

Minutes

FCM JEGs Minutes 6th December 2023

Joint Expert Group on Food Contact Materials

Meeting of the FCMJEG at 10:00 on 6th December 2023 online via MS TEAMS

Present

Dr. Gill Clare

Chair:

Dr. Sibylle Ermler

Co-Chair

Dr. Emma Bradley

Dr. Jenny Odum

JEG Members:

Dr. Natalia Falagán

Dr. Stuart Adams

Dr. Barbara Doerr

Ms Jocelyn Frimpong-Manso

Miss Cleanncy Hoppie

FSA Scientific Secretary

Food Standards

Agency (FSA)

Secretariat:

Miss Sabrina Thomas

Miss Frederique Marie Uy

Ms. Azuka Aghadiuno

Dr. Lorcan Browne

Mr Timothy Chandler

FSA

FSA and other Officials:
Mr Adam Hardgrave

Mr Vincent Greenwood

Mr Allan Shivembe

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Interests

1. The Chair reminded those attending the meeting to declare any commercial or other interests they might have in any of the agenda items.

Item 1: Welcome and Apologies

2. The Chair welcomed all attendees to the meeting. A new member of the Secretariat was welcomed, who will be taking over work on RP1898.
3. Apologies were received from Dr Michael Walker. Apologies were also received from Michael Dickinson and Dr David Gott of the Secretariat.

Item 2: Matters arising

4. The dossier update table with the overall progress of all FCM dossiers was presented to the FCM JEG Members. A more detailed update on the following dossiers/applications was given by the Secretariat: RP1898, RP45, RP53, RP1741, RP94 and RP1415. Members were reminded that RP45 had been presented at the meeting of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) in September 2023 and the Secretariat is making the suggested editorial changes to the draft opinion paper. A response to the request for further information (RFI) for RP1741 may be received in time for the February 2024 meeting.
5. The Secretariat provided an update on RP1415 and explained that the delay in the assessment process was due to the applicant changing company, but they have now responded to the RFI.

6. An update was also provided on RP1642. Members were informed that the applicant responded to the RFI in June 2023 with a partial response but has yet to respond to further correspondence.
7. RP94, RP53 and RP1898 were presented to Members during the current meeting.
8. Members were also made aware of a new plastic additive dossier RP2147. It is currently in the suitability stage and should be presented to the FCMJEG for discussion in early spring.

Item 3: Minutes of the last meeting - October 2023

9. Members requested the Co-Chair of item 5 to be listed in the minutes of the last meeting.
10. The FCMJEG suggested minor editorial changes and confirmed they were content with the applied editorial changes previously made by the Secretariat.
11. The FCMJEG confirmed that the Annex on NIAS testing from an application discussed in paragraph 35 was not supplied by the applicant.

Item 4: Assessment of a recycling process (RP1898)

12. No conflicts of interest were declared.
13. The FCMJEG discussed the application for the process used by Huhtamaki Ltd. for the production of PET recyclate from post-consumer PET containers.
14. The Group noted that a number of documents were not included in the submission and acknowledged that the information within the missing Annex may address questions the Group had relating to the input material and the recycling process.
15. The FCMJEG noted data gaps in the application and requested further information on a number of areas including the input material, recycling process and the challenge test in order to proceed with the assessment. The Secretariat agreed to draft an RFI to be issued to the Applicant.

Item 5: Review of the second draft safety assessment of a recycling process (RP94)

16. No conflicts of interest were declared.

17. The FCMJEG reviewed the second draft opinion paper on the safety of the recycled poly(ethylene terephthalate) (PET) decontamination process operated by LINPAC for use in the manufacture of articles in contact with food.

18. Several editorial comments were received from the FCMJEG, and Members agreed to review these editorial changes and finalise the safety assessment via email before it is presented to the COT.

Item 6: Policy update

19. Policy colleagues provided an update on the national requirements for food contact materials, including the retained regulations for recycled plastic FCMs in Great Britain (GB).

20. The FSA is currently considering the implications of European Union ([EU Commission Regulation 2022/1616](#)), including which aspects may be appropriate to include within any updated legislation for recycled plastic FCMs in the United Kingdom (UK). Discussions are continuing to take place on a four-country basis.

21. Policy highlighted that the EU is looking to make changes to Commission Regulation 10/2011 on plastic FCMs regarding the use of plastic offcuts and scraps, as a result of the introduction of Commission Regulation 2022/1616. A decision will also need to be taken as to whether similar updates should be considered for retained Regulation 10/2011.

22. It was also highlighted that Commission Regulation 2022/1616 is applicable in Northern Ireland.

23. Further to this the EU draft registers for EU and non-EU recyclers were shared with the FCMJEG.

24. Members asked if Commission Regulation 2022/1616 would result in rolling assessments where the applicant is expected to continually send information over a two-year period to the competent authority. Policy confirmed that one of the requirements of this EU regulation was for novel technology operators to submit and upload a detailed report to the internet every six months over a two-year period. This report is expected to outline details of the latest monitoring they are required to carry out in accordance with Commission Regulation 2022/1616.

Item 7: Update on ocean-bound plastics (OBP)

25. No interests were declared.

26. The Secretariat provided a brief update on ocean-bound plastic (OBP) and the additional information requested from responders 1 and 2. Due to the timelines for receiving information and extensions to the proposed deadlines, the information was not available to the FCMJEG at this meeting. The FCMJEG however took the opportunity to discuss the information received following the call for evidence and any additional information received to date.

27. As there is no widely agreed or standardised definition of OBP, uncertainties regarding the input material remain and how contamination was accounted for and controlled, especially regarding the potential presence of CMR substances. Members stressed that any system that prevents plastic from entering the ocean/aquatic environment should be supported, however, the challenges in the recycling process would differ significantly depending on the source of the input material. Testing for non-intentionally added substances (NIAS) would be one way to provide additional information and add to the overall information on the contamination of these materials.

28. For OBP to be safely used in the UK, the original plastic would have to be manufactured to current European standards and adhere to applicable UK legislation on food contact materials, including the retained Plastic Regulation, independent of the country and environment it was sourced from. To achieve this, the right process(es) would need to be in place to identify and quantify relevant contamination. This would be applicable to any source of input material, environmental, or more controlled collection systems.

29. Following the discussions at the meeting, the Secretariat will produce a second draft/updated statement for discussion at the February meeting in 2024.

Item 8: Review of additional information on a recycling process (RP53)

30. No conflicts of interest were declared.

31. The FCMJEG reviewed the additional information provided by the Applicant in response to an RFI letter sent by the FCMJEG.

32. The FCMJEG concluded that the additional information satisfied the RFI request. The Secretariat will prepare the first draft of the safety assessment and present this to the FCMJEG at the next possible meeting.

Item 9: Any Other Business

33. No AOB was raised by Members or the Secretariat.

Date of next meeting

34. The next meeting 28th February 2024.