1994 No. 174

FOOD

The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 1994

Made	*4th May 1994*
Coming into operation—	
All regulations except regulation 2(6)	*8th June 1994*
Regulation 2(6)	*1st July 1994*

The Department of Health and Social Services for Northern Ireland, being a designated Department(**a**) for the purposes of section 2(2) of the European Communities Act(**b**) in relation to materials and articles in contact with food or drink or intended for such contact, in exercise of the powers conferred on it by the said section 2(2) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation—

(*a*) as respects all regulations except for regulation 2(6), on 8th June 1994; and

(*b*) as respects regulation 2(6) on 1st July 1994.

(2) In these Regulations "the principal Regulations" means the Materials and Articles in Contact with Food Regulations (Northern Ireland) 1987(**c**).

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

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with paragraphs (2) to (12).

(2) In regulation 2(1) for the definition of "import" there shall be substituted—

" "import" means import in the course of a business from any place other than a member State of the European Community;".

(**a**) S.I. 1976/2141
(**b**) S.R. 1972 c. 68
(**c**) S.R. 1987 No. 432; to which there are amendments not relevant to these Regulations
(**d**) 1954 c. 33 (N.I.)

(3) In regulation 6(5) for "50 milligrams" there shall be substituted "30 milligrams".

(4) At the beginning of regulation 6(6) there shall be inserted "Subject to regulation 6A".

(5) After regulation 6 there shall be inserted—

"**6A.**—(1) The prohibition in regulation 6(6) shall not apply to the sale, importation or use in the course of a business in connection with the storage, preparation, packaging, selling or serving of food before 1st July 1994, of any regenerated cellulose film—

(*a*) which has been manufactured before 8th June 1994; and

(*b*) in the manufacture of which there has been used—

(i) any one or more of the following substances or groups of substances—

(*aa*) butyl methylcarboxybutyl phthalate [= butyl-phthalyl butyl glycolate];

(*bb*) di-isobutyl phthalate;

(*cc*) di-(methylcyclohexyl) phthalate and its isomers [= sextolphthalate];

(*dd*) methyl-methylcarboxyethyl phthalate [= methylphthalyl ethyl glycolate];

(ii) any one or more of the following substances where the use in manufacture is not in accordance with the conditions and restrictions specified in the opposite and corresponding entry in column 2 of Part II of Schedule 1—

(*aa*) butyl benzyl phthalate;

(*bb*) di-n-butyl phthalate;

(*cc*) dicyclohexyl phthalate;

(iii) any substance in Part II of Schedule 1 item 3 under the heading "Other coating additives" where the use in manufacture is not in accordance with any entry in column 2 opposite and corresponding to the said heading if the substance does not exceed 6 mg/dm^2 in total on the side for contact with food; or

(iv) any substance in Part II of Schedule 1 item 3 under the heading "Other coating additives" subheading "(*a*) Any additive specified in item 2 of Part I" where the use is not in accordance with the condition or restriction in column 2 opposite and corresponding to the said subheading if such use in manufacture is in accordance with any condition or restriction in column 2 of Part I of Schedule 1 item 2 in relation to that substance.

(2) The prohibition in regulation 6(6) shall not apply to the sale, importation or use in the course of a business in connection with the storage, preparation, packaging, selling or serving of food, before 1st January 1995, of any regenerated cellulose film—