II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 92/15/EEC

of 11 March 1992

amending Council Directive 83/229/EEC on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (1), and in particular Article 3 (2) thereof,

Whereas Article 2 of Directive 89/109/EEC lays down that materials and articles, in their finished state, must not transfer their constituents to foodstuffs in quantities which could endanger human health or bring about an unacceptable change in the composition of the foodstuffs;

Whereas the written declaration referred to in Article 6 (5) of Directive 89/109/EEC should be provided for in the event of professional use of regenerated cellulose film for materials and articles intended to come into contact with foodstuffs, except those which are, by their nature, clearly intended for this use;

Whereas Article 4 (2) of Council Directive 83/229/EEC (2), as amended by Directive 86/388/EEC (3), enables Member States to decide whether to allow the use of phthalic esters pending scientific research to assess the risk associated with the use of such substances;

Whereas the scientific data available now make it possible to lay down thresholds below which human exposure to these substances does not involve any risk to human health; whereas, therefore, these substances should be authorized throughout the Community;

Whereas the additives authorized for use in the manufacture of coatings intended to cover regenerated cellulose film should also include the additives used in the manufacture of such film;

Whereas, on the basis of information available, the use of certain new substances may be permitted;

Whereas the Scientific Committee for Food, in accordance with Article 3 of Directive 89/109/EEC, has been consulted on the provisions liable to affect public health;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 83/229/EEC is hereby amended as follows:

1. the following Article 3a is added:

'Article 3a

1. At the marketing stages other than the retail stage, materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs shall be accompanied by a written declaration in

(1) OJ No L 40, 11. 2. 1989, p. 38.
(2) OJ No L 123, 11. 5. 1983, p. 31.
(3) OJ No L 228, 14. 8. 1986, p. 32.