

WELSH STATUTORY INSTRUMENTS

2012 No. 2705

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

PART 7

Requirements for certain epoxy derivatives

Restrictions on the use of certain epoxy derivatives (BADGE, BFDGE and NOGE)

16.—(1) In this Part—

(a) any reference to a numbered Article or Annex is a reference to that Article or Annex in Regulation 1895/2005; and

(b) [^{F1}paragraph (2) is] subject to Article 1(3) (scope) ^{M1}.

(2) [^{F2}No] person may place on the market or use, in the course of a business in connection with the storage, preparation, packaging, sale or service of food—

(a) any material or article in contravention of Article 3 (prohibition on use or presence of BFDGE) or Article 4 (prohibition on use or presence of NOGE); or

(b) any material or article that fails to comply with the restrictions contained in Article 2 (BADGE) as read with Annex I (specific migration limit for BADGE and certain of its derivatives).

^{F3}(3)

(4) Any person who contravenes paragraph (2) ^{F4} ... is guilty of an offence.

Textual Amendments

F1 Words in reg. 16(1)(b) substituted (14.9.2017) by [The Materials and Articles in Contact with Food \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/832\)](#), regs. 1(3), **9(a)**

F2 Word in reg. 16(2) substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **22(4)**

F3 Reg. 16(3) omitted (14.9.2017) by virtue of [The Materials and Articles in Contact with Food \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/832\)](#), regs. 1(3), **9(b)**

F4 Words in reg. 16(4) omitted (14.9.2017) by virtue of [The Materials and Articles in Contact with Food \(Wales\) \(Amendment\) Regulations 2017 \(S.I. 2017/832\)](#), regs. 1(3), **9(c)**

Marginal Citations

M1 Article 3 contains an exception relating to certain containers and storage tanks and pipelines belonging to them.

Competent authorities for the purposes of Regulation 1895/2005

17. The competent authority for the purpose of Article 6(4) is each food authority in its area and each port health authority in its district.

Changes to legislation:

There are currently no known outstanding effects for the The Materials and Articles in Contact with Food (Wales) Regulations 2012, PART 7 .