

To Interested Parties

List available on request

20 December 2004

Reference: SCO/144/ContM/05/01

Dear Sir/Madam

New European Regulation: Regulation (EC) No. 1935/2004, on Materials and Articles Intended to come into Contact with Foodstuffs.

We wrote to you in January this year informing you of the European Commission's intention to amend Council Directive 89/109/EEC – the so-called Framework Directive. The Commission's proposal has now passed through the various stages of the European Council and European Parliament co-decision procedure, to bring these principles up to date and to introduce other principles to the rules governing food contact materials and articles that already apply elsewhere in EU food law. The adopted proposal was published in the Official Journal (OJ) of the European Union on 13 November 2004. Full details are available at the following website address:

<http://europa.eu.int/eur-lex/en/index.html>

The new Regulation entered into force on 3 December 2004, except for Article 17, which enters into force on 27 October 2006. The Regulation is directly applicable in all EU Member States.



Summary of new Regulation

Regulation (EC) No 1935/2004 of the European Parliament and of the Council was adopted on 27 October 2004 replacing directives 89/109/EEC and 80/590/EEC. The new Regulation amends some existing provisions, whilst including some new ones.

We shall make proposals in due course to revoke Regulations that enacted the provisions of Council Directive 89/109/EEC. This is not completely straightforward because those Regulations, *The Material and Articles in Contact with Food Regulations 1987* (as amended) also enact EC harmonised provisions on regenerated cellulose film and vinyl chloride monomer. At the same time as revoking regulations that have been replaced by this new Regulation of the Council and of the Parliament, we shall make proposals on offences and penalties that are required by the new European Regulation. We shall of course consult fully on these proposals.

Yours faithfully

Fiona Bruce

Contaminants, Hygiene, Additives & Shellfish Branch