



Notification Number: 2004/328/F

Draft Order on the colouring of plastic materials and articles, varnishes and coatings intended to come into contact with commodities, products and drinks for human and animal consumption

Date received : 06/08/2004
End of Standstill : 08/11/2004
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Message

Message 002

Communication from the Commission - SG(2004) D/51645
Directive 98/34/EC
Translation of the message 001
Notification: 2004/0328/F

No abre el plazo - Nezhajuje 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.

(MSG: 200401645.EN)

1. Structured Information Line

MSG 002 IND 2004 0328 F EN 08-11-2004 06-08-2004 F NOTIF 08-11-2004

2. Member State

France

3. Department Responsible

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3. Originating Department



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4. Notification Number

2004/0328/F - C70A

5. Title

Draft Order on the colouring of plastic materials and articles, varnishes and coatings intended to come into contact with commodities, products and drinks for human and animal consumption

6. Products Concerned

Materials in contact with foodstuffs.

7. Notification Under Another Act

d) Other Directive or Regulation

8. Main Content

The aim of this draft Order is to lay down the list of pigments and dyes that are permitted in plastics, coatings and varnishes intended to come into contact with foodstuffs.

9. Brief Statement of Grounds

In accordance with Article 7 of Directive 89/109/EEC, this text makes it possible to fill a legal vacuum in the absence of specific provisions laid down at Community level. Specifically, Directive 2002/72/EC relating to plastic materials provides lists of permitted substances, except with regard to pigments and dyes.

This text follows the same pattern as the aforementioned Directive 2002/72/EC. This means that two lists of substances are provided:

- substances permitted following an assessment carried out in accordance with rules equivalent to those of the Scientific Committee for Food (section A);
- substances permitted provisionally, having been assessed in the past on the basis of older criteria (section B).

This draft, which collates the substances already permitted in France, has received a favourable opinion from the French Food Safety Agency (AFSSA).

New pigments and dyes, and those in Section B, may be added to Section A as soon as they are the subject of an application accompanied by a file made up in accordance with the Order on applications for the authorisation of pigments and dyes, which is the subject of a separate notification.

These two texts need to be examined together.

The present Order includes a mutual recognition clause ensuring the free movement of pigments and dyes originating from other European Union Member States, Turkey or other contracting parties to the Agreement on the European Economic Area as soon as they have been assessed by a Community or competent national scientific body and have received an officially published favourable opinion (Article 4). Other purity criteria in force in said States, provided they have been scientifically assessed and approved, and the materials coloured using these pigments and dyes and intended to come into contact with food, are also recognised.



10. Reference Documents - Basic Texts

A - Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (framework directive).

B Commission Directive 2002/72/EC of 6 August 2002 relating to plastic materials and articles intended to come into contact with foodstuffs.

C - Decree No 92-631 of 8 July 1992 relating to materials and articles intended to come into contact with foodstuffs.

D - Order of 2 January 2003 on plastic materials and articles in contact with or intended to come into contact with foodstuffs, food products and drinks.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT aspect (Agreement on technical barriers to trade)

a) No

b) iii) The draft will not have any notable impact on international trade.

SPS Aspect (Agreement on sanitary and phytosanitary measures)

a) No

b) i) The draft is not a sanitary or phytosanitary measure within the meaning of Annex A to the SPS Agreement.

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