

EUROPEAN COMMUNITIES (MATERIALS AND ARTICLES INTENDED TO COME INTO CONTACT WITH FOODSTUFFS) (AMENDMENT) REGULATIONS 1997

I, Mary Harney, Tánaiste and Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Commission Directive No. 96/1 I/EC of 5 March, 1996*, hereby make the following Regulations:

* O.J. No. L61/26,12.03.96

REG 1

1. (1) These Regulations may be cited as the European Communities (Materials and Articles Intended to come into Contact with Foodstuffs) (Amendment) Regulations, 1997.

(2) The European Communities (Materials and Articles Intended to come into Contact with Foodstuffs) Regulations, 1991 to 1996, and these Regulations, may be cited together as the European Communities (Materials and Articles Intended to come into Contact with Foodstuffs) Regulations, 1991 to 1997.

REG 2

2. In these Regulations "the Principal Regulations" means the European Communities (Materials and Articles intended to come into Contact with Foodstuffs) Regulations, 1991 (S.I. No. 307 of 1991).

REG 3

3. Regulation 2 of the Principal Regulations is hereby amended—

(a) by the substitution in paragraph (1) of the following definition for the definition of "Commission Directives":

"'Commission Directives' means—

(a) Commission Directive 80/590/EEC of 9 June 1980, (1)

(1) O.J. No. L151/21, 19.06.80

(b) Commission Directive 80/766/EEC of 8 July 1980, (2)

(2) O.J. No. L213/42, 16.08.80

(c) Commission Directive 86/388/EEC of 23 July 1986, (3)

(3) O.J. No. L228/32, 14.08.86

(d) Commission Directive 90/128/EEC of 23 February 1990, (4)

(4) O.J. No. L 349/26, 13.12.90

(e) Commission Directive 92/15/EEC of 11 March 1992, (5)

(5) O.J. No. L102/44, 16.04.92

(f) Commission Directive 92/39/EEC of 14 May 1992, (6)

(6) O.J. No. L 168/21,23.06.92

(g) Commission Directive 93/8/EEC of 15 March 1993, (7)

(7) O.J. No. L 90/22, 14.04.93

(h) Commission Directive 93/9/EEC of 15 March 1993, (8)

(8) O.J. No. L 90/26, 14.04.93

(i) Commission Directive 93/10/EEC of 15 March 1993(9)

(9) O.J. No. L 93/27, 17.04.93

(j) Commission Directive 93/11/EEC of 15 March 1993, (10)

(10) O.J. No. L 93/37, 17.04.93

(k) Commission Directive 93/111/EC of 10 December 1993, (11)

(11) O.J. No. L310/41, 14.12.93

(l) Commission Directive 95/3/EC of 14 February 1995, (12)

(12) O.J. No. L41/44, 23.02.95

and

(m) Commission Directive 96/11/EC of 5 March 1996;" , (13)

(13) O.J. No. L61/26,12.03.96

and

(b) by the substitution, for paragraph (4) (as inserted by Regulation 3(l)(b) of the European Communities (Materials and Articles Intended to come into Contact with Foodstuffs)(Amendment) Regulations, 1996) of the following paragraph:

"(4) In these Regulations a reference to any provision of Annex II or Annex III to Commission Directive No. 90/128/EEC of 23 February 1990 is a reference to such provision and that Annex as amended, adapted or extended by the Commission Directives."

REG 4

4. Regulation 9 of the Principal Regulations is hereby amended—

(a) by the substitution for paragraph (4) of the following paragraph

"(4) Before 1 January 2002, a person shall use in the manufacture of plastic materials and articles only those monomers and other starting substances listed in Annex II Sections A and B to Directive 90/128/EEC.";

(b) by the substitution for paragraph (5) of the following paragraph

"(5) From 1 January 2002 a person shall use in the manufacture of plastic materials and articles only those monomers and other starting substances listed in Annex II Section A to Directive 90/128/EEC.",

and

(c) by the substitution for paragraph (14) of the following paragraph

"(14) From 1 January, 1999 a person shall not engage in the manufacture or importation into the Community of plastic materials and articles unless they comply with the provisions of this Regulation."

GIVEN under my Official Seal,

this 28th day of July, 1997.

Mary HarneyTánaiste and Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

The purpose of these Regulations is to give legal effect to Commission Directive 96/11/EC amending Commission Directive 90/128/EEC relating to plastic materials and articles intended to come into contact with foodstuffs and also for the administration and enforcement of the Regulations.