

STATUTORY INSTRUMENTS

2012 No. 2619

The Materials and Articles in Contact with Food (England) Regulations 2012

PART 4

Requirements for Ceramic Articles

Modifications etc. (not altering text)

- C1** Pt. 4 applied in part (with modifications) (N.I.) (1.10.2023) by [The Windsor Framework \(Retail Movement Scheme: Public Health, Marketing and Organic Product Standards and Miscellaneous Provisions\) Regulations 2023](#) (S.I. 2023/959), regs. 1(2), 4(b), [Sch. 2](#) (with regs. 7, 8)

Interpretation of this Part

9. In this Part —

- (a) “ceramic article” means an article to which Regulation 1935/2004 applies by virtue of its Article 1(2) as read with 1(3) that —
- (i) is manufactured from a mixture of inorganic materials with a generally high argillaceous or silicate content to which small quantities of organic materials may have been added,
 - (ii) is first shaped, with the shape thus obtained having been permanently fixed by firing, and
 - (iii) may be glazed, enamelled and/or decorated; ^{F1}...

^{F2}(b)

Textual Amendments

- F1** Word in [reg. 9\(a\)\(ii\)](#) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1351), regs. 1(1), [2\(3\)\(a\)](#)
- F2** [Reg. 9\(b\)](#) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1351), regs. 1(1), [2\(3\)\(b\)](#)

Limits for lead and cadmium and declaration of compliance

[^{F3}10.—[^{F4}(1) The quantities of lead and cadmium transferred from ceramic articles must not exceed the limits set out in paragraph (4) as read with paragraphs (3) and (5).]

(2) Unless it is demonstrated that the materials used to make the ceramic article did not contain lead or cadmium, the quantities of lead and cadmium transferred from ceramic articles must be

determined by means of a test, the conditions of which are specified in Schedule 2, using the method of analysis described in Schedule 3.

(3) Where a ceramic article consists of a vessel fitted with a ceramic lid, the lead or cadmium limits (or both) which may not be exceeded (mg/dm² or mg/litre) must be that which applies to the vessel alone. The vessel alone and the inner surface of the lid must be tested separately and under the same conditions. The sum of the two lead or cadmium extraction levels thus obtained must be related as appropriate to the surface area or the volume of the vessel alone.

(4) A ceramic article is to be recognised as satisfying the requirements of these Regulations relating to such articles if the quantities of lead and/or cadmium extracted during the test carried out under the conditions laid down in Schedule 2 and Schedule 3 do not exceed the following limits—
Pb Cd Category 1— Articles which cannot be filled and articles which can be filled, the internal depth of which, measured from the lowest point to the horizontal plane passing through the upper rim, does not exceed 25 mm 0,8 mg/dm² 0,07 mg/dm². Category 2— All other articles which can be filled 4,0 mg/l 0,3 mg/l. Category 3— Cooking ware; packaging and storage vessels having a capacity of more than three litres 1,5 mg/l 0,1 mg/l.

(5) However, where a ceramic article does not exceed the above quantities by more than 50 %, that article is nevertheless to be recognised as satisfying the requirements of these Regulations relating to such articles if at least three other articles with the same shape, dimensions, decoration and glaze are subjected to a test carried out under the conditions laid down in Schedule 2 and Schedule 3 and the average quantities of lead and/or cadmium extracted from those articles do not exceed the limits set, with none of those articles exceeding those limits by more than 50 %.]

Textual Amendments

- F3** Reg. 10 substituted (31.12.2020) by [The Materials and Articles in Contact with Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/704\)](#), regs. 1, 6; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Reg. 10(1) substituted (31.12.2020 immediately after IP completion day) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(3), 4(17)

[^{F5}10A.—[^{F6}(1) No person may place on the market a ceramic article that does not comply with the requirements of regulation 10(1) as read with regulation 10(2).]

(2) At the marketing stages up to and including the retail stage, ceramic articles which are not yet in contact with foodstuffs must be accompanied by a written declaration in accordance with Article 16 of Regulation 1935/2004. That declaration is to be issued by the manufacturer or by a seller in Great Britain and must contain the information laid down in Schedule 4.

(3) Appropriate documentation to demonstrate that the ceramic articles comply with the migration limits for lead and cadmium set out in regulation 10 must be made available by the manufacturer or the importer to the competent authorities on request. That documentation must contain the results of the analysis carried out, the test conditions and the name and the address of the laboratory that performed the testing.

(4) The documentation specified in paragraph (3) is not required where documentary evidence is provided to show that the materials used to make the ceramic article did not contain lead or cadmium.

(5) Paragraphs (2) and (3) do not apply in relation to a ceramic article which is second-hand.]

Textual Amendments

- F5** Reg. 10A inserted (31.12.2020) by [The Materials and Articles in Contact with Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/704\)](#), regs. 1, 7 (as amended by S.I. 2020/1504, regs. 1(2), **16(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Reg. 10A(1) substituted (31.12.2020 immediately after IP completion day) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(3), **4(18)**

Changes to legislation:

There are currently no known outstanding effects for the The Materials and Articles in Contact with Food (England) Regulations 2012, PART 4.