

Council of Europe

The Council of Europe, which is made up of 47 European states working alongside the European Union circulated, on the 6th February, the final drafts of the "Guiding principles for Food Contact Materials and Articles" and the "Technical Guide on Paper and Board Materials and Articles for food contact".

Those documents, scheduled to be published later this year, will have the status of soft law, meaning they are providing non-binding food safety guidance.

The documents are however an indication of what some Member States are considering as appropriate food safety measures and may adopt in national law.

A third document on the required food safety communication in the supply chain will also be published soon for consultation.

ECMA has been involved in the Council of Europe working group on paper and board since 2015, and within the ECMA Food Safety Committee the current drafts are perceived as challenging but less stringent than some existing national legislations and recommendations.

The most critical part of the text is related to the proof of the functional barrier properties.

The 'Paper and Board' guide method, is based on a required functional barrier efficiency of 99% to avoid migration from the paper and board food contact material above 0,01 mg/kg of food (10ppb). ECMA has continuously argued against the assumptions and will do this again in the final web-meeting of the working group on the 8/9 April.

ECMA wants to avoid only 99% efficient barriers are presented as delivering a sufficient level of safety in presence of recycled cardboard grades. Taking in account the actual conditions also no or less perfect barriers (95%, 90%, 80%) may provide safety.

More information is available in the detailed updates (28/11 2019, 6/02 and 13/03 2020), available from the Members Only section of the ECMA website.

Fluorinated substances

In recent years there have been regular reports alerting to the presence of fluorinated substances (*PFAS*) used as "surfactants" (surface active agents) in food contact materials. These make them water and oil repellent and are found in bags and boxes for popcorn and fast food. Some categories of fluorinated substances are questioned from the food safety perspective and have created serious environmental concerns due to being particularly persistent, with a tendency to bio accumulative in the environment.

Following the Danish ban for these substances from July 2020 on, we have recommended ECMA members discuss with their board suppliers the availability of PFAS alternatives.

The ECMA Food Safety Committee meetings have discussed how there will be an increase in requests for PFAS free surface treatments; it is important to note that the aversion for these substances is not only linked to Denmark, but also US, Sweden and the Netherlands.

Clearly more innovation in this area is required seeing the currently available alternatives, presented are often 20 years old and are not as effective.

See updates 28/11 2019 and 31/01 2020, the public statement 22/01 and the fact sheet available in the ECMA Sales Toolkit.

Titanium Dioxide

TiO₂ is a widely used white substance present in many applications such as paint and varnishes, cosmetics, toothpaste, in food as the additive E171, in plastic and paper, giving the material or article a white appearance. TiO₂ can also be present in carton board for further improving the brightness of the white surface.



The EU published the 18th February a regulation classifying the substance as a category 2 suspected carcinogen when inhaled.

There have been an increase in queries from the market and it is important to bear in mind the EU classification and hazard is related to the powder form by inhalation. The regulation will enter into force in 1st October 2021, giving time for increased clarity regarding the required cancer warning labelling and further safety communication.

Aside this EU classification, the French government decided to ban the food additive E171 on the French market for one year from January 2020 on.

See update 28/11 2019

Mineral oils

Since the presentation of the German mineral oil study last year, setting benchmark levels for MOSH per food category and the detection limit of 0,5 mg in food for MOAH, there have been no real developments related to our sector.

FoodWatch continued to communicate on the topic with late October 2019 the sensitive outcome of a study regarding the MO contamination of baby food, taken from the German, French and Dutch markets. The contamination was in this case coming from the metal packaging.

Within the Council of Europe Technical Guide is stated how the migration limits for the mineral oil hydrocarbons are still under discussion, with the extra comment it is recommended to keep the migration of mineral oils as low as technically unavoidable and to ensure that migration of MOAH does not occur.

See updates: 9/07 2019 and 31/01

Corona virus

Although this topic is a general health and sanitary crisis, not directly related to the food contact materials, certain documents have been circulated in the ECMA Food Safety Committee.

A statement by EFSA (European Food Safety Authority) first indicated there is no evidence that food is a likely source or route of transmission. (9/03)

Less reassuring was however the study from the German Universities of Greifswald and Bochum, stating viruses can survive on substrates for sometimes several days depending on the type of substrate, the type of virus strain, the viral load, the temperature and humidity.

Also, a preprint of a US article "Aerosol and surface stability of HCoV-19 compared to SARS-Cov-1" is covering the persistence concern and this publication mentions how viable viruses are detected on a cardboard substrate up to 24 hours. In the case of plastic or steel the persistence can even be longer up to 2-3 days.

<https://www.medrxiv.org/content/10.1101/2020.03.09.20033217v1.full.pdf>

See update 13/03

More content covered in the Quarter 1 updates

Migration study by the European Consumer Organisation.

French DGCCRF guidance on paper and board.

Food Safety Congresses calendar 2020

Swiss Ordinance on food contact materials.

