

Food Safety Committee

Date:
22 11 2024

Time:
10h00 - 12h00 CET

Venue: ONLINE TEAMS

Chairmen: Mike Turner (ECMA MD) [MT], Carmine Iuvone (SEDA) [CI]

Participants: Michael Avemarg (Van Genechten Packaging) [MA], Sigrid Gerold (Mayr Melnhof Packaging) [SG], Eliza Konecka-Matyjek (WestRock) [EK], Julie Malaquin (Graphic Packaging) [JM], Helena Moring Vepsalainen (Metsä Group) [HV], Elaine Murray (WestRock) [EM], Carola Poggenpohl (Mayr Melnhof Packaging) [CP], Christian Schiffers (FFI) [CS], Annika Schrimpf (Graphic Packaging) [AS], Caroline Seguin (Mayr Melnhof Packaging) [CSG], Dorien van den Helm (Acket) [DH], Jan Cardon (ECMA) [JC]

Not participating: Ashleigh Pyatt (Alexir Packaging)

1. Introduction and welcome.

Mike Turner welcomed all participants and opened the meeting around 10h00.

A special welcome to Julie Malaquin, for the first time attending as a new delegate for Graphic Packaging.

According to good legal practice, reference is made to the ECMA Antitrust Guidelines which had been prepared by ECMA's legal attorneys. The proceedings of this meeting would be in accordance with these guidelines. A statement summarizing these Guidelines was read out. They are designed to ensure ECMA meetings' compliance with the legal framework as set out in article 101 of the Treaty on the Functioning of the European Union ("TFEU"), which prohibits all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market. It was stressed that individual company data other than those publicly available will, under no circumstances, be made public during the meeting. The purpose of the discussions would not be to identify market related information regarding a particular company but to identify general trends and market developments to the benefit of all those concerned.

2. Approval minutes and short follow up from the FS Committee 26/09/24.

See meeting preparation p 4-5

The notes are approved without comments.

The report contains a detailed reporting on the discussion with Lionel Spack (Nestlé).

Besides the testing conditions covered in agenda item 5, it seems interesting to follow the outcome of the DOC project at SVI/JIG.

A topic of concern are the signals related to the questioned safety of natural components.

Also in EUWID (40.2024) the message is further spread still "large quantities of PFHxA are used in paper and board FCM" ...

3. Tour de table on specific food safety concerns and developments.



- New are the questions raised by customers in relation to the presence of talcum in carton board. Talcum is used, but this is not relevant, there is no hazard classification in the ECHA database. [SG] Confirmed by [AS] and [EM] also for the pharmaceutical market.

[Info : in the background of this new issue are e.g. the lawsuits in the US (against Johnson & Johnson ...) about asbestos in talcum powder.]

- The ECMA converter's statement on the French MO order has been useful. Still unclear however how we will move on. Ink suppliers continue to communicate it is not possible to declare compliance with the 2025 limits.

Also, from the broader MO perspective, the analytical challenges remain, with customers asking statements that no mineral oils are present in the materials used. [AS, JM, CI, EK]

- Customers are in general coming with ever more requirements, looking deeply into regulations, national food contact legislations ... EUDR. [AS]

Not easy to cope with the legal questions related compliance with all types of legislations, Middle East ... [CP]

- Enquiries on silicones, any presence of silicones, in folding boxboard, inks, varnishes ... at what level? This while silicones are used as an ingredient in pharmaceuticals. [EM]

- Other substances unabated in focus : BPA, PFAS, ED. [...]

- Contradictory requirements. Customers want to move away from plastics to coatings ... in direct contact. Can we be confident about the direct food contact status ? [DH]

- [CS] FFI members are confronted with strict ink safety questions in the cosmetic segment, while there can only be a short-term skin contact.

It continues to be valuable to ask the own ink suppliers about the presence of the used substances on the German Printing Ink Ordinance list. (FCM inks, UV ...)

Useful to proceed with a double action, ECMA asking EuPIA and bilateral between converters and their ink suppliers.

There is just one year left. In 2026 the ordinance will be fully in place, and it seems still 150 substances are not yet approved. In case unlisted substances are in the own recipes, who will enter the dossiers? Will recipes be modified? ...

Important to set direct pressure. They need to do something. [CSG]

See meeting preparation p6-11

- On the RASFF portal (15/09-19/11) there have been less but still again 5 mineral oil notifications all in food and 1 on phthalates and lead in pizza boxes.

- The Regulation (EU) 2023/988 on general product safety is applicable on the 13/12 2024. Products are in scope insofar as there are no specific provisions with the same objective.

On food contact materials there is the FCFR 1935/2004, which means for food packaging, the regulation only applies to those aspects which are not covered by this specific provision.

Similar to RASFF, there is on the unsafety of products the Union Rapid Information System (RAPEX).

For carton product-packaging the relevance of the legislation seems limited. The correct labelling and provided safety information is the responsibility of the customer.

[CS] refers to the safety issues related to imported toys.

[For info : <https://www.toyindustries.eu/80-of-toys-bought-from-third-party-traders-on-online-marketplaces-fail-eu-safety-standards-and-could-be-a-danger-to-children/>

80% of toys bought from third party traders on online marketplaces fail EU safety standards and could be a danger for children.]

- The new BRCGS Global Standard Packaging Materials Issue 7 was launched on 28/10.

4. Legal developments.

See meeting preparation p12-17.



- Following the ECMA statement (17/10) on the French MO Measure, ECMA has been in contact with the French authorities, and the reply obtained was “They are working on an acceptable solution by the deadline, January 2025”.

From the French association CAP and the Club MCAS, the obtained assessment is indicating it would only be about the absence of intentional use of MO.

The coming Club MCAS seminar on the 28 November may further clarify.

[CSG] The sector moved away from MO, but they can still be present as contaminants in pigments, in treating materials ...

- The additional comprehensive mineral oil statement by the German food industry and German Authorities (ALB) co-signed by Sieglinde Stähle and Rudiger Helling, well covering once more the EFSA opinions and the SCoPAFF limits may be seen as an additional warning towards the food manufacturers. [CS]

- Soon expected publications: the BPA regulation and the Council of Europe Technical Guide on information exchange.

5. Sector project on appropriate testing conditions for cartons.

See meeting preparation p 18-25

Outcome meeting with the EuPIA Analytical Team. (8/11)

See slides and circulated report on this meeting (FS Com mail 2/12/24).

The discussion made clear our sector is not in their focus. No clear answers were provided. The preparation of the testing is curious, just making a type of ink combining all types of substances leading to just useless results.

Testing the carton board at 40 °C @ 10 and 30 days and at 60°C for 10 days would have been interesting.

Hopefully they will not publish anything out of this report. Is just on their website. [SG,EK,CSG,DH]

Contacts with laboratories.

The ECMA statement was shared with ISEGA for comments. The provided answer is copied into the meeting preparation.

ISEGA confirmed they also test mainly at 40°C and that for most carton structures a testing time of 10 days is sufficient. They nevertheless also refer to DIN specification 5010/2018 and the included test conditions 10d/40°C up to 1 year and 30d/40°C for 1-2 years.

Required migration testing.

- In recent weeks no further input was obtained from Nestlé.

The meeting confirmed once more it is the intention to proceed with the testing project at sector level.

An online meeting will be scheduled with Nestlé, ISEGA and the ECMA FS Com members willing to participate. [DH and SG] confirmed their companies are prepared to contribute with samples.

[AK] also agreed in principle to enter samples, but this needs first further approval within WestRock.

6. Migration from transport packaging.

See meeting preparation p 26-33.

In follow up to the request in the previous FS Committee, this topic was put on the agenda.

Existing test results were once more briefly presented from presentations by Thomas Simat, Koni Grob and Heinz Traussnig.

In the discussion it was acknowledged this is a well-known difficult problem also related to mixed

palletisation and how all this was kept silent since several years by retailers and brand owners.
[CS,MA]

The requirements in the PPWR on empty space reduction may aggravate the risk of cross-contamination from transport packaging.

Asking questions via procurement, the corrugated board suppliers continue to communicate they don't do in food packaging and are not testing anything. [EK]

Two different cases need to be considered: the delivery of flat cartons to customers and the storage of filled cartons in the customer storage zones and in retail. The solutions are known, a protecting inner liner on the corrugated board boxes, an additional protecting separate bag or a type of barrier on any product packaging stored for a longer term in corrugated boxes. Such a discussions may also lead to more multi-use packaging systems or wrapping film around pallets. In the existing ECMA FCS D it is stated the declaration covers the food contact status of the carton packaging until it is leaving the production facility.

Somehow, for carton makers it doesn't make sense to require very low mineral oil contaminations from their ink suppliers, if transport packaging is just entirely left out of the assessment. [DH]

This discussion may lead to some ECMA guidance, but [CS] insisted the discussed content in this agenda item needs to be kept confidential and should not be shared outside the circle of people participating in the meeting.

7. Review of ECMA food Safety documents.

See meeting preparation p 34-38

Checklist to use with customers.

Besides text suggestions out of previous FS Com meetings, only a contribution from [AS] came in. [CS] shared the experience nobody is using this sales checklist and how it may be appropriate to develop also a shorter version with just some key questions.

Based on expected additional comments from FS Com members and from the FFI Quality Managers Committee, a new version will be finalised in Q1 2025.

Food Contact Status Declaration

Similar approach.

Further comments would be welcomed in view of a finalisation of the review in Q1 2025.

8. Update on sustainability related topics (Covered at the start of the meeting)

PPWR

A vast amount of work is coming in relation to the many announced delegated and implementing acts. ECMA and Fiber Packaging Europe are deeply involved.

EUDR

Hopefully the delay of 1 year will pass through the further legislative process in the coming weeks.

9. Miscellaneous.

The meeting calendar 2025 will be scheduled by Doodle.

5 plenary meetings a year is appropriate to cover the food safety developments, with one of them organised as a physical meeting.

Meetings in person allow more interaction.

Hereafter the meeting is closed around 12h00. All participants are thanked for their attendance and contribution in the discussions.

