

EU Tightens Bisphenol A Restriction on Food Contact Materials and Articles

The European Commission has published the amended Regulation (EU) 2018/213 in the Official Journal of the EU (OJEU), which strengthens the restriction on the use of Bisphenol A (BPA) in food contact plastics and varnished or coated food contact materials and articles. This Regulation shall enter into force on **September 6, 2018**. Materials and articles lawfully placed on the market before September 6, 2018 could be sold until exhaustion of stocks.

Summary table of the BPA restriction is shown as below:

Scope	Existing Requirement	NEW Requirement
Plastic food contact materials and articles	SML: 0.6 mg/kg	SML: 0.05 mg/kg
Varnishes or coatings intended to come into contact with food	No Requirement	SML: 0.05 mg/kg
Varnished or coated food contact materials and articles intended for young children as referred to in Regulation (EU) No. 609/2013*	No Requirement	No Migration
Polycarbonate baby bottle	Prohibited (Remains unchanged)	
Polycarbonate drinking cups or bottles which, due to their spill proof characteristics, are intended for infant and young children	No Requirement	Prohibited

*Under Regulation (EU) No. 609/2013, varnished or coated food contact materials and articles specifically for young children include plastic materials and articles intended to be brought into contact with food such as infant formula, follow-on formula, processed cereal-based food, baby food, food for special medical purposes developed to satisfy the nutrition requirements of infants and young children or milk-based drinks and similar products.

A written declaration of compliance containing the information laid down in Annex I of the Regulation is required to ensure the safety of varnished or coated materials and articles. For example, information of the company issuing the declaration, the manufacturer or importer of the materials, specifications on the use of the coated material or article, and test results showing that the requirements are met. It shall be available at all stages of manufacture, processing and distribution other than the retail stage. Supporting documentation shall be made available to demonstrate compliance with the declaration upon request by national authorities.

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