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STATUTORY INSTRUMENTS

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**2012 No. 2619**

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

**PART 1**

**Preliminary**

**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;

“Directive 84/500/EEC” means Council Directive [84/500/EEC](#) on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs<sup>(1)</sup>;

“Directive 2007/42/EC” means Commission Directive [2007/42/EC](#) relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs<sup>(2)</sup>;

“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](#)<sup>(3)</sup>;

“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<sup>(4)</sup>;

“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<sup>(5)</sup>;

“Regulation 450/2009” means [Commission Regulation \(EC\) No. 450/2009](#) on active and intelligent materials and articles intended to come into contact with food<sup>(6)</sup>;

“Regulation 10/2011” means [Commission Regulation \(EU\) No. 10/2011](#) on plastic materials and articles intended to come into contact with food<sup>(7)</sup>;

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(1) OJ No. L277, 20.10.1984, p.12, amended by Commission Directive [2005/31/EC](#) (OJ No. L110, 30.4.2005, p.36).

(2) OJ No. L172, 30.6.2007, p.71. This Directive repealed and consolidated without further amendment Commission Directive [93/10/EEC](#) as last amended by Commission Directive [2004/14/EC](#).

(3) 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).

(4) OJ No. L302, 19.11.2005, p.28.

(5) OJ No. L384, 29.12.2006, p.75.

(6) OJ No. L135, 30.5.2009, p.3.

(7) 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).

“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<sup>(8)</sup> 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.

(2) Expressions used in these Regulations and in Regulation 1935/2004, Regulation 1895/2005, Regulation 2023/2006, Regulation 450/2009 or Regulation 10/2011 bear the same meaning in these Regulations as they bear in those Regulations.

(3) Any reference in these Regulations to Regulation 2023/2006 or to any Annex to Directive 2007/42/EC or Regulation 10/2011 is a reference to that Regulation or that Annex as amended from time to time.

### **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.

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(8) 1984 c.22.