
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 261

The Plastic Materials and Articles in Contact with Food (Scotland) Amendment Regulations 2008

Amendments to the Plastic Materials and Articles in Contact with Food (Scotland) Regulations 2008

2.—(1) The Plastic Materials and Articles in Contact with Food (Scotland) Regulations 2008⁽¹⁾ are amended in accordance with paragraphs (2) to (4).

(2) For regulation 19(3)(a) (other transitional defences and savings) substitute—

(a) in the case of—

- (i) a lid containing a gasket that does not comply with the restrictions and specifications for Ref. Nos. 30340, 30401, 56800, 76815, 76866, 88640 and 93760 contained in the Annex to Commission Regulation (EC) No. 372/2007 laying down transitional migration limits for plasticisers in gaskets in lids intended to come into contact with foods⁽²⁾, that the derogation contained in Article 1 of Commission Regulation (EC) No. 597/2008 amending Commission Regulation (EC) No. 372/2007⁽³⁾ is applicable; or
- (ii) a lid containing a gasket that does not comply with the restriction and specifications for Ref. No. 36640 contained in Annex III to the Directive or a plastic material or article which does not comply with the restrictions and specifications for phthalates under Ref. Nos. 74530, 74640, 74880, 75100 and 75105 contained in Annex III, that the act constituting the alleged offence was committed in relation to a lid or a plastic material or article which was manufactured or imported into the European Community before 1st July 2008; or

(3) Omit regulation 26(c)(revocations).

(4) For “stimulant” substitute “simulant” in each place it appears in regulations 2(1) (interpretation) and 9(3) (required standards relating to overall migration limits), Schedule 2 (Provisions Applicable when Testing Compliance with the Migration Limits), paragraphs 6(1) and 9, and Schedule 3 (Overall and Specific Migration Testing Using Food Simulants), Part 3, paragraphs 3 and 4, Part 4, paragraph 4, Part 6, paragraph 1 and Part 7, paragraphs 1 and 3.

(1) S.S.I. 2008/127.

(2) O.J. No. L 92, 3.4.2007, p.9; as amended by Commission Regulation (EC) No. 597/2008 (O.J. No. L 164, 25.06. 2008, p.17).

(3) O.J. No. L 164, 25.06.2008, p.12.