

# NEWSLETTER

SAFE SUSTAINABLE SOLUTIONS



**Food Contact Services S.r.l.** fornisce un servizio di newsletter mensile che permette un aggiornamento costante sulle principali novità normative relative al mondo dei materiali e degli oggetti destinati al contatto con alimenti.

Il servizio, in abbonamento, prevede l'invio mensile entro il giorno 15 di ogni mese di un documento informativo dove sono riportate le più impattanti novità regolatorie registrate nel mese precedente.

FEBRUARY 2024

## NEWSLETTER

### Regulatory Update

Also in the new year, important news in the world of materials in contact with food could not be missing. The European Chemicals Agency (ECHA) has added five chemicals to its list of substances of very high concern (SVHC) and expanded the list of dibutyl phthalates. All manufacturers of these five new EU chemicals or suppliers of products containing chemicals on the SVHC Candidate List in concentrations above 0.1% by weight must provide safety information so that consumers can use the chemical and/or product safely. Also in Europe, the European Parliament has approved the Greenwashing Directive, which will amend Directive 2005/29/EC on unfair business-to-consumer commercial practices, prohibiting the use of false claims and environmental harm. Among the key innovations, not only will the use of phrases such as "natural", "biodegradable", "eco" that are not supported by evidence be banned, but sustainability labels will also be regulated, which will have to be certified by a competent authority.

In Switzerland, the Ordinance 817.023.21 on Materials and Objects will be updated from 1 February 2024. The changes will also concern packaging inks: in particular, part B of Annex 10 will be eliminated, where substances that had not previously been evaluated for the production of packaging inks were inserted. These substances can now be used for the production of packaging inks, subject to a migration of no more than 0.01 mg/kg into food or food simulants and are not carcinogenic, mutagenic or toxic for reproduction (CMR substances).

Moving on to Spain, Elena Canellas of the University of Zaragoza, and co-authors studied the chemicals emitted by paper straws printed with soda and their safety for humans. The study analyzed non-volatile compounds migrating from nine different printed and unprinted paper straws to soda; identified 19 chemicals with concentrations up to 3.6 mg/kg of sodium carbonate; chemicals including suspected carcinogens and endocrine disruptors; The results therefore show that paper straws are not a safer alternative to plastic straws.

In the United States, U.S. Senate Bill S.3387, "Ensuring Safe and Non-Toxic Food Act of 2023," would prohibit independent designations of generally recognized foods as safe (GRAS) and establish the Department of Chemical Safety, Dietary Supplements, and Innovation. Specifically, the bill would require the Food and Drug Administration (FDA) to prohibit manufacturers from designating a substance as GRAS unless the Secretary of the State Department of Health and Human Services has determined in writing that the substance is GRAS under the intended conditions of use. Remaining in North America, the Canadian government published a notice in the Canada Gazette announcing its intention to establish federal registration and reporting requirements for plastics under Section 46(1) of the Environmental Protection Act Canada (CEPA). The notification will require producers of plastic products to report to the registry, either directly or through another designated authority, the amount and type of plastic they place on the market. Manufacturers of certain plastic products will also be required to provide a detailed analysis of how the plastic will be handled at the end of its useful life.

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FEBRUARY 2024

## EUROPE

FOUR FOOD CONTACT CHEMICALS ADDED TO SVHC CANDIDATE LIST

The European Chemicals Agency (ECHA) adds five new chemicals to the Candidate List of substances of very high concern (SVHC) and expands listing of a sixth; five of the six have been measured in food contact articles; listing obligates producers and suppliers to provide safety information and to notify ECHA; candidate list now contains 240 substances

The European Chemicals Agency (ECHA) added five chemicals to its Candidate List of substances of very high concern (SVHCs) and expanded the listing of dibutyl phthalate. Below is a summary of the identity of the five new substances included in the Candidate List: Oligomerisation and alkylation reaction products of 2-phenylpropene and phenol (CAS 700-960-7), 2,4,6-tri-tert-butylphenol (UV-329, CAS 3147-75-9), 2-(dimethylamino)-2-(4-methylphenyl)methyl]-1-(morpholin-4-yl)phenyl]butan-1-one (CAS 119344-86-4), Bumetrizole (CAS 3896-11-5), Dibutyl phthalate, (updated entry, CAS 84-74-2). All EU producers of these chemicals or suppliers of products containing chemicals on the SVHC candidate list above a concentration of 0.1% by weight must provide safety information to consumers for safe use of the chemicals and/or products.

THE EUROPEAN PARLIAMENT HAS ADOPTED THE NEW DIRECTIVE AGAINST GREENWASHING

The new Directive will amend Directive 2005/29/EC relating to unfair commercial practices between businesses and consumers

The European Parliament has adopted the directive against greenwashing, which will amend Directive 2005/29/EC relating to unfair commercial practices between businesses and consumers, prohibiting the use of misleading environmental claims. As important innovations, not only will the use of expressions such as "natural", "biodegradable", "eco" not supported by proving data be prohibited, but also sustainability labels will be subject to limitations as only those based on schemes will be allowed official certifications or established by the authorities. Furthermore, the directive will also regulate communication about product obsolescence: information on product durability will become more visible and immediate and will also have to be supported by evidence.

IMPACT ON THE MARKET

RED IMPACT  
ORANGE IMPACT  
GREEN IMPACT

L'abbonamento ha generalmente la durata di 12 mesi dalla data di accettazione dell'offerta. E' possibile ricevere la versione standard della newsletter oppure richiedere una versione personalizzata del servizio comprendente loghi e immagini dedicate alla singola azienda.

La newsletter riporta al proprio interno importanti notizie regolatorie o studi di particolare interesse che potrebbero influenzare l'operatività delle singole aziende e i più interessanti eventi in calendario nei mesi successivi.

Consultando la newsletter è possibile recepire i trend regolatori e di mercato; il servizio è quindi complementare all'abbonamento del matrix regolatorio ed ha importanza strategica poichè può permettere alle aziende di anticipare eventuali azioni.



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La particolarità della nostra Newsletter è che permette di essere aggiornato ogni mese con tutte le novità importanti dai **cinque continenti del mondo**.

**L'aggiornamento normativo è uno dei requisiti richiesti per operare in ambito di Buone Pratiche di Fabbricazione in base ai dettami del Regolamento CE 2023:2006** e la newsletter rappresenta uno strumento perfetto per questo scopo, riportando le novità sia in ambito europeo, sia per quanto concerne gli altri continenti (USA e Asia in primis ma anche quando necessario notizie relative agli altri continenti).

**FEBRUARY 2024**

**ASIA**

**NEWS 5**  
03.01.2024

**REGULATION  
RELEASED BY**  
CHINA NATIONAL CENTER  
FOR FOOD SAFETY RISK  
ASSESSMENT (CFSAS)

**China Solicits Comments on Four New Food-Contact Materials**

The China National Center for Food Safety Risk Assessment (CFSAS) solicited comments on four food-contact materials and articles: two new additives and two new resins. Comments are due by January 21, 2024.

New Food-Contact Additives

- Chromium iron oxide (CAS No. 12737-27-8) is to be cleared for use in plastics at a maximum use level of 2%. Plastic materials and articles containing this substance may not be used in the production of food-contact materials and articles for infants and young children. In addition,
- Bicyclo[2.2.1] heptane-2,3-dicarboxylic acid, calcium salt 1:1, (1R,2R,3S,4S)-rel- (CAS No. 839693-04-4) is to be cleared for use in polypropylene (PP) and polyethylene (PE) at a maximum use level of 0.25%. The specific migration level (SML) is 5 mg/kg. PP and PE plastic materials and articles containing this substance may not be used for the production of food-contact materials and articles for infants and young children. The use temperature may not exceed 100°C.

New Resins

- Polybutylene succinate adipate (CAS No. 67423-06-7) is to be cleared for use in plastics at the necessary usage level. The SMLs are 5 mg/kg (as 1,4-butanediol) and 0.05 mg/kg (tetrahydrofuran). This substance may not be used for the production of food-contact materials and articles for infant and young children use. PBSA plastics and products produced from this substance may not be used in contact with acidic foods and foods with ethanol content higher than 10%, and shall be for one-time use only, filled at room temperature and stored at room temperature for a long time (including hot filling and pasteurization at T≤70°C, t≤2h or Ts100°C, ts15min).
- 1,3-Benzenedicarboxylic acid, polymer with 1,4-benzenedicarboxylic acid and 1,4-cyclohexanedimethanol (CAS No. 26124-27-6) is to be cleared for use in plastics at the necessary usage level. The SMLs are 5 mg/kg (as 1,3-benzenedicarboxylic acid) and 7.5 mg/kg (as 1,4-benzenedicarboxylic acid). This substance may not be used for the production of food-contact materials and articles for infants and young children.

**IMPACT ON THE MARKET**

● HIGH IMPACT ● MEDIUM IMPACT ● LOW IMPACT

**FEBRUARY 2024**

**NEWS IN PILLS**

**NEWS 1**  
03.01.2024

**REGULATION  
RELEASED BY**  
SWISS FEDERAL FOOD  
SAFETY AND VETERINARY  
OFFICE (FSVO)

**SWISS PRINTING INKS ORDINANCE UPDATED**

Swiss Ordinance 817.023.21 on materials and articles will be updated as of February 1, 2024, by an amendment dated December 8, 2023. One significant change is that the Part B list (unevaluated substances) of the positive list in Annex 10 (Packaging Inks) will be deleted such that only the Part A list (evaluated substances) will remain. Unlisted substances may be used provided that they are not carcinogenic, mutagenic, or toxic to reproduction.

**NEWS 2**  
20.01.2024

**STUDY  
RELEASED BY**  
JOURNAL FOOD PACKAGING  
AND SHELF LIFE

**PAPER STRAWS NOT SAFER THAN PLASTIC STRAWS, SCIENTISTS FIND**

Study analyzes non-volatile compounds migrating from nine different printed and non-printed paper straws into soda; identifies 19 chemicals in concentrations up to 3.6 mg/kg soda; chemicals include suspected carcinogen and endocrine disruptors; findings suggest paper straws are not a safer alternative to plastic straws

**IMPACT ON THE MARKET**

● HIGH IMPACT ● MEDIUM IMPACT ● LOW IMPACT

Per maggiori informazioni contattare Food Contact Services all'indirizzo [fcs@foodcontactservices.com](mailto:fcs@foodcontactservices.com)

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