STATUTORY INSTRUMENTS

1982 No. 1701

FOOD

The Materials and Articles in Contact with Food (Amendment) Regulations 1982

Made - - - - - - - -	26*th November* 1982
Laid before Parliament	9*th December* 1982
Coming into Operation—	
Regulations 1 *and* 3 *to* 5	1*st January* 1983
Regulation 2 - - - -	1*st April* 1983

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated**(a)** for the purposes of section 2(2) of the European Communities Act 1972**(b)** in relation to materials and articles in contact with food or drink or intended for such contact, acting jointly, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title, commencement and interpretation

1.—(1) These regulations may be cited as the Materials and Articles in Contact with Food (Amendment) Regulations 1982 and shall come into operation on 1st January 1983, except for regulation 2, which shall come into operation on 1st April 1983.

(2) Except in this regulation, any reference in these regulations to a numbered regulation shall be construed as a reference to the regulation so numbered in the Materials and Articles in Contact with Food Regulations 1978**(c)**.

Amendment of regulation 2(1)

2. Regulation 2(1) shall be amended by substituting for the word "regional" in the definition of "enforcement authority" the word "district".

Amendment of regulation 4

3. Regulation 4 shall be amended by inserting after paragraph (2A) the following paragraph:—

> "(2B) Materials and articles to which this regulation applies and which are manufactured with vinyl chloride polymers or copolymers shall be manufactured in such a way that they do not transfer to foods with which they are in contact any vinyl chloride detectable by the method of analysis specified in regulation 13A(2).".

(a) S.I. 1976/2141.
(b) 1972 c. 68.
(c) S.I. 1978/1927, amended by S.I. 1980/1838.

Amendment of regulation 7

4. Regulation 7 shall be amended by inserting at the end of paragraphs (1), (1A) and (2) the words "and (2B)".

Amendment of regulation 13A

5. Regulation 13A shall be amended by inserting after the existing paragraph (which shall be renumbered 13A(1)) the following paragraph:—

> "(2) The method used in analysing any food for the purpose of establishing the quantity of vinyl chloride present in the food in order to determine whether a material or article which is or has been in contact with the food complies with the provisions of regulation 4(2B) shall be the method specified in the Annex to Commission Directive No. 81/432/EEC**(a)** (which lays down the Community method of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs) subject to a detection limit of 0.01 milligram of vinyl chloride per kilogram of food.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th November 1982.

L.S.

Peter Walker,
Minister of Agriculture,
Fisheries and Food.

George Younger,
Secretary of State.

26th November 1982.

(a) O.J. No. L167, 24.6.81, p.6.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Materials and Articles in Contact with Food Regulations 1978 ("the 1978 regulations"), which apply to Great Britain, but not to Northern Ireland. The regulations implement Commission Directive No. 81/432/EEC (OJ No. L167, 24.6.81, p. 6) (which lays down the Community method of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs) and complete the implementation of Council Directive No. 78/142/EEC (OJ No. L44, 15.2.78, p. 15) (on the approximation of the laws of the Member States relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs).

The regulations—

(*a*) transfer the duty to enforce the 1978 regulations in Scotland from regional and islands councils to district and islands councils in consequence of the reallocation of local authority functions effected by the Local Government and Planning (Scotland) Act 1982 (c. 43) (regulation 2);

(*b*) control the transfer of vinyl chloride from materials and articles manufactured with vinyl chloride polymers or copolymers and intended for contact with food to food with which they are in contact (regulations 3 and 4); and

(*c*) prescribe a method of analysis for establishing the quantity of vinyl chloride present in food (regulation 5).

The amendment relating to enforcement of the 1978 regulations in Scotland takes effect on 1st April 1983. The other amendments take effect on 1st January 1983.

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