

WELSH STATUTORY INSTRUMENTS

2012 No. 2705

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

PART 4

Requirements for Ceramic Articles

Interpretation of this Part

9. In this Part—

- (a) “ceramic article” (“*eitem geramig*”) 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; and

^{F1}(b)

Textual Amendments

F1 Reg. 9(b) omitted (31.12.2020) by virtue of [The Food and Feed Regulated Products \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/425\)](#), regs. 1(3), **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Limits for lead and cadmium and declaration of compliance

^{F2}**10.**—(1) The quantities of lead and cadmium transferred from a ceramic article must not exceed the limits set out in paragraph (5) as read with paragraphs (4) and (6).

(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 a ceramic article must be determined by means of a test, the conditions of which are specified in Schedule 3, using the method of analysis described in Schedule 4.

(3) No person may place on the market a ceramic article that does not comply with the requirements of paragraph (1) as read with paragraph (2).

(4) 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

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the same conditions. The sum of the two lead or cadmium extraction levels obtained by this method must be related as appropriate to the surface area or the volume of the vessel alone.

(5) 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 3 and Schedule 4 do not exceed the following limits—

	Lead (Pb)	Cadmium (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/dm ²	0,07 mg/dm ²
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

(6) 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 3 and Schedule 4 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

F2 [Reg. 10](#) substituted (31.12.2020) by [The Food and Feed Regulated Products \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/425\)](#), regs. 1(3), **3(4)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F3}10A.—(1) A person who places on the market a ceramic article which is not yet in contact with foodstuffs must provide a written declaration [^{F4}complying with paragraph (2)] to accompany the article at the marketing stages up to and including the retail stage.

(2) The declaration must be issued by the manufacturer or by a seller in [^{F5}Great Britain] and must contain the information laid down in Schedule 5.

(3) A person who manufactures or, in the course of a business, imports into [^{F6}Great Britain] a ceramic article must on request make available to an authorised officer appropriate documentation to demonstrate that the ceramic article complies with the migration limits for lead and cadmium set out in regulation 10 including—

- (a) the results of the analysis carried out;
- (b) the test conditions;
- (c) the name and the address of the laboratory that performed the testing.

(4) Paragraphs (1), (2) and (3) do not apply in relation to a ceramic article which is second-hand.

(5) The documentation specified in paragraph (3)(a), (b) and (c) 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.]

Textual Amendments

- F3** Reg. 10A inserted (31.12.2020) by [The Food and Feed Regulated Products \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/425\)](#), regs. 1(3), **3(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in [reg. 10A\(1\)](#) substituted in earlier amending provision [S.I. 2019/425](#), reg. 3(5) (31.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(b)(i)**
- F5** Words in [reg. 10A\(2\)](#) substituted in earlier amending provision [S.I. 2019/425](#), reg. 3(5) (31.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(b)(ii)**
- F6** Words in [reg. 10A\(3\)](#) substituted in earlier amending provision [S.I. 2019/425](#), reg. 3(5) (31.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(b)(iii)**

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