

## **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 could be confronted with an uncertain operational landscape. If 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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