
STATUTORY INSTRUMENTS

1996 No. 694

**The Plastic Materials and Articles in Contact
with Food (Amendment) Regulations 1996**

Title, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Plastic Materials and Articles in Contact with Food (Amendment) Regulations 1996 and shall come into force on 1st April 1996.

(2) These Regulations shall not extend to Northern Ireland.

(3) In these Regulations “the principal Regulations” means the Plastic Materials and Articles in Contact with Food Regulations 1992(1).

Amendment of the principal Regulations

2. The principal Regulations shall be amended as follows—

(a) in regulation 2(1)—

(i) after the definition of “the 1987 Regulations”, there shall be inserted the following definition—

““additive” means a substance, other than one which directly influences the formation of polymers including the catalytic system, which is—

(a) incorporated into a plastic material or article to achieve a technical effect in the finished product and is intended to be present in the finished product; or

(b) used to provide a suitable medium in which polymerization occurs including emulsifiers, surfactants and buffering agents;” and

(ii) after the definition of “food” there shall be inserted the following definition—

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

(b) after regulation 13 there shall be inserted the following regulations—

“Use, sale and importation until 1st April 1998

14. Until 1st April 1998 a plastic material or article which has been manufactured using one or more of the monomers identified by PM/REF No., CAS No. and name respectively in columns 1, 2, 3 of Section E of Part I of Schedule 1—

(a) may be used in the course of a business in connection with the storage, preparation, packaging, sale or serving of food for human consumption,

(b) may be sold for the purpose of its being used in connection with the storage, preparation, packaging, sale or serving of food for human consumption, or

(c) may be imported for the purpose of its being used in connection with the storage, preparation, packaging, sale or serving of food for human consumption, provided that such monomer is of good technical quality.

Additives

15.—(1) Subject to the following paragraphs of this regulation, no person shall use in the manufacture of plastic materials or articles any additive identified by PM/REF No., CAS No. (if any) and name respectively in columns 1, 2, 3 of Part I of Schedule 3 which is not of good technical quality.

(2) Paragraph (1) of this regulation shall not be taken to prohibit the presence in any plastic material or article of any substance which is a mixture of additives of good technical quality identified in Part I of Schedule 3.

(3) In any proceedings for an offence under these Regulations, where it is alleged that the commission of the offence is due to the manufacture of a plastic material or article with any additive identified in Part I of Schedule 3 which is not of good technical quality, it shall be a defence for the person charged to prove that each such additive is present in the finished plastic material or article as an impurity, a reaction intermediate or a decomposition product.”;

- (c) in the column headed “Item” in Section A of Part 1 of Schedule 1 for Item number and letter “66A” and “91A” there shall be substituted, respectively, “66B” and “91B”;
- (d) the Item number and letter, PM/REF No., CAS No., name and restriction (if any) for each monomer identified in Schedule 1 to these Regulations shall be inserted in Section A of Part 1 of Schedule 1 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) in Section A of Part 1 of Schedule 1, opposite and corresponding to Item 57, for the entry in column 1 (PM/REF No.) there shall be substituted the entry “14411” and in column 3 (Name) the words “(food grade quality)” shall be deleted;
- (f) in column 4 (Restrictions) of Section A of Part 1 of Schedule 1—
 - (i) opposite and corresponding to Item 166, there shall be inserted the following entry “see ‘Rosin’”; and
 - (ii) in the entry opposite and corresponding to Item 180, for “0.05” there shall be substituted “5”;
- (g) in Section B of Part 1 of Schedule 1 the entries in columns 1 (PM/REF No.), 2 (CAS No.), 3 (Name) and 4 (Restrictions) (if any) opposite and corresponding to Items 11, 60, 83, 102 and 161 respectively, shall be deleted;
- (h) the contents of Schedule 2 to these Regulations shall be inserted after Section D of Part 1 of Schedule 1; and
- (i) the contents of Schedule 3 to these Regulations shall be inserted after Schedule 2.

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

11th March 1996

Signed by the authority of the Secretary of State for Health

4th March 1996

Cumberlege
Parliamentary Under-Secretary of State,
Department of Health

4th March 1996

Lindsay
Parliamentary Under-Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

7th March 1996

Rod Richards
Parliamentary Under-Secretary of State, Welsh
Office