
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 498

**The Plastic Materials and Articles in Contact with
Food (Amendment) (Scotland) Regulations 2002**

Amendments to the Plastic Materials and Articles in Contact with Food Regulations 1998

6. In regulation 4 (restriction on manufacture with monomers)–
- (a) for paragraph (1) there shall be substituted–
- “(1) Subject to the following paragraphs of this regulation, no person shall use in the manufacture of any plastic material or article any prohibited monomer, that is to say–
- (a) any monomer (not being one to which sub-paragraph (b) or (c) below relates) which is not–
- (i) of good technical quality;
- (ii) identified by PM/REF No. , CAS No. (if any) and name in columns 1, 2 and 3 respectively of the relevant section of Part I of Schedule 1; and
- (iii) used in accordance with the restrictions and specifications (if any) for that monomer set out in the corresponding entry in column 4 of that relevant section;
- (b) BFDGE to the extent that they are used in such manufacture–
- (i) on or after 1st January 2005; or
- (ii) prior to that date in contravention of the restriction specified in paragraph 1 of Annex II to Commission Directive 2002/16, as read with the second sentence of paragraph 2 of that Annex; or
- (c) NOGE to the extent that they are used in such manufacture–
- (i) on or after 1st January 2005; or
- (ii) prior to that date but on or after 1st March 2003, in contravention of the restriction specified in the first sentence of Article 4 of Commission Directive 2002/16.”;
- (b) for paragraphs (2)(b) and (c) there shall be substituted–
- “(b) in the case of a plastic material or article manufactured on or after 30th November 2002 and before 1st January 2005, section A or B; and
- (c) in the case of a plastic material or article manufactured on or after 1st January 2005, section A.”;
- (c) for paragraph (3) there shall be substituted–
- “(3) Paragraph (1)(a) of this regulation does not apply to the use of a monomer, in the manufacture of any–
- (a) surface coatings obtained from resinous or polymerised products in liquid, powder or dispersion form, including, but not limited to, varnishes, lacquers and paints;
- (b) epoxy resins;

- (c) adhesives and adhesion promoters; or
- (d) printing inks.”;
- (d) in paragraph (4), for “Paragraph (1)” there shall be substituted “Paragraph (1)(a)”;
- (e) after paragraph (5) there shall be inserted–
 - “(5A) No plastic material or article manufactured using BFDGE as a monomer shall be capable of transferring constituents of that monomer to food with which that plastic material or article may come into contact in quantities exceeding the appropriate limit specified in paragraph 1 of Annex II to Commission Directive 2002/16, as read with the second sentence of paragraph 2 of that Annex.
 - (5B) On or after 1st March 2003, no plastic material or article manufactured using NOGE as a monomer shall fail to comply with the requirements of the first sentence of Article 4 of Commission Directive 2002/16.”; and
- (f) in paragraph (7)–
 - (i) for “paragraph (1)” there shall be substituted “paragraph (1)(a)”;
 - (ii) after “Part I of Schedule 1” there shall be inserted “or to which paragraph (1)(b) or (1)(c) above relates”.