

STATUTORY INSTRUMENTS.

S.I. No. 475 of 2000.

EUROPEAN COMMUNITIES (MATERIALS AND ARTICLES INTENDED TO COME INTO CONTACT WITH FOODSTUFFS) (AMENDMENT) REGULATIONS, 2000.

I, MARY HARNEY, 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. 1999/91/EC¹ of 23 November 1999, relating to plastic materials and articles intended to come into contact with foodstuffs, hereby make the following regulations:

¹ O.J. No. L310, 4.12.1999, p41

1. (1) These Regulations may be cited as the European Communities (Materials and Articles Intended to come into Contact with Foodstuffs) (Amendment) Regulations, 2000.

(2) These Regulations shall come into operation on the 29th day of December, 2000.

(3) The European Communities (Materials and Articles intended to come into Contact with Foodstuffs) Regulations, 1991 to 1998, and these Regulations, may be cited together as the European Communities (Materials and Articles Intended to come into Contact with Foodstuffs) Regulations, 1991 to 2000.

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).

3. Regulation 2 of the Principal Regulations is amended

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

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

⁽¹³⁾ O.J. No. L61/26, 12.3.1996

(n) Commission Directive 97/48/EC⁽¹⁴⁾ of 29 July, 1997,

⁽¹⁴⁾ O.J. No. L222/10, 12.8.1997

and

2000;"
(o) Commission Directive 1999/91/EC⁽¹⁵⁾ of 23 November,

⁽¹⁵⁾ O.J. No. L310/41, 4.12.1999",

and

(b) by the substitution of the following for paragraph (4):

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

4. Regulation 7 of the Principal Regulations is amended:

(a) by the substitution in paragraph (1) for all the words from "The Regulation" to "which either-" of:

"(1) This Regulation applies to regenerated cellulose film within the meaning of the description given to it in Article 1 of Commission Directive 93/10/EEC of 15 March, 1993 and Annex 1 to the Said Commission Directive which either—",

and

(b) by the substitution of the following for sub-paragraph (i) of paragraph (3):

"(i) only those substances or groups of substances listed in Annex II to Commission Directive 93/10/EEC are used in the manufacture of the regenerated cellulose film, and"

5. Regulation 9 of the Principal Regulations is amended—

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

"(4) Before 1 January 2002, a person shall trade in and 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 of the following for paragraph (5):

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

(c) by the deletion in paragraph (6) of "products obtained by means of bacterial fermentation,";

and

(d) by the substitution of the following for paragraph (14)—

"(14) From 1 January 2003 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 20th day of December, 2000.

MARY HARNEY,

Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of these Regulations is to give legal effect to Commission Directive 1999/91/EC amending for the fifth time Directive 90/128/EC relating to plastic materials and articles intended to come into contact with foodstuffs.