

Recycled Plastic Materials and Articles Intended to Come into Contact with Foodstuffs

Commission Regulation (EC) No 282/2008 “on recycled plastic materials and articles intended to come into contact with foods” [hereafter “plastic materials and articles”] requires that recycled plastic materials and articles shall only be placed on the market if they contain recycled plastic obtained only from an authorised recycling process.

Article 4 sets out the conditions for authorization of recycling processes:

- (a) The quality of plastic input must be characterised and controlled in accordance with preestablished criteria that ensure compliance of the final recycled plastic material and article with Article 3 of Regulation (EC) No 1935/2004;*
- (b) the plastic input must originate from plastic materials and articles that have been manufactured in accordance with Community legislation on plastic food contact materials and articles [...];*
- (c) (i) either the plastic input must originate from a product loop which is in a closed and controlled chain ensuring that only materials and articles which have been intended for food contact are used and any contamination can be ruled out; or
(ii) it must be demonstrated in a challenge test, or by other appropriate scientific evidence that the process is able to reduce any contamination of the plastic input to a concentration that does not pose a risk to human health;*
- (d) the quality of the recycled plastic must be characterised and controlled in accordance with pre-established criteria that ensure compliance of the final recycled plastic material and article with Article 3 of Regulation (EC) No 1935/2004;*
- (e) there must be established conditions of use of the recycled plastic whereby it can be ensured that the recycled plastic materials and articles comply with Article 3 of Regulation (EC) No 1935/2004.*

If the plastic input originates from printed plastic materials and articles, inevitably printing ink components will be present, which may come into direct contact with the food when packed with recycled plastic materials and articles. If the plastic input had been printed with printing inks supplied by EuPIA members, then the raw materials for the manufacture of these inks have been selected according to the criteria of the EuPIA Exclusion Policy for Printing Inks and Related Products.

However, with very few exceptions, printing inks for food packaging are intended to be applied on the non food contact surface of food contact materials and articles. They are not designed to come into direct contact with food, and therefore, the raw materials used in printing inks do not generally meet food standards.

Therefore, the person placing the film on the market must be in a position to demonstrate the product will meet all regulatory requirements – particularly in terms of potential migration.

However, EuPIA must express their concern that plastic films will not act as a sufficient barrier to migration of materials not intended to be used in direct food contact applications.

These circumstances must be considered under Article 4(c) of the Regulation.

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