

COMMISSION DIRECTIVE 96/11/EC
of 5 March 1996
amending Directive 90/128/EEC relating to plastic materials and articles
intended to come into contact with foodstuffs
 (Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 thereof,

After consulting the Scientific Committee for food,

Whereas Article 3 (4) of Commission Directive 90/128/EEC⁽²⁾, as last amended by Directive 95/3/EC⁽³⁾, provides that, as from 1 January 1997, only those monomers and other starting substances listed in Annex II, Section A shall be used for the manufacture of plastic materials and articles, subject to the restrictions mentioned therein; whereas, however, it may be decided to postpone this time-limit, in some justified cases, for certain substances which may continue to be used at national level in accordance with Annex II, Section B;

Whereas there are a certain number of substances for which the data requested by the Scientific Committee for Food have been supplied but not yet evaluated or are currently being or will be evaluated and therefore maintaining them is justified;

Whereas there are a certain number of substances for which the data supplied to the Scientific Committee for Food permit the inclusion of these substances in the Community lists without any specific restriction;

Whereas the Community measures envisaged by this Directive do not go beyond what is necessary to achieve the objectives already provided for in Directive 89/109/EEC;

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 90/128/EEC is amended as follows:

1. Article 3 (4) is replaced by the following:

'4. As from 1 January 2002, only those monomers and other starting substances listed in Annex II, Section A shall be used for the manufacture of plastic materials and articles, subject to the restrictions specified therein. However, the substances listed in Annex II, Section B may be deleted before the abovementioned date if the data requested for inclusion in Section A are not supplied in time to permit their evaluation by the Scientific Committee for Food.'

2. Annex II is amended as follows:

- (a) the substances appearing in Annex I hereto are inserted in Section A in numerical order;
- (b) the substances appearing in Annex II hereto are deleted from Section B.

3. In Annex III, the substances appearing in Annex III hereto are inserted in numerical order.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1997. They shall immediately inform the Commission thereof. These laws and administrative provisions shall apply as follows:

Member States should:

- permit, as from 1 January 1997, the trade in and use of plastic materials and articles intended to come into contact with foodstuffs complying with this Directive;
- prohibit, as from 1 January 1999, the manufacture and importation into the Community of plastic materials and articles intended to come into contact with foodstuffs and which do not comply with this Directive.

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 38.

⁽²⁾ OJ No L 75, 21. 3. 1990, p. 19.

⁽³⁾ OJ No L 41, 23. 2. 1995, p. 44.

2. When Member States adopt the provisions provided for in paragraph 1, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 5 March 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX I

List of monomers and other starting substances inserted in Section A of Annex II to Directive 90/128/EEC

PM/Reference No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
19460	000050-21-5	Lactic-acid	
19480	002146-71-6	Lauric acid, vinyl ester	
23651	025322-69-4	Polypropyleneglycol'	

ANNEX II

List of monomers and other starting substances deleted from Section B of Annex II to Directive 90/128/EEC

PM/Reference No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
10160	002206-94-2	alpha-Acetoxystyrene	
10162	010521-96-7	beta-Acetoxystyrene	
10480	—	Acids, aliphatic, monocarboxylic, saturated (C ₂ -C ₂₄)	
10510	—	Acids, aliphatic, monocarboxylic, unsaturated (C ₃ -C ₂₄)	
10599/70	—	Acids, fatty, unsaturated (C ₁₈)	
10930	003066-71-5	Acrylic acid, cyclohexyl ester	
11050	001070-70-8	Acrylic acid, diester with 1,4-butanediol	
11180	017831-71-9	Acrylic acid, diester with tetraethylenglycol	
11195	068901-05-3	Acrylic acid, diester with tripropyleneglycol	
11520	002918-23-2	Acrylic acid, 2-hydroxyisopropyl ester (= acrylic acid, 2-hydroxy-1-methylethyl ester)	
11560	005888-33-5	Acrylic acid, isobornyl ester	
11620	001330-61-6	Acrylic acid, isodecyl ester	
11650	029590-42-9	Acrylic acid, isooctyl ester	
11695	003121-61-7	Acrylic acid, 2-methoxyethyl ester	
11740	010095-13-3	Acrylic acid, monoester with 1,3-butanediol	
11770	002478-10-6	Acrylic acid, monoester with 1,4-butanediol	
11800	013533-05-6	Acrylic acid, monoester with diethyleneglycol	
12010	040074-09-7	Acrylic acid, 2-sulphoethyl ester	
12040	039121-78-3	Acrylic acid, sulphopropyl ester	
12055	094160-26-6	Acrylic acid, triester with glycerol tris(2-hydroxypropyl) ether	
12062	075577-70-7	Acrylic acid, triester with 1,1,1-trimethylolpropane tris(2-hydroxyethyl) ether	
12160	002998-04-1	Adipic acid, diallyl ester	
12190	000105-97-5	Adipic acid, didecyl ester	
12220	027178-16-1	Adipic acid, diisodecyl ester	
12250	000123-79-5	Adipic acid, dioctyl ester	
12370	—	Alcohols, aliphatic, monohydric, saturated, linear, secondary or tertiary (C ₄ -C ₂₂)	
12610	000107-18-6	Allyl alcohol	
12700	000150-13-0	p-Aminobenzoic acid	
12790	000080-46-6	p-tert-Amylphenol	
12850	029602-44-6	Azelaic acid, bis(2-hydroxyethyl) ester	
13328	000104-38-1	Bis(-2-hydroxyethyl) ether of hydroquinone	
13660	000584-03-2	1,2-Butanediol	
13750	000513-85-9	2,3-Butanediol	
13960	001852-16-0	N-(Butoxymethyl)acrylamide	

PM/Reference No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
15020	002182-55-0	Cyclohexyl vinyl ether	
15280	000542-02-9	2,4-Diamino-6-methyl-1,3,5-triazine	
15340	000109-76-2	1,3-Diaminopropane	
15490	002215-89-6	4,4'-Dicarboxydiphenyl ether	
15580	001653-19-6	2,3-Dichloro-1,3-butadiene	
16270	000526-75-0	2,3-Dimethylphenol	
16300	000105-67-9	2,4-Dimethylphenol	
16330	000095-87-4	2,5-Dimethylphenol	
17040	000149-57-5	2-Ethylhexanoic acid	
17350	000105-75-9	Fumaric acid, dibutyl ester	
18400	000592-42-7	1,5-Hexadiene	
18905	002628-17-3	4-Hydroxystyrene	
18970	000078-83-1	Isobutanol	
19030	016669-59-3	N-(Isobutoxymethyl)acrylamide	
19090	000078-84-2	Isobutyraldehyde	
19120	025339-17-7	Isodecanol	
19130	026896-18-4	Isononanoic acid	
19936	007423-42-9	Maleic acid, mono(2-ethylhexyl) ester	
20470	025852-47-5	Methacrylic acid, diester with polyethyleneglycol	
20740	039670-09-2	Methacrylic acid, ester with ethoxytriethyleneglycol	
20950	000923-26-2	Methacrylic acid, 2-hydroxypropyl ester	
21115	000816-74-0	Methacrylic acid, methallyl ester	
21220	032360-05-7	Methacrylic acid, octadecyl ester	
21760	000694-91-7	5-Methylenebicyclo[2.2.1]hept-2-ene	
21837	001116-90-1	4-Methyl-1,4-hexadiene	
22240	000622-97-9	p-Methylstyrene	
22270	000107-25-5	Methyl vinyl ether	
22540	000104-40-5	4-Nonylphenol	
22585	003710-30-3	1,7-Octadiene	
22932	001187-93-5	Perfluoromethyl perfluorovinyl ether	
23530	025190-06-1	Poly(1,4-butyleneglycol) (Molecular weight greater than 1 000)	
23650	025322-69-4	Polypropyleneglycol (Molecular weight greater than 400)	
24560	000111-63-7	Stearic acid, vinyl ester	
25030	016646-44-9	Tetra(allyloxy)ethane	
25161	000085-43-8	1,2,3,6-Tetrahydrophthalic anhydride	
25300	000088-19-7	o-Toluenesulphonamide	
25480	000102-71-6	Triethanolamine	
26290	025013-15-4	Vinyltoluene	
26320	002768-02-7	Vinyltrimethoxysilane'	

ANNEX III

List of additives inserted in Annex III of Directive 90/128/EEC

PM/Reference No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
34281	—	Alkyl (C ₈ -C ₂₂) sulphoric acids, linear, primary, with an even number of carbon atoms	
34475	—	Aluminium calcium hydroxide phosphite, hydrate	
46380	068855-54-9	Diatomaceous earth, soda ash flux-calcined	
52720	000112-84-5	Erucamide	
55520	—	Glass fibers	
55600	—	Glass microballs	
56486	—	Glycerol, esters with acids, aliphatic, saturated, linear, with an even number of carbon atoms (C ₁₄ -C ₁₈) and with acids, aliphatic, unsaturated, linear, with an even number of carbon atoms (C ₁₆ -C ₁₈)	
68960	000301-02-0	Oleamide	
80800	025322-69-4	Polypropyleneglycol	
88960	000124-26-5	Stearamide	