



EUROPEAN
COMMISSION

Brussels, **XXX**
PLAN/1364/2022 CIS
(POOL/E2/2022/1364/1364-EN
CIS.docx)
[...](2023) **XXX** draft

COMMISSION REGULATION (EU) .../...

of **XXX**

**amending Annex I to Regulation (EU) No 10/2011 on plastic materials and articles
intended to come into contact with food, laying down a migration limit for the substance
styrene**

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Annex I to Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food, laying down a migration limit for the substance styrene

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ('FCMs') and repealing Directives 80/590/EEC and 89/109/EEC¹, and in particular Article 5(1), second subparagraph, points (a), (e), and (i) thereof,

Whereas:

- (1) Commission Regulation (EU) No 10/2011² lays down specific rules as regards plastic materials and articles intended to come into contact with food. In particular, Annex I to Regulation (EU) No 10/2011 establishes a Union list of authorised substances that may be intentionally used in the manufacture of plastic materials and articles intended to come into contact with food.
- (2) [...]
- (3) Regulation (EU) No 10/2011 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Annex I to Regulation (EU) No 10/2011

Annex I to Regulation (EU) No 10/2011 is amended in accordance with the Annex to this Regulation.

Article 2

Transitional measures

1. Plastic materials and articles complying with Regulation (EU) No 10/2011 as applicable before the entry into force of this Regulation, and any other relevant

¹ OJ L 338, 13.11.2004, p. 4.

Union legislation, which were first placed on the market before *[enter date 18 months after the date of entry into force of this Regulation]* may continue to be placed on the market until the exhaustion of stocks.

2. In case a product from an intermediate stage of the manufacturing of plastic materials and articles or a substance intended for the manufacturing of such a product, material or article, which complies with Regulation (EU) No 10/2011 as applicable before the entry into force of this Regulation and which is first placed on the market after *[enter date 9 months after the date of entry into force of this Regulation]* does not comply with this Regulation, the declaration of compliance accompanying that substance or product shall indicate that it does not comply with this Regulation, and that it can only be used in the manufacture of plastic materials and articles to be placed on the market before *[enter date 18 months after the date of entry into force of this Regulation]*.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in *the Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN