STATUTORY RULES OF NORTHERN IRELAND

1996 No. 164

FOOD

Plastic Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 1996

Made - - - -	*18th April 1996*
Coming into operation	*3rd June 1996*

The Department of Health and Social Services for Northern Ireland in exercise of the powers conferred on it by Articles 15(2), 16(1), 25(1)(*a*) and (3), 26(3), 32 and 47(2) of the Food Safety (Northern Ireland) Order 1991(**1**), and being a designated Department(**2**) for the purposes of section 2(2) of the European Communities Act 1972(**3**) in relation to materials and articles in contact with food or drink or intended for such contact, in exercise of the powers confered on it by the said section 2(2) and of all other powers enabling it in that behalf, and after consultation in accordance with Article 47(3) of the said Order with such organisations as appear to it to be representative of interests likely to be substantially affected by these Regulations (in so far as the Regulations are made in exercise of the powers conferred by the said Order), hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plastic Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 3rd June 1996.

(2) In these Regulations "the principal Regulations" means the Plastic Materials and Articles in Contact with Food Regulations (Northern Ireland) 1993(**4**).

(3) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the principal Regulations

2. The principal Regulations shall be amended as follows—

(a) in regulation 1(2)—

(i) after the definition of "the 1987 Regulations" there shall be inserted—

(**1**) 1991 No. 762 (N.I. 7)*See* Article 2(2) for the definitions of "regulations" and "the Department concerned"
(**2**) S.I.1976/2141
(**3**) 1972 c. 68
(**4**) S.R. 1993 No. 173, as amended by S.R. 1995 No. 107
(**5**) 1954 c. 33 (N.I.)

""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 "the Directive" there shall be inserted—

""good technical quality" means good technical quality as regards the purity criteria;";

(b) after regulation 12 there shall be inserted—

"**Use, sale and importation until 1st April 1998**

13. 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 and 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 purposes 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

14.—(1) Subject to the following paragraphs, 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 and 3 of Part I of Schedule 3 which is not of good technical quality.

(2) Paragraph (1) 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 I 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 at the appropriate numerical point in Section A of Part I of Schedule 1;

(e) in Section A of Part I of Schedule 1, opposite and corresponding to Item 57, for the entry in column 1 (PM/REF No.) there shall be substituted "14411" and in column 3 (Name) "(food grade quality)" shall be deleted;

(f) in column 4 (Restrictions) of Section A of Part I of Schedule 1—

(i) opposite and corresponding to Item 166, there shall be inserted "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 I 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 I of Schedule 1; and

(i) the contents of Schedule 3 to these Regulations shall be inserted after Schedule 2.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on .

18th April 1996

Joan Dixon
Assistant Secretary

SCHEDULE 1

Regulation 2(*d*)

Item	1 PM/REF No.	2 CAS No.	3 Name	4 Restrictions
7A.	10660	015214-89-8	2-Acrylamido-2-methylpropane-sulphonic acid	The specific migration of this substance shall not exceed 0.05 mg/kg.
26A.	12789	007664-41-7	Ammonia	
66A.	15070	001647-16-1	Dec-1,9-diene	The specific migration of this substance shall not exceed 0.05 mg/kg.
91A	17050	000104-76-7	2-Ethylhexan-1-ol	The specific migration of this substance shall not exceed 30 mg/kg.
110B.	19270	000097-65-4	Itaconic acid	
197.	26140	000075-38-7	Vinylidene fluoride	The specific migration of this substance shall not exceed 5 mg/ kg

SCHEDULE 2

Regulation 2(*h*)

"SECTION E

Monomers authorised until 1st April 1998

Item	1 PM/REF No.	2 CAS No.	3 Name
1.	10660	015214-89-8	2-Acrylamido-2-methylpropane-sulphonic acid
2.	15070	001647-16-1	Dec-1, 9-diene
3.	17050	000104-76-7	2-Ethylhexan-l-ol"

SCHEDULE 3 Regulation 2(*i*)

"SCHEDULE 3

Part IAdditives

Item	1 PM/REF No.	2 CAS No.	3 Name
1	30000	000064-19-7	Acetic acid
2	30045	000123-86-4	Acetic acid, butyl ester
3	30140	000141-78-6	Acetic acid, ethyl ester
4	30280	000108-24-7	Acetic anhydride
5	30295	000067-64-1	Acetone
6	30370	—	Acetylacetic acid, salts
7	30400	—	Acetylated glycerides
8	30960	—	Acids, aliphatic, monocarboxylic (C_6-C_{22}), esters with polyglycerol
9	31328	—	Acids, fatty, from animal or vegetable food fats and oils
10	31730	000124-04-9	Adipic acid
11	33120	—	Alcohols, aliphatic, monohydric, saturated, linear, primary (C_4-C_{24})
12	33350	009005-32-7	Alginic acid
13	34480	—	Aluminium fibers, flakes and powders
14	34560	021645-51-2	Aluminium hydroxide
15	34690	011097-59-9	Aluminium magnesium carbonate hydroxide
16	34720	001344-28-1	Aluminium oxide
17	35120	013560-49-1	3-Aminocrotonic acid, diester with thiobis (2-hydroxyethyl) ether
18	35320	007664-41-7	Ammonia
19	35440	012124-97-9	Ammonium bromide
20	35600	001336-21-6	Ammonium hydroxide
21	35840	000506-30-9	Arachidic acid