

In the ECMA Food Safety Committee meeting the 26/09, all delegates expressed many questions are raised, related to the French ink legislation. In follow up, the following public statement was developed.

ECMA STATEMENT ON FRENCH MINERAL OIL ORDER October 2024

Avoiding mineral oils in used printing inks, has for the last 15 years been a key product safety priority for folding carton makers. Since 2010 ECMA has publicly recommended the use of mineral oil free inks for food packaging and in practice those inks have been introduced for folding carton manufacturing in general. Mineral oil free inks have been well developed for use in the sectors sheetfed offset printing process. From this perspective the French Mineral Oil Order is not something new for the folding carton sector. However, the very low limits for mineral oil traces in inks applicable from the 1 January 2025 will be challenging for the ink manufacturers.

Within the legal frame of the French Law on combating waste and on the circular economy, the so-called AGECE Law "Anti-Gaspillage pour une économie circulaire" adopted in February 2020, the French Order from the 13 April 2022 has been introducing a ban on the use of inks for packaging containing mineral oils above certain thresholds.

After a first introduction phase starting in January 2023 which set a 1% limit for the presence of Mineral oil aromatic hydrocarbons (MOAH) in inks, from January 2025 the limits will become more demanding with inks used for packaging from 1/01/25 banned if:

- for the MOAH the mass concentration is above 0,1% or if the mass concentration for the most harmful MOAH fraction (3-7 aromatic rings) is above 1 part per million (0,0001%).
- for the Mineral oil saturated hydrocarbons, inks should not contain MOSH (with 16 to 35 carbon atoms) in a mass concentration above 0,1%.

At meetings and in information notes from the Packaging Ink Joint Industry Task Force (PIJITF) and the European Ink Manufacturing Association (EuPIA), ECMA has learned how the very low limits applicable in January are difficult to guarantee by the ink manufacturers, not due to intentional use but in view of low unintentional traces which may appear in compounds ink manufacturers are buying upstream. According to EuPIA, well harmonised analytical test methods and interpretation rules for accurately quantifying the presence of MOSH/MOAH in the ink, are also still missing. Raw materials and substances legally allowed to be used in food contact materials such as the paraffinic waxes can easily be mis-identified as mineral oils.

Therefore, the folding carton producers in Europe, as the ink user, calls for an urgent clarification.

Open bilateral and in-depth discussions are essential between the ink suppliers, laboratories and the authorities, combining the knowledge on the composition of the inks and in-depth analytical expertise, in view of valid and acknowledged control methods and a clear regulatory status of the inks.

Without this urgent clarification, carton makers will be confronted with an uncertain operational context. In case ink suppliers are not able to declare compliance, carton makers will run into delivery problems, may be held liable for delivering packaging printed with inks of an unclear legal status or the printed packaging may be rejected by the customer.

The compliance of the used inks needs to be based on accurate regulatory statements in the supply chain.

Nevertheless, ECMA and the national folding carton associations regret in general specific non-EU harmonised legislation.

ECMA, the European Carton Makers Association
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Food Safety related sector projects

In the first semester the Food Safety Committee has been closely looking into the possibility to take an initiative in relation to the non-intentionally added substances. (See FC update 05/08/24)
ECMA has been in contact with the European Ink and Adhesive Manufacturers associations, EuPIA and FEICA, in order to obtain lists of NIAS substances which may appear in the broad categories of inks and adhesives our sector is using.

In summary, the supplier associations are reluctant to address this at the sector level.
EuPIA mentioned NIAS information needs to be provided BtoB, in the Statement of Composition. The amount of NIAS is also of relevance with regard to competition. Companies may go beyond the minimum requirements included in the EuPIA guidelines. Compiled lists developed at the association level would be of little use for the ECMA members.
Based on those returns the idea to build a NIAS database has been abandoned.

Another initiative we have been reporting on is the development of appropriate testing conditions for cartons.

See ECMA Statement, covered in FC update 30/04/24.

In this respect it is the intention to bring more evidence to the position on how to test regular cartons for long term storage at room temperature. Tests will be performed on a few cartons to clarify the in the ECMA Statement suggested testing conditions. When testing at 40 °C, which is the required testing time to reach equilibrium, 30 days or less?

Ban on PFHxA

Commission Regulation (EU) 2024/2462 on PFHxA - amending Annex 17 of the REACH Regulation - has been adopted for a limited number of materials.

Paper and cardboard used as food contact materials within the scope of Regulation (EC) No 1935/2004 shall from the 10 October 2026 not be placed on the market, in case of a concentration equal to or greater than 25 ppb for the sum of PFHxA and its salts, or 1000 ppb for the sum of PFHxA related substances, measured in homogeneous material.

In recital 1 of this regulation, is stated how those substances are still widely used in many sectors, with large quantities used in paper and cardboard for use as food contact materials ...

According to ECMA Food Safety Committee members this is not correct. For many years those substances are not used (for cartons) and were also never detected.

RASFF portal

Checking the recent developments on the Rapid Alert System for Food and Feed over the period 1/06-25/09, in total 18 notifications are listed for mineral oils in food and food contact materials (2 from Germany, 1 Switzerland, 11 The Netherlands, 3 Belgium and 1 from Poland). Mainly for the two rice notifications there may be a contribution coming from the P&B packaging.
One FCM alert concerns again pizza boxes from Turkey, notified by France.

Review ECMA Food Safety documents

As previously announced the ECMA Food Safety Documents available from the ECMA website are under review. Any comments you may have, in relation to the Checklist to use with customers and the Food Contact Status Declaration are most welcome.

For your convenience both documents are added to this FC update.

LCA Database

An LCA database publication is available from the Pro Carton website.

<https://www.procarton.com/media-section/publications/>

The study done by RISE provides detailed information on all emissions to water and air for carton board manufacturing and the converting operations.
The forest and end of life, are outside the boundaries of the report.

