



Notification Number: 2010/716/E

## **Draft Royal Decree establishing a positive list of substances permitted in the production of polymers intended to come into contact with food.**

Date received : 08/11/2010  
End of Standstill : 09/02/2011  
Issue of comments by : Austria, Commission

### Message

Message 002

Communication from the Commission - SG(2010) D/52748  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2010/0716/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201002748.EN)

#### **1. Structured Information Line**

MSG 002 IND 2010 0716 E EN 08-11-2010 E NOTIF

#### **2. Member State**

E

#### **3. Department Responsible**

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Asuntos Generales y de Coordinación de Políticas del Tratado de Funcionamiento de la Unión Europea

Secretaría de Estado para la Unión Europea.

Ministerio de Asuntos Exteriores y de Cooperación.

C/ Serrano Galvache, 26, 4ª planta, Torre Sur (28071 Madrid)

Teléfonos: 91 379 84 64, 91 379 83 87 y 91 379 83 98



Fax: 91 479 84 01

Dirección correo electrónico: d83-189@ue.mae.es

### 3. Originating Department

Subdirección General de Gestión de Riesgos Alimentarios. Agencia Española de Seguridad Alimentaria y Nutrición. Ministerio de Sanidad, Política Social e Igualdad

### 4. Notification Number

2010/0716/E - S10E

### 5. Title

Draft Royal Decree establishing a positive list of substances permitted in the production of polymers intended to come into contact with food.

### 6. Products Concerned

To update the list of substances permitted in polymers and polymer objects and to clarify the situation regarding substances permitted in other Member States, to remove the provisions applicable to plastics and to regulate the supports for polymerisation production.

### 7. Notification Under Another Act

-

### 8. Main Content

This Royal Decree includes a preamble, eleven articles, a sole additional provision, a sole repealing provision, three final provisions and two annexes.

This Royal Decree is intended to update the list of permitted substances and to clarify the situation regarding substances permitted in other Member States, to remove the provisions applicable to plastics and to regulate the supports for polymerisation production.

It repeals a national provision (Resolution from 1982) on macromolecular compounds and plastics, subsequently regulated by Royal Decree 866/2008 of 23 May 2008 adopting the list of substances permitted in the production of plastics and plastic objects intended to come into contact with food and regulating certain testing conditions (transposition of Directive 2002/72/EC).

On the basis of the principle of mutual recognition, it clarifies the situation regarding substances permitted in the production of polymers intended to come into contact with food that are legally authorised in other Member States of the European Union.

### 9. Brief Statement of Grounds

This Royal Decree is intended to update the list of permitted substances and to clarify the situation regarding substances permitted in other Member States, to remove the provisions applicable to plastics and to regulate the supports for polymerisation production.

There are no other ways of achieving the objective of the standard given that non-plastic polymers are not



regulated at Community level, and therefore regulation must be national.

#### **10. Reference Documents - Basic Texts**

References to basic texts: Resolution of 4 November 1982 of the Undersecretary for Health adopting a positive list of substances used in the manufacture of macromolecular compounds, a list of maximum migrations in migration tests on some of them, the purity conditions for the colorants used in those products and the list of polymers suitable for manufacturing containers and other utensils that may come into contact with food, with the exception of the list of supports for polymerisation production.

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

-

#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

-

#### **16. TBT and SPS aspects**

TBT aspect:

No - The draft will have no noticeable effect on international trade.

SPS aspect:

No - The draft will have no noticeable effect on international trade.

Catherine Day  
Secretario General  
Comisión Europea

Punto de contacto Directiva 98/34  
Fax: (32-2) 296 76 60  
email: dir83-189-central@ec.europa.eu



-----  
sent to :

Työ- ja elinkeinoministeriö  
Ms. Leila Vilhunen

Malta standards Authority  
Sarah Jane Meli

Ministry of Economy and Commerce Division for Internal Market  
Catalina Groza

CU N Lovseth Hanne Leen  
.

European Free Trade Association  
Mr. Robert Murphy

AGENCIA ESPAÑOLA DE SEGURIDAD ALIMENTARI Comisión Interministerial para la Ordena  
M<sup>a</sup> Luisa Aguilar Zambalamberri

NSAI  
Mr Tony Losty

Undersecretariat of Foreign Trade General Directorate of Standardisation  
Mr Mehmet COMERT

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

Représentation Permanente du Royaume-Uni  
.

Department for Business, Innov. & Skills  
Mr Philip Plumb

State Agency for Metrological and Technical Surveillance  
Violetta Veleva

SL  
.

Hungarian Notification Centre Ministry of National Development and Eco  
Mr Zsolt Fazekas

Représentation Permanente de l'Irlande  
Denis Colfer