0	Methacrylamide	
52	20050	000096-05-9	Methacrylic acid, allyl ester	
53	20260	000101-43-9	Methacrylic acid, cyclohexyl ester	
54	20380	001189-08-8	Methacrylic acid, diester with butan-1,3-diol	
55	20410	002082-81-7	Methacrylic acid, diester with butan-1,4-diol	
56	20440	000097-90-5	Metacrylic acid, diester with ethyleneglycol	
57	20530	002867-47-2	Methacrylic acid, 2-(dimethylamino)-ethyl ester	
58	20590	000106-91-2	Methacrylic acid, 2,3- epoxypropyl ester	As item 17
59	21370	010595-80-9	Methacrylic acid, 2- sulphoethyl ester	
60	21400	054276-35-6	Methacrylic acid, sulphopropyl ester	
61	21520	001561-92-8	Methallylsulphonic acid, sodium salt	The quantity of this substance

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions in the finished plastic material or article shall not exceed 5mg/kg
62	21640	000078-79-5	2-Methylbut-1,3-diene	
63	21730	000563-45-1	3-Methylbut-1-ene	
64	As item 18	000505-65-7	1,4-(Methylene-dioxy)butane	
65	21970	000923-02-4	N-Methylmethacrylamide	
66	22210	000098-83-9	<i>alpha</i> -Methylstyrene	
67	22360	001141-38-4	2,6-Naphthalene-dicarboxylic acid	
68	As item 33	000126-30-7	Neopentylglycol	
69	22428	051000-52-3	Neodecanoic acid, vinyl ester	
70	13180 (also used for bicyclo[2.2.1]hept-2-ene)	000498-66-8	Norbornene	As item 39, Section C
71	22720	000140-66-9	4- <i>tert.</i> -Octylphenol	
72	22900	000109-67-1	Pent-1-ene	
73	22937	001623-05-8	Perfluoropropyl perfluorovinyl ether	
74	23770	000504-63-2	Propan-1,3-diol	
75	23920	000105-38-4	Propionic acid, vinyl ester	
76	24370	000106-79-6	Sebacic acid, dimethyl ester	
77	24760	026914-43-2	Styrenesulphonic acid	
78	25380		Trialkyl(C5-C15) acetic acid, vinyl ester (=vinyl versatate)	
79	25390	000101-37-1	Triallyl cyanurate	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
80	25450	026896-48-0	Tricyclodecanedimethanol	
81	25540	000528-44-9	Trimellitic acid	The quantity of this substance alone or together with item 82 in the finished plastic material or article shall not exceed 5mg/kg
82	25550	000552-30-7	Trimellitic anhydride	The quantity of this substance alone or together with item 81 in the finished plastic material or article shall not exceed 5mg/kg (expressed as trimellitic acid)
83	25810	015625-89-5	1,1,1-Trimethylolpropane triacrylate	
84	25840	003290-92-4	1,1,1-Trimethylolpropane trimethacrylate	
85	25900	000110-88-3	Trioxane	
86	25480	000102-71-6	Tris(2-hydroxyethyl)amine	
87	26170	003195-78-6	N-Vinyl-N-methylacetamide	The quantity of this substance in the finished plastic material or article shall not exceed 5mg/kg
88	26230	000088-12-0	Vinylpyrrolidone	
89	22240	000622-97-9	<i>p</i> -Vinyltoluene	
90	16300	000105-67-9	<i>m</i> -Xylenol	
91	16270	000526-75-0	<i>o</i> -Xylenol	
92	16330	000095-87-4	<i>p</i> -Xylenol	

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SCHEDULE 3

Regulation 2(g)

NEW SECTION F INSERTED IN PART I OF
SCHEDULE 1 TO THE PRINCIPAL REGULATIONS
“SECTION F

Monomers authorised until 1st January 1999”

Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
1	10160	002206-94-2	alpha-Acetoxy styrene	
2	10162	010521-96-7	beta-Acetoxy styrene	
3	10480	—	Acids, aliphatic, monocarboxylic, saturated (C2-C24)	
4	10510	—	Acids, aliphatic, monocarboxylic, unsaturated (C3-C24)	
5	10599/70	—	Acids, fatty, unsaturated (C18)	
6	10930	003066-71-5	Acrylic acid, cyclohexyl ester	
7	11050	001070-70-8	Acrylic acid, diester with 1,4-butanediol	
8	11180	017831-71-9	Acrylic acid, diester with tetraethylenglycol	
9	11195	068901-05-3	Acrylic acid, diester with tripropyleneglycol	
10	11520	002918-23-2	Acrylic acid, 2-hydroxyisopropyl ester (= acrylic acid, 2-hydroxy-1-methylethyl ester)	
11	11560	005888-33-5	Acrylic acid, isobornyl ester	
12	11620	001330-61-6	Acrylic acid, isodecyl ester	
13	11650	029590-42-9	Acrylic acid, isooctyl ester	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
14	11695	003121-61-7	Acrylic acid, 2-methoxyethyl ester	
15	11740	010095-13-3	Acrylic acid, monoester with 1,3-butanediol	
16	11770	002478-10-6	Acrylic acid, monoester with 1,4-butanediol	
17	11800	013533-05-6	Acrylic acid, monoester with diethyleneglycol	
18	12010	040074-09-7	Acrylic acid, 2-sulphoethyl ester	
19	12040	039121-78-3	Acrylic acid, sulphopropyl ester	
20	12055	094160-26-6	Acrylic acid, triester with glycerol tris(2-hydroxypropyl) ether	
21	12062	075577-70-7	Acrylic acid, triester with 1,1,1-trimethylolpropane tris(2-hydroxyethyl) ether	
22	12160	002998-04-1	Adipic acid, diallyl ester	
23	12190	000105-97-5	Adipic acid, didecyl ester	
24	12220	027178-16-1	Adipic acid, diisodecyl ester	
25	12250	000123-79-5	Adipic acid, dioctyl ester	
26	12370	—	Alcohols, aliphatic, monohydric, saturated, linear, secondary or tertiary (C4-C22)	
27	12610	000107-18-6	Allyl alcohol	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
28	12700	000150-13-0	p-Aminobenzoic acid	
29	12790	000080-46-6	p-tert-Amylphenol	
30	12850	029602-44-6	Azelaic acid, bis(2-hydroxyethyl) ester	
31	13328	000104-38-1	Bis(-2 hydroxyethyl) ether of hydroquinone	
32	13660	000584-03-2	1,2-Butanediol	
33	13750	000513-85-9	2,3-Butanediol	
34	13960	001852-16-0	N-(Butoxymethyl) acrylamide	
35	15020	002182-55-0	Cyclohexyl vinyl ether	
36	15280	000542-02-9	2,4-Diamino-6-methyl-1,3,5-triazine	
37	15340	000109-76-2	1,3-Diaminopropane	
38	15490	002215-89-6	4,4'-Dicarboxydiphenyl ether	
39	15580	001653-19-6	2,3-Dichloro-1,3-butadiene	
40	16270	000526-75-0	2,3-Dimethylphenol	
41	16300	000105-67-9	2,4-Dimethylphenol	
42	16330	000095-87-4	2,5-Dimethylphenol	
43	17040	000149-57-5	2-Ethylhexanoic acid	
44	17350	000105-75-9	Fumaric acid, dibutyl ester	
45	18400	000592-42-7	1,5-Hexadiene	
46	18905	002628-17-3	4-Hydroxystyrene	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
47	18970	000078-83-1	Isobutanol	
48	19030	016669-59-3	N-(Isobutoxymethyl)acrylamide	
49	19090	000078-84-2	Isobutyraldehyde	
50	19120	025339-17-7	Isodecanol	
51	19130	026896-18-4	Isononanoic acid	
52	19936	007423-42-9	Maleic acid, mono(2-ethylhexyl)ester	
53	20470	025852-47-5	Methacrylic acid, diester with polyethyleneglycol	
54	20740	039670-09-2	Methacrylic acid, ester with ethoxytriethylene-glycol	
55	20950	000923-26-2	Methacrylic acid, 2-hydroxypropyl ester	
56	21115	000816-74-0	Methacrylic acid, methallyl ester	
57	21220	032360-05-7	Methacrylic acid, octadecyl ester	
58	21760	000694-91-7	5-Methylenebicyclo [2.2.1]hept-2-ene	
59	21837	001116-90-1	4-Methyl-1,4-hexadiene	The specific migration of this substance shall not be detectable (when measured by a method with a limit of detection of 0.05 mg/kg).
60	22240	000622-97-9	p-Methylstyrene	
61	22270	000107-25-5	Methyl vinyl ether	
62	22540	000104-40-5	4-Nonylphenol	
63	22585	003710-30-3	1,7-Octadiene	

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Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
64	22932	001187-93-5	Perfluoromethyl perfluorovinyl ether	
65	23530	025190-06-1	Poly(1,4- butyleneglycol) (Molecular weight greater than 1000)	
66	23650	025322-69-4	Polypropyleneglycol (Molecular weight greater than 400)	
67	24560	000111-63-7	Stearic acid, vinyl ester	
68	25030	016646-44-9	Tetra(allyloxy)ethane	
69	25161	000085-43-8	1,2,3,6- Tetrahydrophthalic anhydride	
70	25300	000088-19-7	o- Toluenesulphonamide	
71	25480	000102-71-6	Triethanolamine	
72	26290	025013-15-4	Vinyltoluene	
73	26320	002768-02-7	Vinyltrimethoxysilane	The quantity of this substance in the finished material or article shall not exceed 5mg/kg.

SCHEDULE 4

Regulation 2(h)

ADDITIONAL ADDITIVES

1 Item	2 PM/REF No.	3 CAS No.	4 Name
12A	34281	—	Alkyl (C8-C22) sulphoric acids, linear, primary, with an even number of carbon atoms

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1 Item	2 PM/REF No.	3 CAS No.	4 Name
12B	34475	—	Aluminium calcium hydroxide phosphite, hydrate
65A	46380	068855-54-9	Diatomaceous earth, soda ash flux-calcined
74A	52720	000112-84-5	Erucamide
92A	55520	—	Glass fibers
92B	55600	—	Glass microballs
96A	56486	—	Glycerol, esters with acids, aliphatic, saturated, linear, with an even number of carbon atoms (C14-C18) and with acids, aliphatic, unsaturated, linear with an even number of carbon atoms (C16-C18)
172A	68960	000301-02-0	Oleamide
199A	80800	025322-69-4	Polypropyleneglycol
252A	88960	000124-26-5	Stearamide

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Great Britain, amend the Plastic Materials and Articles in Contact with Food Regulations 1992, as amended (“the principal Regulations”) and implement Commission Directive [96/11/EC](#) (OJ No. L61, 12.3.96, p.26), amending Directive [90/128/EEC](#) (OJ No. L75, 21.3.90, p.19,) as read with the corrigendum in OJ No. L349, 13.12.90, p.26) relating to plastic materials and articles intended to come into contact with foodstuffs.

The Regulations —

- (a) modify the prohibition in regulation 5(1) of the principal Regulations on manufacture of plastic materials and articles before and after specified dates, using monomers other than those specified, by substituting later dates (regulation 2(b)(i)(B) and (C));
- (b) permit, until 1st January 1999, the manufacture of plastic materials and articles, using monomers specified in Section F (as inserted by regulation 2(g) and Schedule 3 into Part 1 of Schedule 1 to the principal Regulations), (regulation 2(c));

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- (c) add specified monomers to those monomers authorised without time limit specified in Section A of Part I of Schedule 1 to the principal Regulations (regulation 2(d) and Schedule 1);
- (d) substitute for the list of monomers in Section B of Part I of Schedule 1 to the principal Regulations (monomers authorised up to the end of 1996) an amended list, omitting certain monomers previously included, those remaining being authorised up to the end of 2001 (regulation 2(e) and Schedule 2);
- (e) add specified additives to those which are specified in Part I of Schedule 3 to the principal Regulations, and which it is prohibited to use, if they are not of good technical quality, in the manufacture of plastic materials and articles, (regulation 2(h) and Schedule 4); and
- (f) make consequential amendments to the principal Regulations (regulation 2(a), 2(b)(i)(A) and (ii), and (f)).

A compliance cost assessment of the effect that this Instrument would have on the cost of business, is available from Food Contaminants Division B of the Ministry of Agriculture, Fisheries and Food, Ergon House, 17 Smith Square, London SW1P 3JR.