
STATUTORY INSTRUMENTS

2012 No. 2619

The Materials and Articles in Contact with Food (England) Regulations 2012

PART 1

Preliminary

Modifications etc. (not altering text)

- C1** Pt. 1 applied in part (with modifications) (N.I.) (1.10.2023) by [The Windsor Framework \(Retail Movement Scheme: Public Health, Marketing and Organic Product Standards and Miscellaneous Provisions\) Regulations 2023](#) (S.I. 2023/959), regs. 1(2), 4(b), **Sch. 2** (with regs. 7, 8)

Title, application and commencement

1. These Regulations may be cited as the Materials and Articles in Contact with Food (England) Regulations 2012, apply in relation to England only and come into force on 20th November 2012.

Interpretation

2.—(1) In these Regulations —

“the Act” means the Food Safety Act 1990;

^{F1}
...

^{F2}
...

“Regulation 1935/2004” means Regulation (EC) No. 1935/2004 of the European Parliament and of the Council on materials and articles intended to come into contact with food and repealing Directives [80/590/EEC](#) and [89/109/EEC](#)^{M1};

“Regulation 1895/2005” means Commission Regulation [\(EC\) No. 1895/2005](#) on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food^{M2};

“Regulation 2023/2006” means Commission Regulation [\(EC\) No. 2023/2006](#) on good manufacturing practice for materials and articles intended to come into contact with food^{M3};

[^{F3}“Regulation 282/2008” means [Commission Regulation \(EC\) No. 282/2008](#) on recycled plastic materials and articles intended to come into contact with foods and amending Regulation [\(EC\) No. 2023/2006](#);

“Regulation 450/2009” means Commission Regulation [\(EC\) No. 450/2009](#) on active and intelligent materials and articles intended to come into contact with food^{M4};

“Regulation 10/2011” means Commission Regulation (EU) No. 10/2011 on plastic materials and articles intended to come into contact with food^{M5};

[^{F4}“Regulation 2018/213” means [Commission Regulation \(EU\) No. 2018/213](#) on the use of bisphenol A in varnishes and coatings intended to come into contact with food and amending Regulation (EU) No. 10/2011 as regards the use of that substance in plastic food contact materials;]

“authorised officer” means any person, whether or not an officer of the authority concerned, who is authorised in writing by an authority having responsibility for execution and enforcement under regulation 20 to act in matters arising under these Regulations;

“food authority” does not include the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple) nor a port health authority;

“port health authority” means —

- (a) in relation to the London port health district (within the meaning given to that phrase for the purposes of the Public Health (Control of Disease) Act 1984 ^{M6} by section 7(1) of that Act), the Common Council of the City of London; and
- (b) in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Disease) Act 1984, a port health authority for that district constituted by order under section 2(4) of that Act;

“preparation” includes manufacture and any form of treatment or process, and “prepare” is to be construed accordingly.

[^{F5}(2) Expressions used in these Regulations and in Regulation 1935/2004, Regulation 1895/2005, Regulation 2023/2006, Regulation 282/2008, Regulation 450/2009, Regulation 10/2011 or Regulation 2018/213 bear the same meaning in these Regulations as they bear in those Regulations.]

[^{F6}(3) Any reference in these Regulations to an ^{F7}... instrument defined in regulation 2(1) is a reference to that ^{F7}... instrument as amended from time to time.]

- F1** Words in [reg. 2\(1\)](#) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), regs. 1(1), **2(2)(a)(i)**
- F2** Words in [reg. 2\(1\)](#) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), regs. 1(1), **2(2)(a)(ii)**
- F3** Words in [reg. 2\(1\)](#) inserted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **4(2)(a)(i)**
- F4** Words in [reg. 2\(1\)](#) inserted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **4(2)(a)(ii)**
- F5** [Reg. 2\(2\)](#) substituted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **4(2)(b)**
- F6** [Reg. 2\(3\)](#) substituted (25.12.2020) by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments\) \(England\) Regulations 2020 \(S.I. 2020/1410\)](#), regs. 1(2), **4(2)(c)**
- F7** Word in [reg. 2\(3\)](#) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), regs. 1(1), **2(2)(b)**

Marginal Citations

- M1** OJ No. L338, 13.11.2004, p.4, amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council (OJ No. L188, 18.7.2009, p.14).
- M2** OJ No. L302, 19.11.2005, p.28.
- M3** OJ No. L384, 29.12.2006, p.75.
- M4** OJ No. L135, 30.5.2009, p.3.
- M5** OJ No. L12, 15.1.2011, p.1, last amended by Commission Regulation (EU) No. 1282/2011 (OJ No. L328, 10.12.2011, p.22).
- M6** [1984 c.22](#).

Scope

3. The provisions of these Regulations do not apply in relation to those materials and articles specified in paragraph (3) of Article 1 (purpose and subject matter) of Regulation 1935/2004.

Changes to legislation:

There are currently no known outstanding effects for the The Materials and Articles in Contact with Food (England) Regulations 2012, PART 1.