

# Factual Summary report<sup>1</sup>

## **Public Consultation for the Study supporting the Evaluation of Food Contact Materials (FCM) legislation - (Regulation (EC) No 1935/2004)**

### Introduction

The Public Consultation was launched to give citizens and experts the opportunity to provide their views on the existing legislation on Food Contact Materials (FCM) in the European Union (EU). The consultation was launched on the Europa website on 11 February 2019, and was open for respondents until 6 May 2019. It was open to any interested individual and available in the 24 official languages of the EU. The public consultation generated a total of 503 responses.

The questionnaire was structured into three sections:

- Introduction: general information about the respondent
- Part I: This section of the OPC addresses citizens.
- Part II: This part addresses experts and people with prior knowledge of the FCM legislation.

This factual summary provides an overview of the number of responses as well as some characteristics of the respondents. In addition, it will illustrate some of the outcomes from the public consultation.

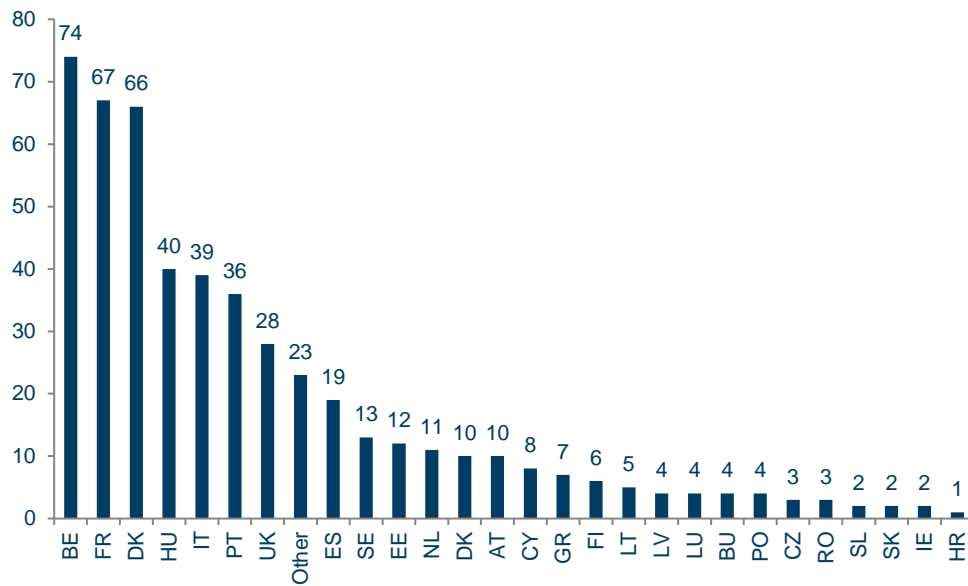
### Who contributed?

503 contributions have been received. The majority of replies were submitted by respondents from Belgium (15%), followed by France (13%) and Germany (13%) (Figure 1). Of all the replies, 5% are from respondents in non-EU countries (Norway, Switzerland, Other). Out of 503 respondents, 97 are registered in the Transparency Register.

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<sup>1</sup> Disclaimer: The contributions received cannot be regarded as the official position of the Commission and its services and thus do not bind the Commission.

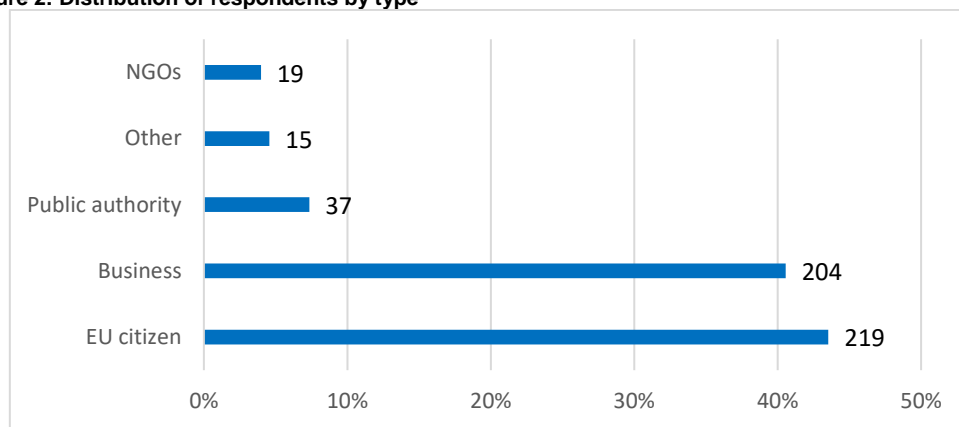
**Figure 1: Distribution of replies by country in absolute numbers**



**N= 503**

Figure 2 presents the type of respondents that contributed to the public consultation. Citizens represented the largest number of respondents to the public consultation (219; 44%), followed by businesses (204; 41%) and public authorities (37, 7%).

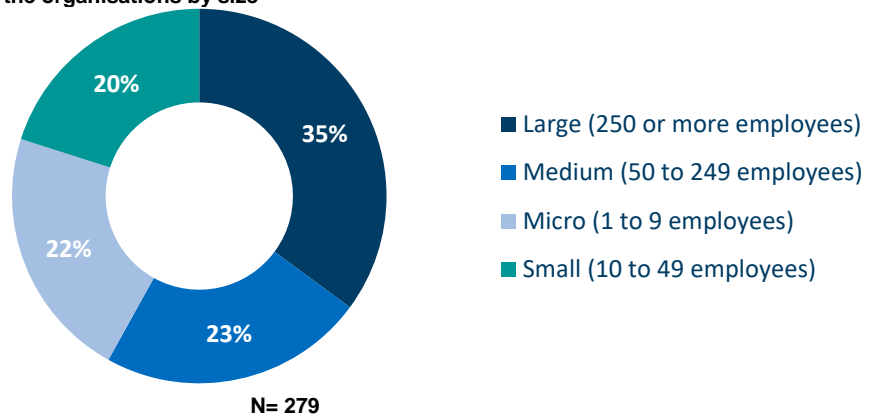
**Figure 2: Distribution of respondents by type**



**N= 503**

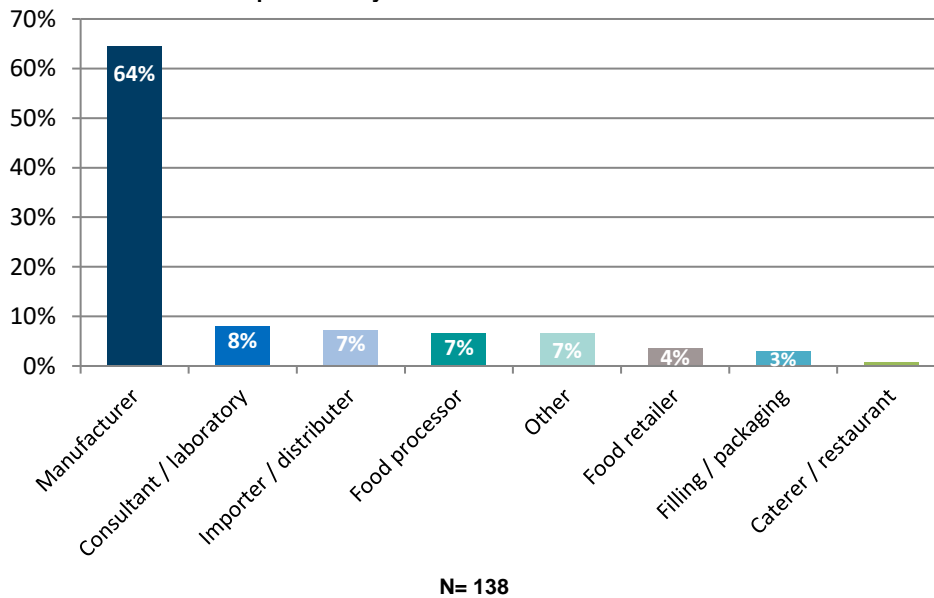
Figure 3 provides information on the size of organisations that responded to the public consultation. Most organisations identified themselves as Large (35%, 98), followed by Medium (23%, 64), Micro (22%, 61) and Small (20%, 56).

**Figure 3: Distribution of the organisations by size**



Within the category businesses, the majority can be classified as manufacturers (64%; 89). They were followed by consultants and laboratories (8%; 11), importers and distributors (7%; 10), and food processors (7%; 9). Figure 4 shows the type of businesses that responded to the public consultation.

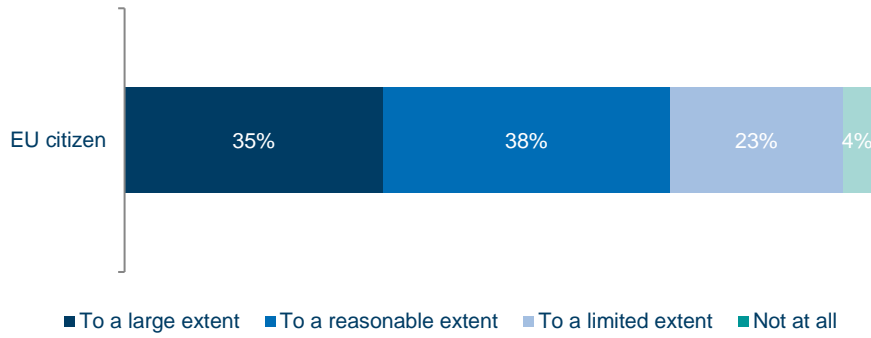
**Figure4: Distribution of the respondents by sector**



### Key responses from citizens

The first part of the public consultation targeted citizens (both EU and non-EU). Citizens were asked if they trust the safety of food contact materials, including food packaging, kitchenware, and tableware, sold in the EU (Figure5). The responses show a high level of trust. Most citizens trust the safety of FCMs to a reasonable (38%, 84 respondents) or to a large extent (35%, 76 respondents). Only 4% (8 respondents) of citizens do not trust the safety of FCMs sold in the EU.

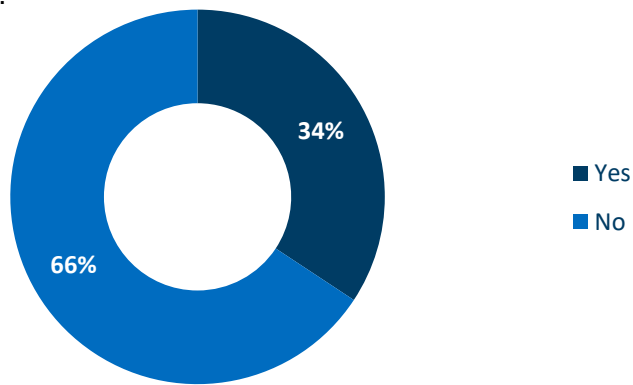
**Figure 5: Do you trust the safety of food contact materials, including food packaging and kitchenware and tableware, sold in the EU?**



**N=219**

Despite high trust in the safety of FCMs on the EU market, most EU citizens responding (66%) do not know which authority is responsible for addressing complaints in cases of concerns about the safety of FCMs (Figure 6).

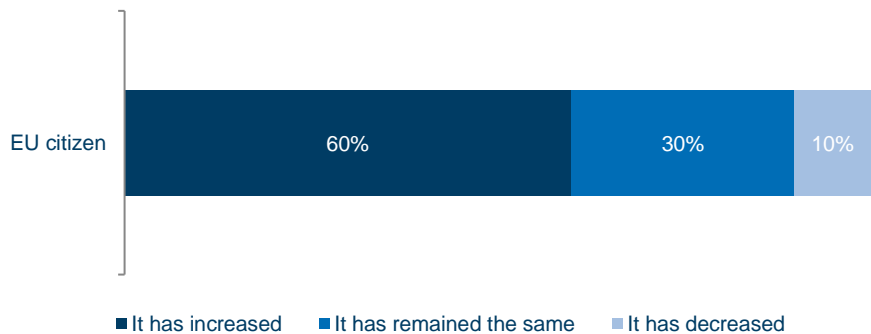
**Figure 6: Would you know who to complain to if you were concerned about the safety of food contact materials?**



**N=210**

66% of EU citizens believe that the level of safety of food packaging sold in the EU has increased over the last 10 years (Figure). Only 10% of respondents believe that the safety has decreased (Figure 7).

**Figure 7: How do you think that the level of safety of food packaging sold in the EU has developed over the last 10 years?**



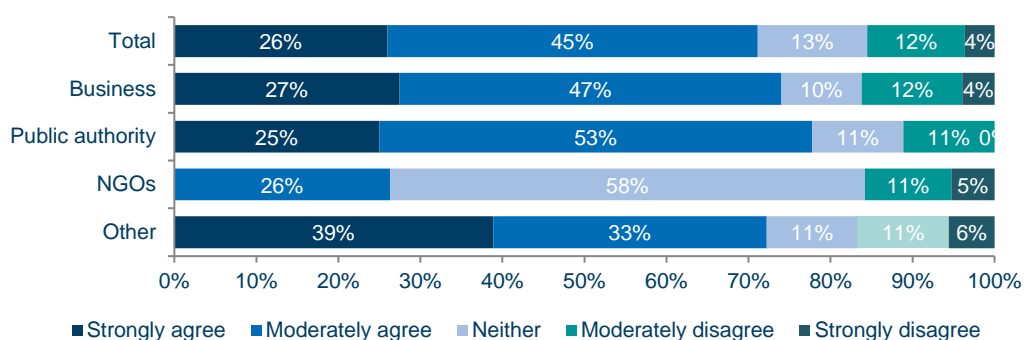
**N=177**

## Key responses from Experts

The results presented in this section of the summary report, concern answers received to part II of the public consultation. 56.4% of responses received to the public consultation were from experts. Within the group of experts, businesses represent the largest group of respondents (72%). Besides businesses, this section of the consultation received contributions from public authorities (13%), NGOs (7%) and other experts (8%).

On average, 72% of respondents agree that the scope of Regulation 1935/2004 is generally clear and indicate that it is obvious whether a product is an FCM or not (Figure 8). NGOs are slightly less positive as majority of NGOs neither agreed nor disagreed with the statement (58%).

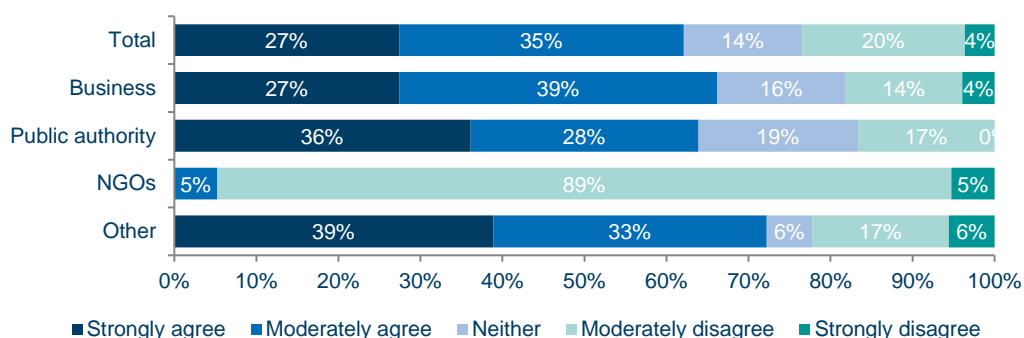
**Figure 8: The scope of Regulation 1935/2004 is sufficiently clear and it is always obvious whether a product is an FCM (food contact material) or not**



N=277

Generally, experts consider the definitions provided by Regulation 1935/2004 as sufficient and clear (Figure 9). Majority of NGOs (89%), however, perceived the current definitions provided by the legislation as not sufficient.

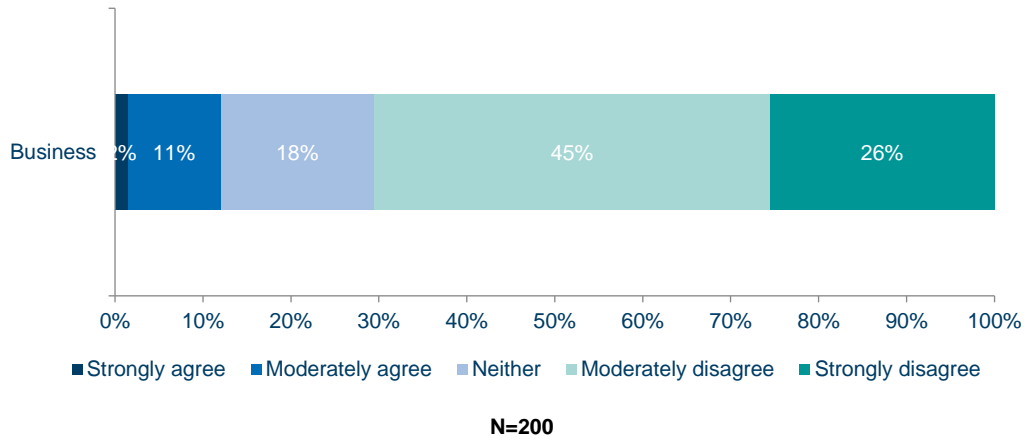
**Figure 9: The definitions of Regulation 1935/2004 are sufficient and clear**



N=200

Results show that majority of businesses (71%) believe that in general it is not possible to demonstrate compliance with the general safety requirements set out in Art. 3 of Regulation 1935/2004 without having access to significant resources (Figure 10).

**Figure 10: It is generally possible without significant resources to demonstrate compliance with the general safety requirements set out in Article 3**



Finally, a large majority of respondents (94% of the total number of respondents, across all categories) indicated that more harmonisation at EU level is desirable, compared to individual Member State legislation (Figure 11).

**Figure 11: It is better to have specific FCM rules which are applicable throughout the EU, or to have individual Member State legislation**

