

Glass Alliance Europe Position Paper on the Revision of the Framework FCM Legislation

The European Commission is currently reviewing the existing regulatory framework on food contact materials (FCM), in particular the 1935/2004 Regulation. Within this framework, the Commission launched a public consultation on the revision of EU rules on food contact materials (FCMs).

As representative of the European glass industries, GAE welcomes such an opportunity to set up a regulatory framework taking into account materials specificities, in particular for glass and its products.

Through its contribution by answering the questionnaire and with this paper GAE would like to raise co-legislators' attention to several aspects:

- 1- FCM regulation should focus on final articles
- 2- FCM regulation should not overlap with other legislation
- 3- Materials specificities should be taken into account when setting the rules – in other words, plastic legislation should not be duplicated to all other materials.

1. FCM legislation should focus on final articles

The FCM legislation goal is to ensure customer protection. As customers are using final products, the **focus should be on final articles** as stressed within the COMMISSION STAFF WORKING DOCUMENT EVALUATION of the legislation on food contact materials - Regulation (EC) No 1935/2004. **Substances used in the production of FCM but not present within the final article should not be concerned by such legislation.** Moreover, for imported articles, compliance checks should only be performed on final articles. Focusing on production process will be penalising European producers without additional benefit for the final customers.

2. FCM legislation should not overlap with other legislation

Any ban or restriction not related to FCM use should be implemented through the corresponding legislation. FCM legislation should focus on its objectives – i.e. customer safety.

Regarding question 6, the selected answer has to be considered as a by default – as this question is mandatory. We consider that FCM regulation should focus on safety for customers and not be enlarged to other sustainability requirements. Sustainability issues are already broadly covered by several legislation. In particular, food contact packaging are already subject to the Packaging & Packaging Waste Regulation, the new Eco-design for Sustainable Products Regulation, the Waste Framework Directive, Waste Shipping regulation, and generic legislation as REACH or on POP are also applying to our activities.

FCM legislation should therefore be focused on product safety and not be enlarged to other issues.

3. Materials specificities should be taken into account when setting the rules

Glass is produced and shaped on the same site and on the basis of the same raw materials during a long period of time. Supply chains are quite short. We consider that simplified and adapted information circulation should then be required for glass articles. In particular, when fixing content of the Document of Compliance (DoC), such specificities should be taken into account. The absence of regulation requirement does not mean that no information is available along the supply chain. Regarding glass in particular, GAE develop guidance on supplier's declaration to ensure pertinent information of the customers.