



26 June 2024

(24-4719)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2.	Agency responsible: European Commission, Health and Food Safety Directorate-General
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Food containers and packaging materials insofar as they fall within the scope of the draft Regulation (in particular lacquered metal packaging); HS codes 39 (plastics and articles thereof) and 40 (rubbers and articles thereof) insofar as the materials fall within the scope of the draft Regulation (e.g. 3924 10 00); Prepared foodstuffs insofar as they are packaged in materials and articles within the scope of the draft Regulation
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	Title of the notified document: Draft Commission Regulation on the use of bisphenol A (BPA) and other bisphenols and bisphenol derivatives with harmonised classification for specific hazardous properties in certain materials and articles intended to come into contact with food, amending Regulation (EU) No 10/2011 and repealing Regulation (EU) 2018/213 (Text with EEA relevance). Language(s): English. Number of pages: 16+4 https://members.wto.org/crnattachments/2024/SPS/EEC/24_03965_00_e.pdf https://members.wto.org/crnattachments/2024/SPS/EEC/24_03965_01_e.pdf
6.	Description of content: This Regulation prohibits the use of bisphenol A (BPA) in the manufacture of those food contact materials and articles of which it may be a component, including adhesives, rubbers, ion-exchange resins, plastics, printing inks, silicones and varnishes and coatings. Additionally, it: <ul style="list-style-type: none">• allows the use of BPA in the manufacture of two specific food contact applications, by derogation and subject to a prohibition on the migration of BPA from the articles into food;• prohibits the residual presence in food contact materials and articles that have been manufactured using bisphenols or bisphenol derivatives;• prohibits the use of other bisphenols or bisphenol derivatives for which a harmonised classification of carcinogenic, mutagenic, reprotoxic category 1A or 1B or endocrine disrupting category 1, is listed in annex VI to Regulation (EC)M No 1272/2008 and applies, except where a derogation may be given;• lays down rules concerning compliance and testing;• sets out transitional periods for the application of the requirements. <p>This draft Commission Regulation will also be notified under the TBT Agreement.</p>

7.	Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): <input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): <input checked="" type="checkbox"/> None Does this proposed regulation conform to the relevant international standard? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, describe, whenever possible, how and why it deviates from the international standard:
9.	Other relevant documents and language(s) in which these are available: <ul style="list-style-type: none"> – Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food: Regulation – 1935/2004 - EN - EUR-Lex (europa.eu) – Commission Regulation (EU) 2018/213 of 12 February 2018 on the use of bisphenol A in varnishes and coatings intended to come into contact with food: Regulation – 2018/213 - EN - EUR-Lex (europa.eu) – Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food: Regulation – 10/2011 - EN - EUR-Lex (europa.eu) (available in English)
10.	Proposed date of adoption (dd/mm/yy): November 2024 (estimated) Proposed date of publication (dd/mm/yy): December 2024 (estimated)
11.	Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): This Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Union. <input type="checkbox"/> Trade facilitating measure
12.	Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 25 August 2024 Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body: European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 E-mail: sps@ec.europa.eu

13. Text(s) available from: ☒ National Notification Authority, ☒ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

European Commission
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