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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 127**

**FOOD**

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

<i>Made - - - -</i>	<i>19th March 2008</i>
<i>Laid before the Scottish Parliament - -</i>	<i>20th March 2008</i>
<i>Coming into force for the purpose of regulation 26(c)</i>	<i>1st July 2008</i>
<i>for all other purposes</i>	<i>1st May 2008</i>

**THE PLASTIC MATERIALS AND ARTICLES IN CONTACT  
WITH FOOD (SCOTLAND) REGULATIONS 2008**

PART 1

Preliminary

1. Citation, commencement and extent
2. Interpretation

PART 2

Requirements for Plastic Materials and Articles

3. Restriction on the use, sale or import of plastic materials and articles
4. Restriction on the use of monomers in the manufacture of plastic materials and articles
5. Restriction on the use of additives in the manufacture of plastic materials and articles
6. Required standard for non migration of constituents of monomers
7. Required standard for non migration of constituents of additives
8. Required standard for products obtained by bacterial fermentation
9. Required standards relating to overall migration limits
10. Required standard for non migration of primary aromatic amines
11. Required standard relating to plastic multi-layer materials and articles

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12. Provisions relating to the use of certain epoxy derivatives (BADGE, BFDGE and NOGE)
13. Method of testing the capability of plastic materials or articles to transfer constituents, and methods of analysis
14. Labelling and documentation

#### PART 3

##### Execution and Enforcement

15. Enforcement
16. Offences and Penalties
17. General defences
18. Transitional defence relating to PVC gaskets containing epoxidised soybean oil
19. Other transitional defences and savings
20. Procedure where a sample is to be analysed
21. Secondary analysis by the Government Chemist

#### PART 4

##### Application for Authorisation

22. Applications for inclusion of an additive in the Community list of authorised additives

#### PART 5

##### General and Supplementary

23. Application of provisions of the Act
24. Amendment to the Food Safety (Sampling and Qualifications) Regulations 1990
25. Amendments to the Materials and Articles in Contact with Food (Scotland) Regulations 2007
26. Revocations  
Signature

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#### SCHEDULE 1 Supplementary Provisions Relating to Annexes II and III

1. In Sections A and B of Annexes II and III...
2. If a substance appearing in the Annexes as an individual...
3. (1) The items identified in Section A or B of...
4. In the case of substances listed in Section B of...
5. Where an entry in column 4 of the Annexes (restrictions...

#### SCHEDULE 2 Provisions Applicable when Testing Compliance with the Migration Limits

1. General Provisions
2. Where any migration test specified in this Schedule and, where...
3. (1) Subject to sub paragraph (2), any testing of migration...
4. (1) Any sample of plastic material or article shall be...
5. Where a plastic material or article is intended to come...
6. Special provisions relating to the fat reduction factor
7. (1) Correction by the FRF does not apply—
8. If use of the FRF under paragraph 6 or 7(2)...



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2. Test conditions other than those specified in the Table to...
3. For each test– (a) a new test specimen shall be...
4. Where carrying out a migration test causes any physical or...
5. Any test conditions in the Table to this Part which...
6. The Table to this part shall be read with the...

PART 7      Alternative Fat Tests for Overall and Specific  
Migration

1. Subject to paragraph 2 of this Part the conditions which...
2. The condition in paragraph 1(a) does not have to be...
3. The migration tests referred to in paragraphs 2 and 3...

SCHEDULE 4      Information to be contained in a declaration of compliance

1. The identity and address of the business operator which manufactures...
2. The identity of the materials, the articles or the substances...
3. The date of the declaration.
4. Confirmation that the plastic materials or articles meet relevant requirements...
5. Adequate information relative to the substances used for which restrictions...
6. Adequate information relative to the substances which are subject to...
7. Specifications on the use of the material or article, such...
8. Confirmation that, when a plastic functional barrier is used in...

Explanatory Note