
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 264

**Plastic Materials and Articles in Contact with
Food Regulations (Northern Ireland) 1998**

Restriction on the use, sale or importation of plastic materials and articles

3.—(1) A plastic material or article which fails to meet the requisite standards shall not be—

- (a) used by any person in the course of a business in connection with the storage, preparation, packaging, sale or serving of food for human consumption;
- (b) sold by any person for the purpose of its being used in connection with the storage, preparation, packaging, sale or serving of food for human consumption; or
- (c) imported by any person from any place other than an EEA State for the purpose of its being used in connection with the storage, preparation, packaging, sale or serving of food for human consumption.

(2) In any proceedings for an offence under these Regulations where it is alleged that a plastic material or article which fails to meet the requisite standards was used, sold or imported, it shall be a defence for the person charged to prove that the plastic material or article in respect of which the offence is alleged to have been committed was intended for export to a country, other than an EEA State, which has legislation analogous to these Regulations and that the plastic material or article complies with such legislation.

(3) In any proceedings for an offence under these Regulations where it is alleged that a plastic material or article which fails to meet the requisite standards was used, sold or imported it shall be a defence for the person charged to prove that the plastic material or article was manufactured—

- (a) before 14th September 1998; and
- (b) in accordance with regulation 4 of the 1993 Regulations as that regulation applied when the plastic material or article was manufactured.

(4) For the purposes of this regulation a plastic material or article fails to meet the requisite standards—

- (a) if—
 - (i) it has been manufactured with a prohibited monomer as described in regulation 4(1) or a prohibited additive as described in regulation 5(1) or does not comply with regulation 4(5) or 7; and
 - (ii) no defence indicated in regulation 4(7), 5(2) or 7(5) would be available in proceedings for an offence under these Regulations relating to that manufacture or want of compliance; or
- (b) if it has been manufactured outside Northern Ireland and sub-paragraph (a) would have applied to it had it been manufactured in Northern Ireland.