

Position Paper

WAXES

EU FOOD CONTACT LEGISLATION – FRAMEWORK, PLASTICS, PAPER AND BOARD

The “**Framework Directive**”⁽¹⁾ is addressed to all food contact materials and articles (including waxes), and sets the general requirements and provisions that must be met.

Part of the general requirements addresses the manufacturing of these materials and articles, and certain of the provisions include a list of groups of materials and articles that will be covered by specific directives.

Manufacturing: According to Article 2 of the “Framework Directive”, all materials and articles (including waxes) must be manufactured according to Good Manufacturing Practice (GMP), so that they do not transfer their constituents to foodstuffs in quantities which could endanger human health or bring an unacceptable change in the composition of the foodstuff or a deterioration in the organoleptic properties.

Specific Directives: Specific directives will be adopted for all group materials and articles. In the absence of specific directives, Member States may retain existing provisions or adopt provisions according to the “Framework Directive”. To this date, the specific directives that have been adopted and implemented cover only: plastic

(1) “Framework Directive” : Council Directive 89/109/EEC on the Approximation of the Laws of the Member States Relating to Materials and Articles Intended to Come in Contact with Foodstuffs

materials and articles, regenerated cellulose film, and ceramics.

A specific directive on paper and board materials and articles in contact with food does not exist. In its absence, the current national legislation is applicable.

The “Plastics Directive”⁽²⁾, as amended, is a specific directive and applies to plastic materials and articles in contact with food. This specific directive includes: lists, purity standards, and special conditions of use of substances authorised, specific migration limits or overall migration limits of certain constituents into foodstuffs, and basic rules for compliance purposes.

This directive also includes an incomplete list of additives that may be used for the manufacture of plastic materials and articles, and is set out in Annex III. Certain types of waxes are listed in this Annex III, Section A, Incomplete list of additives fully harmonised at Community level, as follows:

PM Ref No	CAS No	Name
36880	8012-89-3	Beeswax
41760	8006-44-8	Candelilla wax
42720	8015-86-9	Carnauba wax
67850	8002-53-7	Montan wax
95859	—	Waxes, refined, derived from petroleum based or synthetic hydrocarbon feedstocks; in compliance with the specifications laid down in Annex V

(2) “Plastics Directive” : Commission Directive 2002/72/EEC, as amended, Relating to Plastic Materials and Articles Intended to Come into Contact with Foodstuffs

According to the “Plastics Directive”, the additives that are listed in the incomplete list of Annex III, Section A, are fully harmonized and covered by EU legislation; therefore, they may be used in all EU Member States, provided that their use complies with the specifications and/or limitations set forth in the Directive. Also, additives that are currently accepted in at least one Member State may still be used according to the applicable national legislation on plastic materials and articles in contact with food, pending a decision for inclusion in the European Community list, unless they are subject to a listing for a category of materials in Annex III and do not meet the specifications of that listing.



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