

INFO LEAFLET

Manufacture and Labelling of Ceramic Food Contact Materials

What are food contact materials?

Food contact materials are articles of daily use that are either intended by the manufacturer to come in contact with food; are already so; or, when used with food, could conceivably come in contact with the food¹.

Which legal guidelines are pertinent?

At the European level the legal guidelines are established via

- Regulation (EC) No. 1935/2004 for food contact materials and goods, and
- Regulation (EC) No. 2023/2006 for good manufacturing practices.

At the national level these guidelines are supplemented by the

- Food, Consumer Goods and Feedstuffs Code (LFGB), and
- Consumer Goods Ordinance²

¹ The term „food contact material“ stems from the national legal provisions in the Food, Articles of Daily Use, and Feedstuffs Code and the Consumer Goods Ordinance.

² Implementation of European Guideline 84/500/ECC, revised via Guideline 2005/31/EC for the purpose of clarifying compliance with the regulation

The current versions of these legislative acts can be accessed via the Internet with the following links (in German):

- EU-Law: <http://eur-lex.europa.eu/homepage.html?locale=de>
- National Law: <http://www.gesetze-im-internet.de>

What is important for manufacturing?

When ceramic goods come into contact with food it is possible for lead and cadmium to migrate from the decoration into the food. Both of these metals are toxic and, at certain concentrations in food, can be hazardous to one's health. Therefore, limit values exist for both metals. Compliance with this regulation must be guaranteed by the manufacturer or, in the case of importation from a third country, by the importer of the ceramic good through appropriate self-monitoring.

How must the self-monitoring test results be documented?

The manufacturer or importer must provide data proving that the limits established by the Consumer Goods Ordinance for the migration of lead and cadmium from food contact material into food are in compliance. The data must be made available to the responsible monitoring authorities by the manufacturer or importer.

The evidential data must at least contain the following information:

- results and test conditions of the analyses, and
- name and address of the laboratory that conducted the analyses.

Which information must be found on a product that is sold?

According to articles 15 and 17 of Regulation (EC) No. 1935/2004, before food contact materials may be marketed they must be labelled with the following information:

- „For food contact“, or a specific indication of the intended use. In case the product is not clearly meant for food contact, due to its appearance or quality of materials, a glass fork symbol must be present;
- if necessary, instructions for safe and appropriate usage;

- Name or company, as well as the address or location of the manufacturer, the processor, or retailer located in the Community who is responsible for marketing the product.
- label or identification that allows for the traceability of the material or product.

How must the label be displayed?

The above-mentioned information must be visible, legible, and indelible, and all information regarding the suitability of the product for use with food as well as instructions for use must be written in German.

The label must be affixed:

- to the food product itself
- on the packaging, or
- on a tag that is attached either to the product or to the packaging

If this isn't possible for technical reasons, the information can also be displayed very near the product, easily visible to the consumer. For food contact materials not given to retailers, the information can also be provided in the accompanying documents.

What is the significance of the declaration of conformity?

According to § 10 paragraph 2 of the Consumer Goods Ordinance, ceramic food contact materials that have not yet come in contact with food may only be professionally marketed if a written declaration of conformity written in German accompanies the product, in which it states that the product is in compliance with the requirements stipulated by the Consumer Goods Ordinance and Regulation (EC) No. 1935/2004.

In order to make a clear distinction between decorative objects, this obligation applies to all ceramic goods that are intended for or could feasibly be used with foods, but have not yet come into food contact. The term "marketability" includes all levels of marketing, so retailers are not excluded from this regulation.

Which requirements must the declaration of conformity fulfill?

The form of the declaration of conformity is not stipulated, but rather the content. It can supplement the stipulated label on the food contact material itself, on the packaging, or come on an extra tag that is attached to the product. The declaration must be issued by the manufacturer or, when not located in the European Community, by the importer located in the European Community, and must contain (in addition to the label) the following information:

- Name and address of the manufacturer and, in case this is not located in the European Community, also the importer;
- Identification of the ceramic food contact material (e.g. form, size, color, decoration);
- Date of preparation of the declaration; and
- Confirmation that the product was manufactured in compliance with the requirements of the Consumer Goods Ordinance and Regulation (EC) 1935/2004.