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STATUTORY INSTRUMENTS

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**2006 No. 1401**

**FOOD, ENGLAND**

The Plastic Materials and Articles in Contact  
with Food (England) Regulations 2006

<i>Made</i>	- - - -	<i>23rd May 2006</i>
<i>Laid before Parliament</i>		<i>2nd June 2006</i>
<i>Coming into force</i>		<i>30th June 2006</i>

THE PLASTIC MATERIALS AND ARTICLES IN  
CONTACT WITH FOOD (ENGLAND) REGULATIONS 2006

PART 1

Preliminary

1. Title, application and commencement
2. Interpretation

PART 2

Requirements for Materials and Articles

3. Restriction on the use, sale or import of plastic materials and articles
4. Restriction on the use of monomers in the manufacture of plastic materials and articles
5. Restriction on the use of additives in the manufacture of plastic materials and articles
6. Required standard for non-migration of constituents of monomers
7. Required standard for non-migration of constituents of additives
8. Required standard for products obtained by bacterial fermentation
9. Required standards relating to overall migration limits
10. Required standard for non-migration of primary aromatic amines
11. Method of testing the capability of plastic materials or articles to transfer constituents, and methods of analysis
12. Labelling
13. Provisions relating to the use of certain epoxy derivatives (BADGE, BFDGE and NOGE)

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### PART 3

#### Execution and Enforcement

14. Enforcement
15. Offences and Penalties
16. General defences
17. Transitional defences and savings
18. Procedure where a sample is to be analysed
19. Secondary analysis by the Government Chemist

### PART 4

#### Application for Authorisation

20. Applications for inclusion of an additive in the Community list of authorised additives

### PART 5

#### General and Supplementary

21. Application of provisions of the Act
22. Amendment of the Food Safety (Sampling and Qualifications) Regulations 1990
23. Amendments to the Materials and Articles in Contact with Food (England) Regulations 2005
24. Revocations  
Signature

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#### SCHEDULE 1 — Authorised Monomers

##### PART 1 — List of Monomers with Restrictions and Specifications

##### PART 2 — Supplementary

1. In regulation 4 and Part 1 of this Schedule—
2. If a substance appearing in Part 1 of this Schedule...
3. (1) The items identified in Part 1 of this Schedule...
4. Where an entry in column 4 of Part 1 of...

#### SCHEDULE 2 — Authorised Additives

##### PART 1 — Incomplete List of Additives Used in the Manufacture of Plastic Materials and Articles (not being Additives to which Paragraph 5 of Part 3 of this Schedule Applies)

##### PART 2 — Incomplete List of Additives Used in the Manufacture of Plastic Materials and Articles (Being Additives to which Paragraph 5 of Part 3 of this Schedule Applies)

##### PART 3 — Supplementary

1. In regulations 5 and 7 and Parts 1 and 2...
2. If a substance identified in Parts 1 or 2 is...
3. If, as indicated in paragraph 2 of Annex III to...
4. Where an entry in column 4 of Part 1 or...
5. In the case of the substances listed in Part 2,...

#### SCHEDULE 3 — Products Obtained by Bacterial Fermentation

#### SCHEDULE 4 — Specifications

#### SCHEDULE 5 — Applicable Provisions when Testing Compliance with the Migration Limits

1. General Provisions
2. Where any migration test specified in this Schedule and, where...
3. (1) Subject to sub-paragraph (2), any testing of migration from...
4. (1) Any sample of plastic material or article shall be...
5. Where a plastic material or article is intended to come...
6. Special provisions relating to overall migration
7. (1) Where a plastic material or article is intended to...
8. (1) Any plastic material or article which exceeds its overall...

#### SCHEDULE 6 — Overall and Specific Migration Testing Using Food Simulants

##### PART 1 — Basic Rules

1. Subject to paragraphs 2, 3 and 4 of this Part,...
2. Subject to paragraphs 3 and 4 of this Part, substitute...
3. Subject to paragraph 4 of this Part, alternative tests as...
4. In migration testing it is permissible to—

##### PART 2 — Food Simulants to be used in Migration Testing

1. Subject to Parts 3, 4, 5 and 7, the simulants...
2. For the purposes of this Schedule a reference to an...
3. The characteristics of rectified olive oil referred to in the...
4. The fatty food simulants referred to in the Table are...
5. Where a fatty food simulant specified in paragraph 4 is...

##### PART 3 — Selection of Food Simulants

1. Testing, reduction factors and definition of food types
2. (1) Where a test is carried out on a plastic...
3. Food types are defined in Table 1 below as follows...
4. Selection of simulants for testing materials and articles intended for contact with all food types
5. Selection of simulants for testing materials and articles which are already in contact with a known food
6. Selection of simulants for testing materials and articles which are accompanied by a specific indication
7. The simulant or simulants to be used in testing a...
8. A specific indication referred to in paragraph 7 is expressed...

##### PART 4 — Simulants to be used in relation to a Specific Food or Group of Foods

1. For the purposes of this Schedule a simulant is specified...
2. For the purposes of this Part —
3. Where a reduction factor is specified in the Table in...
4. Where the letter “a” is shown in brackets after the...
5. Where a food is listed in the Table under both...

##### PART 5 — Migration Test Conditions (Times and Temperatures)

1. General criteria
2. Where the plastic material or article being tested is intended...
3. For the purposes of this Part the worst foreseeable conditions...
4. Volatile migrants
5. Special cases
6. Where the carrying out of a migration test under contact...
7. Where, in actual use, the plastic material or article being...
8. The Table to this Part shall be read with the...

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PART 6 — Substitute Fat Test for Overall and Specific Migration

1. Subject to paragraphs 2, 4 and 5, all the test...
2. Test conditions other than those specified in the Table to...
3. For each test— (a) a new test specimen shall be...
4. Where carrying out a migration test causes any physical or...
5. Any test conditions in the Table to this Part which...
6. The Table to this Part shall be read with the...

PART 7 — Alternative Fat Tests for Overall and Specific Migration

1. Subject to paragraph 2 of this Part the conditions which...
2. The condition in sub-paragraph (a) of paragraph 1 does not...
3. The migration tests referred to in paragraphs 2 and 3...

Explanatory Note