



Decernis Food Contact Report Expert Analysis

2021/10/01 – 2021/10/31

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1 CHILE

1.1 2021-10-14: PACKAGING SUSTAINABILITY - REGULATORY OVERVIEW

WTO (World Trade Organization): Notice

Concepts: [Packaging](#)

[WTO Notification: Committee on Technical Barriers to Trade - Packaging - G/TBT/N/CHL/576 \(Draft\)](#)

The notified [Draft Resolution](#) identifies the products that constitute packaging and specifies their respective categories, in accordance with the provisions of Supreme Decree No. 12 of 2020 of the Ministry of the Environment establishing collection and recovery targets and other obligations relating to packaging and wrapping. The resolution will determine which products are to meet the targets and other obligations for packaging for domestic use and which products are to meet the targets and other obligations for packaging for non-domestic use. The first part of the resolution sets out the criteria that determine whether a product is considered packaging and includes a list of examples. The second part sets out the criteria that determine whether packaging falls into the domestic category or the non-domestic category and includes an analysis of these criteria. Where it is not possible to determine whether packaging is domestic or non-domestic according to these criteria, a list has been drawn up of packaging items that will be considered domestic or non-domestic.

2 EUROPE

2.1 2021-10-10: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice

Concepts: [Single Use](#), [Plastic Based Packaging](#)

[Plastic packaging: these fruits and vegetables soon to be banned from Cellophane - Capital.fr](#)

On the fruit side, packaging will be banned for apples, pears, bananas, oranges, clementines, kiwis, tangerines, lemons, and grapefruits. No plastic either for round tomatoes, "normal" onions and turnips, nor for cabbage, cauliflower, squash, parsnip, radishes, Jerusalem artichokes, and root vegetables. Plums, melons, pineapples, mangoes, passion fruit and persimmons are also affected. Today, 37% of fruits and vegetables are sold packaged in French stores, which represents between one and two billion packaging units used each year. This is particularly the case for products packaged in batches of 1.5 kilograms or more and "fruits and vegetables presenting a risk of deterioration when sold in bulk".

Impact Statement: The new legislation bans the use of plastic packaging such as cellophane, trays and plastic bags for fruits and vegetables beginning 1 January 2022. There are three "exemptions" which are actually extensions to comply based on the type fruits or vegetables. The longest extension moves the deadline to 30 June 2026 for many berries. If your company markets fruits and vegetables in France, or packaging for such items, this new regulation will definitely impact your business.



Contact Info: Matt Parker (mparker@decernis.com)

Similar Articles:

[Single-use plastic: multinationals struggle to change gears](#)

[Cepi Position on EU-wide End-of-Waste criteria for paper](#)

2.2 2021-10-04: FOOD CONTACT - REGULATORY OVERVIEW

EC (European Commission): Regulation

Concepts: [Single Use](#), [Plastic Based Packaging](#)

[Decision \(EU\) 2021/1752: Calculation, verification and reporting of data on the separate collection of waste single-use plastic beverage bottles](#)

Description of the methods and sources for determining the weight of separately collected waste single-use bottles. Explains the practices that are taken into account for calculating the share of separately collected waste single-use bottles, and the methods for determining that waste single-use bottles collected together with other waste are of comparable quality to waste single-use bottles collected separately from any other waste. Where waste single-use bottles and other packaging waste of the same polymer are present at the output of a sorting operation, the weight of the waste single-use bottles shall be proportional to the share of waste single-use bottles at the input of a sorting operation. Reasons for the difference or the underlying cause for the differences in the weight of waste single-use bottles, single-use bottles placed on the market and/or waste single-use bottles separately collected. The amount of separately collected waste single-use plastic beverage bottles listed in Part F of the Annex to Directive (EU) 2019/904 ('waste single-use bottles') shall be calculated by dividing the weight of the separately collected waste single-use bottles by the weight of such single-use bottles placed on the market ('single-use bottles placed on the market'). Waste single-use bottles, single-use bottles placed on the market and/or waste single-use justification for the request to withhold the publication of certain data in this report, together with a list of the specific parts requested to be withheld.

Impact Statement: Important to review because of the determinations that will be made for potential further legislation on waste bottles and recycling. It would be worthwhile to check the methodology and the values being used for calculations, as well as review the information that is being withheld.

Contact Info: Rich LeNoir (rlenoir@decernis.com)



2.3 2021-10-06: FOOD CONTACT - REGULATORY OVERVIEW

ANSES (Agency for Food, Environmental and Occupational Health Safety France): Notice
Concepts: [Nanomaterial](#), [Food Safety](#)

[ANSES OPINION on a guide for assessing the health risk specific to nanomaterials in products intended for food](#)

Xu Y., Tang H., Wang H., Liu Y. Blockade of oral tolerance to ovalbumin in mice by silver nanoparticles, *Nanomedicine (Lond)*, 2015, 10(3): 419-31. Grundmann D., Klotz M., Rabe H., Glanemann M., Schäfer K.H. Isolation of high-purity myenteric plexus from adult human and mouse gastrointestinal tract. Charles S., Jomini S., Fessard V., Bigorgne-Vizade E., Rousselle C., Michel C. Assessment of the in vitro genotoxicity of TiO₂ nanoparticles in a regulatory context. Aiba S., Kimura Y. In vitro test methods to evaluate the effects of chemicals on innate and adaptive immune responses. Braniste V., Leveque M., Buisson-Brenac C., Bueno L., Fioramonti J., Houdeau E. Oestradiol decreases colonic permeability through and junctional adhesion molecule-A in epithelial cells.

Impact Statement: Banning titanium dioxide as a food additive may just be the start. Its use in food packaging may also be in jeopardy, as well as many other applications. This ban may be bigger than just nano materials, and it behooves industry to pay attention.

Contact Info: Rich LeNoir (rlenoir@decernis.com)

Similar Article:

[Food safety: EU to ban the use of Titanium Dioxide \(E171\) as a food additive in 2022](#)

2.4 2021-10-06: FOOD CONTACT - REGULATORY OVERVIEW

EC (European Commission): Notice
Concepts: [Plastic Based Packaging](#), [Biodegradability](#)

[Policy framework on biobased, biodegradable and compostable plastics](#)

To promote the transition to a circular plastics economy, a clear policy framework is needed on the use of bio-based, biodegradable, and compostable plastics. This will foster greater consistency in developing European policies, increase environmental protection, reduce consumer confusion, enhance investment certainty within the internal market, and encourage competitiveness and innovation.

Impact Statement: Industry needs to comment and offer opinion as well as data to ensure policies for bio- based, biodegradable, and compostable plastics is reasonable and achievable.

Contact Info: Rich LeNoir (rlenoir@decernis.com)



2.5 2021-10-20: FOOD CONTACT - REGULATORY OVERVIEW

EFSA (European Food Safety Authority): Notice
Concepts: [Plastic Based Packaging](#), [Recycling](#)

[Safety assessment of the process Marmara PET Levha, based on Starlinger deCON technology, used to recycle post-consumer PET into food contact materials](#)

The EFSA Panel on Food Contact Materials, Enzymes and Processing Aids (CEP) assessed the safety of the recycling process Marmara PET Levha (EU register number RECYC222), which uses the Starlinger deCON technology. The final articles made of this recycled PET are not intended to be used in microwave or conventional ovens and such uses are not covered by this evaluation. The flakes are preheated before being submitted to solid-state polycondensation (SSP) in a continuous reactor at high temperature under vacuum. The input material is hot washed and dried poly(ethylene terephthalate) (PET) flakes originating from collected post-consumer PET containers, e.g., bottles, including no more than 5% PET from non-food consumer applications. The operating parameters to control the performance of these critical steps are temperature, pressure, residence time.

Impact Statement: With the push to recycle more plastics, here is a new PET recycling process that can be used in making new products with recycled content. The details of using resin from this process must be adhered to for compliance. Check what restrictions are placed on the PCR-PET from this process.

Contact Info: Rich LeNoir (rlenoir@decernis.com)

Similar Articles:

[Safety assessment of the process Omorika Recycling, based on PET direct iV+ technology, used to recycle post-consumer PET into food contact materials](#)

[Safety assessment of the process Sulpet Plásticos, based on Starlinger deCON technology, used to recycle post-consumer PET into food contact materials](#)

[Safety assessment of the process BPCL, based on Starlinger deCON technology, used to recycle post-consumer PET into food contact materials](#)

[Safety assessment of the process UTSUMI RECYCLE SYSTEMS, based on Starlinger deCON technology, used to recycle post-consumer PET into food contact materials](#)

[Safety assessment of the process Omorika Recycling, based on PET direct iV+ technology, used to recycle post-consumer PET into food contact materials](#)



2.6 2021-10-20: PACKAGING SUSTAINABILITY - REGULATORY OVERVIEW

EC (European Commission): Notice

Concepts: [Packaging](#), [Circular Economy](#)

[EU Circular Talks Toolbox for Circular Packaging in the retail sector](#)

This document aims to offer some food for thought for retailers on how to improve the sustainability of their packaging. It draws on ideas shared during two EU Circular Talks workshops, a new exchange concept of the European Circular Economy Stakeholder Platform. One, on packaging in the retail sector took place on 19 October 2020 and another, on the circular economy to revitalise retail on 3 November 2020. Packaging fits several purposes (hygiene, reduction of food waste and prolonging shelf life, safety of products and protection in transport, consumer information, branding...). It can be difficult to delineate between 'necessary' and 'unnecessary' packaging. But it is clear that retailers have shown their commitment to find alternative and more sustainable forms of packaging. If you manufacture, import, or distribute goods within the EU and the EEA, you must check whether your goods contain any restricted substance or substances on the Candidate List, as this may mean that you are obliged to adopt specific measures to deal with them.

Impact Statement: This policy guidance gives retailers and packaging producers insight on how to develop packaging to meet the functional requirements needed as well as the life cycle or environmental impact goals of the industry. The guidance covers primary, secondary, and tertiary packaging.

Contact Info: Matt Parker (mparker@decernis.com)

2.7 2021-10-20: PACKAGING SUSTAINABILITY - MONITORING

Professional Association/Organization: Notice

Concepts: [Safe to Use](#), [Plastic Based Packaging](#)

[Safety of plastics • Plastics Europe](#)

From bicycle helmets to protect cyclists to flotation devices for the water, plastics help to keep sporting activities safer. Read more about plastics' contribution to drinking water safety. In our cars, lightweight plastics are used to keep us safe with collision protection, airbags, and safety belts while enhancing our comfort. There is much legislation in place to ensure that plastics are safe for use and as plastics and sciences evolve, the safety requirements adapt accordingly. In sports, plastics provide consumers with efficient, light, and strong safety gear.

Impact Statement: This article points out the benefits of plastic in our everyday lives, specifically its use in creating a safe living environment for individuals and their families.

Contact Info: Matt Parker (mparker@decernis.com)



2.8 2021-10-27: PACKAGING SUSTAINABILITY - MONITORING

Professional Association/Organization: Notice

Concepts: [Safe to Use](#), [Plastic Based Packaging](#), [PFAS](#)

[High Phthalates Panel Debunks Myths of DINP and DIDP in Plastic Food Wraps](#)

In December 2019, the European Food Safety Authority (EFSA) released an updated food safety assessment of phthalates (including DINP and DIDP) used in food contact materials in the European Union. Moreover, food packaging is reviewed for safety by the Food and Drug Administration (FDA). In reality, phthalates are rarely, if ever, used in materials such as food wrappers and food packaging as has inaccurately been stated in some reporting. “Most plastic food packaging and storage items are made with other types of plastics and do not require softening agents such as phthalates. According to the myth, phthalates are present in consumer diets due to exposure from plastic food wraps and containers, potentially causing adverse health effects. These reports fail to consider all phthalates individually and consistently ignore or downplay the existence of science-based, authoritative conclusions regarding the safety of HMW phthalates as they are currently used.”

3 GERMANY

3.1 2021-10-17: PACKAGING SUSTAINABILITY - REGULATORY OVERVIEW

Umweltbundesamt: Proposal

Concepts: [PFAS](#)

[Restriction proposal on PFASs: new survey](#)

Hereby, possible derogations for some uses of PFASs that will also be important for society in the future can be identified and all relevant information can be considered when submitting the restriction proposal in the coming year. The restriction shall cover manufacture, placing on the market and use of all PFASs in the EU. PFASs are poorly degradable in the environment and therefore, remain in the environment for a very long time. On 15 July 2021, the REACH competent authorities of Germany, the Netherlands, Norway, Sweden and Denmark declared their intention to submit a joint dossier for a restriction proposal on per- and polyfluoroalkyl substances (PFASs) to the European Chemicals Agency (ECHA) by July 2022. In parallel, the authorities published brief summaries of already collected information on various uses of PFASs. We encourage all stakeholders to submit all relevant information until 17 October 2021.

Impact Statement: The REACH authorities in 5 European countries, including Scandinavia, have formally submitted their intention to restrict manufacture, marketing, and use of PFAS chemicals. These restrictions do not appear to be restricted to just food contact use, but for use in general. The expected submission date for the dossier is 15 July 2022. This dossier is just one of many recently introduced pieces of legislation aimed at PFAS and other “forever chemicals.”

Contact Info: Matt Parker (mparker@decernis.com)



4 JAPAN

4.1 2021-10-08: PACKAGING SUSTAINABILITY - REGULATORY OVERVIEW

Ministry of Environment: Proposal

Concepts: [Plastic based packaging](#), [Recycling](#)

[Draft law enforcement regulations \(tentative name\) regarding promotion of resource recycling related to plastics](#)

O1 Draft Enforcement Regulations for Promotion of Resource Recycling Related to Plastics (tentative name) (Ordinance No. ○ of the Ministry of Economy, Trade, and Industry / Ministry of the Environment, etc. Based on the provisions of No. 60) and in order to implement the law, the law enforcement regulations regarding promotion of resource recycling related to plastics, etc., shall be established as follows. (Definition) Article 1 The terms used in this Ministerial Ordinance are the Act on Promotion of Resource Recycling for Plastics (hereinafter referred to as the "Act") and the Ordinance for Enforcement of the Act on Promotion of Resource Recycling for Plastics (3rd year of Ordinance). According to the example of terms used in Cabinet Order No. ○ (referred to as "Ordinance" in Article 17) (Documents to be attached to the recycling plan). Article 2 A person who intends to apply for certification of the recycling plan pursuant to the provisions of Article 33, paragraph 1 of the Act shall attach the following documents to the application form. There must be (I) Sorting standards that a person who discharges plastic-using product waste specified based on the provisions of Article 31, paragraph (1), item (i) of the Act should comply with.

Impact Statement: This is a draft proposal, so it behoves industry to get involved and comment on the proposal to ensure it is a working regulation when finalised.

Contact Info: Rich LeNoir (rle Noir@decernis.com)

Similar Article:

[Article 1 Law Concerning Promotion of Resource Recycling Related to Plastics \(referred to as "Law" in Item 3 \(a\)\)](#)



5 INDIA

5.1 2021-10-03: PACKAGING SUSTAINABILITY - MONITORING

General Media: Proposal

Concepts: [Plastic Based Packaging](#), [Prohibition](#)

[Plastic mineral water bottles banned in THIS state from January 2022](#)

Plastic water bottles can be found in every convenience store and grocery shop in India and are one of the best-sellers among visitors and travelers. The move to ban plastic water bottles in Sikkim will have a good impact on the environment of the state. The Himalayan state of Sikkim has decided to put an end to damage to the environment caused by these plastic water bottles. CM Tamang further stated that the state government is currently taking steps to stop the supply of plastic water bottles from the outside. During his address, the chief minister said, “Everyone in Sikkim would now have to do away with mineral water bottles and opt for natural water resources.” A three-month buffer time is being given to deplete the existing stock of mineral water bottles available with business establishments, he further stated.

Impact Statement: The Himalayan State of Sikkim, in India, is banning the use of plastic bottles for drinking water beginning 1 January 2022. Currently, the ban is only in this state and does not extend to the whole country. The article does not specify how water will be sold after the deadline. It just states the people will “opt for water from natural resources”.

Contact Info: Matt Parker (mparker@decernis.com)

5.2 2021-10-10: PACKAGING SUSTAINABILITY - REGULATORY OVERVIEW

Ministry of Environment: Proposal

Concepts: [Plastic Based Packaging](#), [EPR](#)

[Draft Notification of Regulation on the Extended Producer Responsibility under Plastic Waste Management Rules, 2016](#)

It covers three categories of packaging: rigid plastic packaging; flexible plastic packaging of single or multiple layers with different types of plastic; and plastic sheets, carry bags (including bags made of compostable plastics) and plastic sachets or pouches. The draft specifies the quantity of plastic waste that producers, importers and brand owners have to manage. Producers, importers, and brand owners of plastic waste will also be allowed to trade in EPR certificates. All producers, importers, brands, recyclers, etc., will have to be registered with the Central Pollution Control Board through an online portal. To reduce the environmental impact of plastic packaging, producers, importers, and brand owners will have to conform to stringent rules to manage the waste under extended producer responsibility (EPR), the environment ministry said in a draft notification that has been put up for public comments.



Impact Statement: This is a draft of a regulation that will dictate the EPR responsibilities of waste plastics. Industry needs to review and determine if the draft is reasonable and feasible, and comment back to the Ministry of the Environment on those points that may be impossible to achieve.

Contact Info: Rich LeNoir (rle Noir@decernis.com)

Similar Articles:

[Draft EPR notification: Producers told to manage plastic packaging waste - Hindustan Times](#)

[Centre releases draft regulations to manage plastic packaging waste](#)

6 INTERNATIONAL

6.1 2021-10-04: FOOD CONTACT - MONITORING

General Media: Notice

Concepts: [Food Safety](#), [PFAS](#)

[New CA law will protect residents from toxic PFAS chemicals](#)

The legislation provides examples of such food packaging, like take-out food containers and straws, but any food packaging that meets the definition is subject to the law's requirements. For instance, cookware may claim to be PFOS-free, when it may contain one of thousands of other PFAS chemicals. We thank Governor Newsom for signing this bill into law and Assembly Member Ting for carrying this important legislation to protect Californians from PFAS and other toxic chemicals. First, AB 1200 bans PFAS in paper-based food packaging starting in 2023. Food packaging is broadly defined.

Impact Statement: Businesses should be aware of the requirements under this law. Not only are PFAS chemicals being banned in many applications, but changes to advertising are coming in 2023. As stated above, currently cookware can advertise as being PFOS free, but use one of the other family related chemicals. The new law will make it illegal to advertise a product being free of a certain chemical if a similar chemical from same family is the replacement. Based on this, I would tend to believe advertising BPA Free and using BPS would also be considered illegal and result in a fine.

Contact Info: Matt Parker (mparker@decernis.com)

6.2 2021-10-19: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice

Concepts: [Mineral Oil and Grease](#)

[Circular economy for plastic achievable but aggressive legislation is needed](#)

A scientist is calling for a better understanding of the health ramifications of ubiquitous 'grease proofing' chemicals that have been used for decades. A new study based on a symposium involving scientists at



public and private institutions strikes an urgent tone on the need for new and better ways to detect and mitigate this class of chemical compounds, collectively known as per- and polyfluoroalkyl substances.

Impact Statement: These media articles should be reviewed to understand the attacks on plastics. With PFAS being the hot topic of today, those companies involved with PFAS need to follow the new requirements being established by governments around the world. Also, they need to know the attacks being raised by people and organisations that may be trying to capitalise on the trend. Push back may be necessary to avoid unreasonable or unnecessary regulation.

Contact Info: Rich LeNoir (rle Noir@decernis.com)

Similar Articles:

[Approaching deadlines for packaging producers in South Africa](#)

[When Eco-friendly Paper Meets Fully Compostable Packaging](#)

Two significant, intertwined issues plague the CBD beverage industry today. The first is the stability of the cannabinoid(s) to remain suspended in the beverage over extended periods of time. The second is absorption of the cannabinoid(s) into the lining that coats the inside of aluminum cans.

6.3 2021-10-19: PACKAGING SUSTAINABILITY - MONITORING

Scientific Journal: Notice

Concepts: [Phthalates](#), [Health Effects](#)

[Phthalates and attributable mortality: A population-based longitudinal cohort study and cost analysis - ScienceDirect](#)

Accelerating evidence of endocrine-related morbidity has raised alarm about ubiquitous use of phthalates in the human environment, but studies have not directly evaluated mortality in relation to these exposures.

Impact Statement: Studies like this need to be reviewed outside of their publication by companies, etc. to verify that the study was conducted reasonably and that the conclusions are plausible. These types of studies that target chemicals can be misleading, and companies need to push back or find that unreasonable regulations are made.

Contact Info: Rich LeNoir (rle Noir@decernis.com)

Similar Articles:

[Food Packaging Chemicals May Contribute to 100,000 US Deaths Per Year, Study Finds - Mother Jones](#)

[Phthalates in Food Packaging Lead to 100,000 Deaths in U.S. Each Year, Study Finds - EcoWatch](#)



7 MERCOSUR

7.1 2021-10-13: FOOD CONTACT - REGULATORY OVERVIEW

MERCOSUR: Regulation

Concepts: [Polymer](#), [Food Contact](#), [Packaging](#)

[GMC/RES No 02/12 - Amendment: GMC/RES No 19/21: Technical Regulation on positive list of monomers, other starting substances and polymers authorized for the manufacturing of food-contact plastic packaging and equipment \(Portuguese\)](#)

That GMC Resolution No. 03/92, on general criteria for packaging and food equipment in contact with food, establishes that packaging and equipment in contact with food must meet certain requirements. That GMC Resolution No. 02/12 approved the “MERCOSUR Technical Regulation on the positive list of monomers, other initiating substances and polymers authorized for the preparation of plastic packaging and equipment in contact with food” and that it is convenient to update it. "12. Article 14 - This resolution shall be incorporated into the legal system of the States Parties before 11/IV/2022. Article 13 - Establish a period of three hundred and sixty (360) days for compliance with the requirements established in this resolution, counted from its incorporation.

Impact Statement: Companies conducting business with MERCOSUR countries should review this document for any changes to the approved monomers, salts, metals migration limits and other items included in this amendment.

Contact Info: Matt Parker (mparker@decernis.com)

7.2 2021-10-13: FOOD CONTACT - REGULATORY OVERVIEW

MERCOSUR: Regulation

Concepts: [Food Contact](#), [Plastic Based Packaging](#)

[GMC/RES No 56/92 - Amendment: GMC/RES No 20/21: General provisions for Plastic packaging and food contact equipment \(Portuguese\)](#)

That GMC Resolution No. 56/92 approved the general provisions for plastic packaging and equipment in contact with food and that it is convenient to update them. “5. CONSIDERING: That GMC Resolution No. 03/92, on general criteria for packaging and food equipment in contact with food, establishes that plastic packaging and equipment in contact with food must meet certain requirements. The total migration limits (LMT) that all plastic packaging and equipment in contact with food must comply with are as follows: 5.2. zIN VIEW: The Treaty of Asuncion, the Protocol of Ouro Preto and Resolution Nos. 03/92, 56/92, 38/98 and 45/17 of the Common Market Group. Plastic packaging and equipment under foreseeable conditions of use will not yield undesirable, toxic or contaminating substances to food...



Impact Statement: Companies who conduct business in MERCOSUR countries should be reviewing this amendment on the provisions for plastic packaging and food contact equipment to see how any changes may affect their products.

Contact Info: Matt Parker (mparker@decernis.com)

7.3 2021-10-13: FOOD CONTACT - REGULATORY OVERVIEW

MERCOSUR: Regulation

Concepts: [Food contact](#), [Packaging](#)

[GMC/RES No 40/15 - Amendment: GMC/RES No 21/21: Technical Regulation on cellulosic materials, packaging and equipment intended to come into contact with food \(Portuguese\)](#)

That GMC Resolution No. 03/92, on general criteria for packaging and food equipment in contact with food, establishes that packaging and equipment in contact with food must meet certain requirements. 2-propenoic acid polymer with ethanedial and 2-propenamide [CAS 65505-03-5] containing acrylamide and acrylic acid that reacts with no more than 30% w/w of glyoxal. That GMC Resolution No. 40/15 approved the "MERCOSUR Technical Regulation on cellulosic materials, packaging and equipment intended to come into contact with food" and that it is convenient to update it. "4.2.27. Reaction product of polyvinylamine with (3-acrylamidopropyl)trimethylammonium chloride, max. 0.075% based on dry fibre weight.

8 NORTHERN IRELAND

8.1 2021-10-18: FOOD CONTACT - REGULATORY OVERVIEW

Ministry of Agriculture: Regulation

Concepts: [Food Safety](#)

[Consultation for the Reduction of Single-Use Plastic Beverage Cups and Food Containers](#)

The Department of Agriculture, Environment and Rural Affairs (DAERA) is delighted to present this consultation for the reduction of Single-Use Plastic beverage cups and food containers and looks forward to hearing your views. The Department is seeking your views on the suggested policy options to ensure the most effective method of reducing the consumption of SUP beverage cups and food containers is identified. The Department aims to encourage a more sustainable environment and circular economy for everyone across NI and reduction in usage of all SUP beverage cups and food containers will help to contribute to these targets. The responses to the consultation will be used to determine the best policy options to help to promote the reduction in SUP items. The consultation has been designed collaboratively with WRAP (the Waste and Resources Action Program) to consider a number of policy options on the most effective way to ensure a substantial reduction in the use of SUP beverage cups and food containers.



Impact Statement: Northern Ireland is looking to reduce single use plastics in cups and food containers. This could be a start of trends to reduce plastics in all products. Companies involved with single use plastics should be aware of the developments here, and comment on the consultation as necessary.

Contact Info: Rich LeNoir (rlenoir@decernis.com)

9 TAIWAN

9.1 2021-10-07: FOOD STANDARDS - REGULATORY OVERVIEW

Ministry of Food and Drug Safety (MFDS): Regulation
Concepts: [Food Safety](#)

[Regulation 2021: Those foods, food additives, food utensils, food containers or packaging classified under 3 specific CCC codes - G/SPS/N/TPKM/569/Add.1](#)

Other plastic articles and articles of other materials of headings Nos. 39.01 to 39.14

Impact Statement: This document assigns CCC Codes, also known as harmonised system codes (HS Codes) or tariff codes, to three products for import/export purposes.

Contact Info: Matt Parker (mparker@decernis.com)

10 VIETNAM

10.1 2021-10-07: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice
Concepts: [EPR](#)

[EPR - Effective mechanism for environmental protection](#)

This mechanism has been widely and successfully applied in many countries since the 1990s, to recover abandoned products and packages for recycling and most efficient treatment, thus achieving the dual objectives of environmental protection and economic development. They failed to provide mandatory collection rates for recycling and recycling specifications, and also failed to set a mechanism to operate the system efficiently and smoothly. The 2020 Law on Environmental Protection and its guiding decree have redressed the above-mentioned loopholes. The Council would decide on the obligatory recycling rates and levels of recycling charges for each unit of discarded products, which serve as the basis for calculating financial contributions to the Vietnam Environmental Protection Fund. This laptop volume must be recycled and treated according to specification X. Producers and importers of products and packages, which are hardly recyclable, must make payments to the Vietnam Environmental Protection Fund to support residential solid waste treatment activities. Through the formation of a mechanism for



enterprises to participate in the value chains of products and packages subject to collection and recycling, the interests of producers, importers, and recyclers are optimized.

Impact Statement: EPR concepts are being employed in Vietnam and companies doing business there need to understand their obligations, including paying fees for development of recycling methods.

Contact Info: Rich LeNoir (rlenoir@decernis.com)

11 UNITED KINGDOM

11.1 2021-10-05: FOOD CONTACT - REGULATORY OVERVIEW

Government: Notice
Concepts: [REACH](#)

[UK REACH: grandfathered registrations notified substances list](#)

Chemical manufacturers and importers based in Great Britain (England, Scotland, and Wales) can use this list when they plan their strategy for meeting the requirements of UK REACH.

Impact Statement: The UK is establishing its REACH regulation, and thus, similar EU food contact materials will be included. Companies will need to ensure the substances they want to use in the UK are on the UK REACH lists for allowable use in the UK. Registrations may be necessary to get the chemicals on the list. Much the same way as EU REACH registrations, companies should follow these developments.

Contact Info: Rich LeNoir (rlenoir@decernis.com)

11.2 2021-10-20: FOOD CONTACT - MONITORING

Professional Association/Organization: Notice
Concepts: [Food Packaging](#)

[Considerations for optimal food barrier packaging - a blog from Campden BRI](#)

Food and packaging materials have different sets of properties, so it is important to understand what these are when determining the optimum solution. To ensure sufficient protection of the product and, maintain its desired shelf-life, we have taken a closer look at how packaging material properties can be measured. The simplicity of packaging disguises the extensive research and care taken to achieve the optimisation and elongation of a packaged food's shelf life. With the presence of oxygen leading to unwanted microbiological proliferation and, with certain food extremely sensitive to moisture, barrier testing identifies properties that prove the efficacy of each element of the packaging. The permeability of materials at specific environmental conditions is measured with: Both tests are carried at Campden BRI for plastic materials mainly, including films and rigid containers, but also for board formats and bottle closures.



Impact Statement: Most customers do not understand the amount of engineering and design which takes place in food packaging to keep it fresh. Barrier technologies to reduce oxygen and moisture permeation in order to protect against degradation of the food product can be very difficult to develop. This blog discusses some of the testing options for measuring oxygen and water vapour transmission through packaging.

Contact Info: Matt Parker (mparker@decernis.com)

11.3 2021-10-26: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice

Concepts: [Recycling](#), [Plastic Based Packaging](#)

[Recycling plastics does not work, says Boris Johnson - BBC News](#)

Recycling plastic materials "doesn't work" and "is not the answer" to threats to global oceans and marine wildlife, Boris Johnson has said. Answering children's questions ahead of the COP26 climate change summit, the Prime Minister said reusing plastics, "doesn't begin to address the problem". Instead, he said, "we've all got to cut down our use of plastic". The Recycling Association said the PM had "completely lost the plastic plot".

12 UNITED ARAB EMIRATES

12.1 2021-10-28: FOOD CONTACT - REGULATORY OVERVIEW

Standards Organization: Proposal

Concepts: [Food Contact](#), [Metals](#)

[Draft 2021: Technical Regulation Three-piece steel round cans used for canning food stuffs - G/TBT/N/ARE/521](#)

Scope and field of application: This standard is concerned with the single & double reduced three piece round steel cans (tin coated or tin free steel) used for canning food stuffs; Complimentary reference: 2.1 GSO 1797/2007 "Round Metal Cans Used for Canning Food stuffs Definitions, Construction, Dimensions and Capacities". 2.2 GSO 1795/2007 "Methods of Test for the Three-Piece Round Steel Cans Used for Canning Food stuffs". 2.3. UAE.S GSO ISO 11949: Cold-reduced tin mill products -Electrolytic tinplate; Definitions: For the purpose of this standard, all definitions mentioned in the Gulf Standard specified in items (2.1 & 2.3) shall apply.



13 UNITED STATES

13.1 2021-10-05: FOOD CONTACT - MONITORING

General Media: Notice

Concepts: [Food Safety](#), [PFAS](#)

[California becomes seventh state to ban PFAS “forever chemicals” in food packaging and wrappers](#)

SACRAMENTO, CA – California has become the seventh state to ban the use of PFAS “forever chemicals” in food packaging now that Governor Gavin Newsom has signed [legislation](#) passed by state lawmakers in September that prohibits such use. The new law also requires warning labels on cookware like pots and pans made with PFAS.

Similar Articles:

[FAA must end the use of polluting PFAS firefighting foam](#)

[Maine tackles forever chemicals contaminating food and farms | IATP](#)

[New PFAS Reporting Rule Could Be Tough For Businesses](#)

Impact Statement: There are two new laws in California regulating PFAS, following the trend of US states regulating PFAS. Companies will need to comply with the requirements for infant and children’s products and food packaging in order to sell in California. This could also lead to listings in Prop 65 for labelling of products for PFAS.

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13.2 2021-10-05: FOOD STANDARDS - MONITORING

Professional Association/Organization: Notice

Concepts: [GRAS](#)

[Legality of the Self-GRAS process upheld in federal court](#)

The exemption of GRAS substances from pre-market review has drawn its fair share of criticism over the years. The decision does leave the GRAS regulatory framework unchanged. This created a legal framework that exempted substances that are GRAS from pre-market review. These are substances that manufacturers have concluded to be generally recognised as safe (“GRAS”) for their prescribed uses in food. These substances, substances generally recognised as safe, are at the heart of this case,” Judge Vernon Broderick said in a 30 September 2021 opinion.

Impact Statement: A federal judge rules that the FDA’s GRAS regulatory framework is in line with the requirements of the FD&C Act. As it stands, GRAS products can continue to market without a pre-market review by the FDA. Consumer groups are disappointed with the decision as they feel that the exemption of GRAS products from pre-market review gives too much discretion to the food and supplement



companies. The consumer groups may proceed with an appeal, but the federal court's opinion siding with the rationale of the FDA may prove difficult to overcome.

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Similar Article:

[FDA wins lawsuit over its GRAS rule](#)

13.3 2021-10-06: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice

Concepts: [Recycling](#)

[California-Specific Recycling Regulations Limit Products Displaying Chasing Arrow Icon](#)

While the new Oregon law does not outlaw use of the chasing arrows symbol, it does repeal the requirement that rigid plastic bottles and containers include the chasing arrows symbol. In Oregon, Senate Bill 581 included a similar proposal to limit the use of the chasing arrows symbol to recyclable products. The new California law goes further to deem any use of the chasing arrows symbol a recyclability claim in the state. The chasing arrows symbol is commonly used with resin identification codes on plastic products and packaging. On 5 October 2021, California's Governor Newsom signed Senate Bill 343 (SB 343) prohibiting use of the chasing arrows symbol on non-recyclable products and packaging.

Impact Statement: The new regulation in California would make it illegal for products to include the chasing arrows symbol on products which have not been proven to be recyclable. Depending on how the chasing arrows are incorporated, the cost of removing the symbol could be extremely high. For example, moulded products in which the symbol is part of a mould, retooling may be required. It should be kept in mind the chasing arrows were not originally meant to be a "recycling symbol", but a "resin identification code," when created by the Society of the Plastics Industry (SPI), now the Plastics Industry Association (PIA). It was only meant to identify the resin used in the product. It was never meant to say, this product is recyclable.

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13.4 2021-10-07: PACKAGING SUSTAINABILITY - MONITORING

General Media: Notice

Concepts: Plastic tax, Single use

[Taxing new plastic is the cheapest way to address its environmental impact](#)

Second, 98 percent of the plastic making up your bottle of soda is virgin plastic; plastic that has never been recycled. Basic economics tells us that this is the cheapest way to reduce the added environmental costs of virgin plastics. Not only is taxing virgin plastics a good idea but the basic idea should also be



expanded to pollution more generally. I am probably not the only one to have also tripped over a plastic bottle littering the street. Sheldon Whitehouse, taxing new plastic is the cheapest way to address its environmental impact.

Impact Statement: Senator Sheldon Whitehouse (D-R.I.) has introduced a new bill which would add a \$40/ton tax on virgin plastics used in single-use plastic products. The Senator's hope is the tax will push companies to use recycled resin in place of virgin for single-use articles manufactured in the United States.

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