

# Public Consultation on the revision of EU rules on food contact materials (FCMs)

## FCM CITIZENS

Fields marked with \* are mandatory.

### **PLEASE NOTE**

***THIS DOCUMENT IS PURELY A DOCUMENTATION TOOL TO ENABLE THE QUESTIONS TO BE VIEWED TOGETHER AND DOES NOT CONSTITUTE THE OFFICIAL PUBLIC CONSULTATION. ONLY VALIDATED RESPONSES RECEIVED THROUGH THE EU SURVEY INTERFACE WILL BE ACCEPTED.***

***THE COMMISSION ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF ANY DATA OR INFORMATION CONTAINED IN THIS DOCUMENT NOR FOR ITS USE OR RE-USE***



## Introduction

---

Food contact materials ('FCMs') include all articles that come into contact with food during its production, processing, storage, transport, preparation and serving, before its eventual consumption. Examples include food packaging, kitchenware and tableware like cups, bowls and cutlery and appliances such as food blenders or coffee machines. It also includes items used in professional food manufacturing, preparation, storage and distribution like conveyor belts and tanks.

No material is completely inert and chemical substances, such as those used in the production of the food contact material may be present in the final article and may transfer to food, potentially resulting in exposure of people consuming that food. Current EU rules are in place to protect consumers and which aim to ensure an effective functioning of the EU market. More information can be found on our [website](#).

The Commission's findings of a recent [evaluation](#) of the current EU rules on food contact materials was published in June 2022, which identifies gaps and areas for improvement. This survey seeks your views on a revision of the current EU rules in order to address these gaps and to improve the current legislation.

## All citizens

---

The following questions are designed to be answered by consumers - those who buy and use food contact materials - and do not require any prior knowledge on the EU legislation. The questions cover those parts of the current legislation that require improvement, according to its [evaluation](#), including the **scope** of the legislation, the **safety** of food contact materials, consumer **information and labelling** and aspects relating to **re-use and sustainability**.

---

## Scope of food contact materials and articles

---

\* **Q1.** Were you previously aware of the existence of EU legislation to protect consumers from chemical substances transferring from food contact materials and articles into food?

- Yes
- No

In addition to items that are always intentionally designed to come into contact with food such as packaging and tableware items like cups and plates, the current legislation also describes food contact materials and articles as those that can “*reasonably be brought into contact with food or transfer their constituents to food under normal or foreseeable use*”. However, this has sometimes led to differences in opinion as to what is and what is not a food contact material, partly because peoples’ habits differ.

**Q2.** To what extent do you agree that the following should be a considered a food contact material or article and subject to safety rules:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
* Paper napkins	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Kitchen paper towels	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Table cloths or dining table surfaces	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Serving trays	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Baby or child’s bib	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Kitchen work surfaces	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* Toys with a similar shape and form as real kitchenware	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Interior of refrigerators	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Table or desk surfaces not specifically intended for eating	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Shopping bags /boxes available at food retailers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Plastic storage containers not marked specifically as suitable for food contact (unlabelled)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Inkjet printers if used in combination with edible ink	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Wooden chips to smoke and add flavour to food (e.g. with a barbeque)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

---

## Safety of food contact materials and articles

---

**Q3.** The Commission has committed to phasing out the most harmful chemicals (such as those that have the potential to cause cancer) in consumer products, including food contact materials. Indicate to what extent you agree or disagree with the following statements:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
* Substances that can cause cancer or damage genetic material (e.g. DNA) should not be present in food contact materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Substances that are harmful to reproduction should not be present in food contact materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Substances that can adversely affect my endocrine system (e.g. hormones) should not be present in food contact materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* I am not concerned about these chemical substances being used to manufacture food contact materials so long as they are not present in the final article and I am therefore not exposed to them	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* I am not concerned about these chemical substances in a food contact material as long as they do not transfer to the food in an amount that can be harmful to my health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
---	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------



**Q4.** The safety of re-usable food contact materials such as kitchenware and tableware (plates, cooking pans, kitchen utensils, etc.) may also depend on the extent to which they are used and how they are used. To what extent have you experienced the following problems?

	Always	Often	A couple of times	Never	No opinion
* Cracking, blistering or other obvious defects due to normal use sooner than I would expect	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* I stopped using such articles because I considered that the defects or damage would affect the quality or safety of my food	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Changes in colour or appearance of the material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* Damage when re-heating food even if the container indicated it would be suitable for high temperatures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Changes in the quality (smell, taste, aspect) of the food clearly caused by the food contact material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lacking instructions on the correct use (e.g. oven/microwave /dishwasher/freezer safe)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* The use instructions are too restrictive (e.g. not with hot beverages or acidic foods). I would like to use, or have used, the product in other ways	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Use instructions are impractical for continual reuse (e.g. small paper that is easily lost when the product is unpacked)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



\* **Q5.** The aim is to increase the safety of food contact materials as well as improving the information and labelling provided to you. As this might result in higher costs for businesses.

Would you accept a price increase of the final product?

- No, I would rather have a less safe product than paying more for it
- Yes, I would accept a price increase of up to 5%
- Yes, I would accept a price increase of up to 10%
- Yes, I would accept a price increase of more than 10%
- I have no opinion

## Information and labelling

---

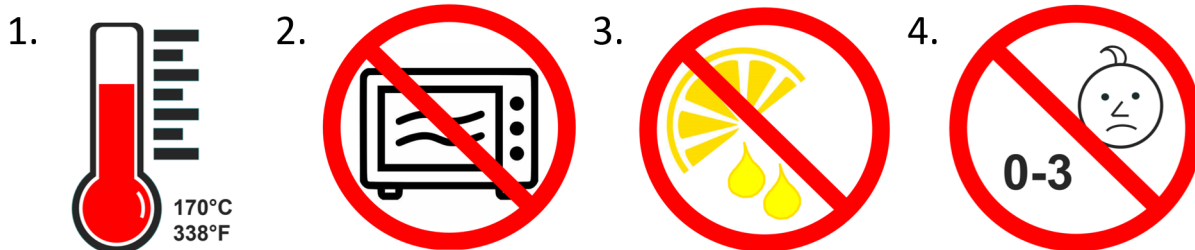
The current legislation sets rules on labelling of food contact materials and articles so that businesses must include instructions for safe use for the consumer. The glass and fork symbol shown here should inform consumers on the suitability of an article for food contact in case it is not clear. However, previous consultation indicates that many consumers are unclear or unsure of the meaning of the logo.



*The wine glass and fork symbol for food contact use*

Further information should also be given on how to safely use food contact materials and articles – for example where it may not be suitable to use plastic cling film or aluminium foil with fatty or acidic foods or at high temperatures e.g. in an oven.

In order to address this, a range of symbols to indicate more specific use of food contact materials and articles, such as the temperature at which it can be used, whether acidic or fatty foods can be used, whether it is unsuitable for infants and young children etc could be introduced. Similarly, a colour-coded scheme could also be developed with some wording or a combination of the two. Some possible examples are given below:



***Some examples of possible symbols to indicate specific use for FCMs to ensure safety:***

- 1. Maximum temperature for safe use is 170 centigrade/ 338 Fahrenheit*
- 2. Do not heat*
- 3. Do not use with acidic foods*
- 4. Not suitable for children aged 0 - 3 years*





***Some examples based on colour codes to indicate specific use for FCMs to ensure safety:***

- 1. Do not use with fatty foods*
- 2. Do not use with acidic foods*
- 3. Suitable for use with all foods*

**Q6.** To what extent do you agree that the following would be the most helpful and practical way to provide information on how to safely use food contact materials and articles:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
* The current wine glass and fork symbol shown above is sufficient	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* A range of symbols such as the examples above to warn on the restrictions of use of the food contact article (microwave /temperature, whether acidic or fatty foods can be used, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Colour coding to indicate more specific use of the food contact article, such as the coloured triangles above	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Information campaigns to raise awareness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Guidance text or instructions on the product (e.g. leaflets)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Certification scheme similar to those for organic products, for example that guarantee the quality and safety of the article	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* QR code (for use with a smartphone) with a link to additional information on composition and use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other ways to provide information, please specify:

---

## Sustainability and re-use of food contact materials and articles

---

There is an increasing demand for more sustainable consumption including a shift to more sustainable and durable use of food contact materials and articles, in particular of food packaging. This includes increasing recycling, reuse and use of more sustainable materials. One example is the separate collection and recycling of plastic drinking bottles or the use of refillable plastic storage containers in food retail. Another example is the use of [bio-based, biodegradable or compostable materials](#). Components for certain kitchenware appliances will also need to be replaceable in the future.

\* **Q7.** Place the following in order of which aspects of sustainability you consider important in the context of the manufacture and use of food contact materials (top = highest priority, bottom = lowest priority).

Use drag&drop or the up/down buttons to change the order or [accept the initial order](#).

- ⋮ Promoting inclusive and sustained economic growth and decent employment for all
- ⋮ Ensuring food security and improved nutrition
- ⋮ Ensuring accountability of business practices
- ⋮ Ensuring choice and availability of food
- ⋮ Prevention of food waste
- ⋮ Ensuring sustainable production including minimising energy, water and land use



\*

**Q8.** Place the following in order of which they are most important to you concerning FCMs (top = highest priority, bottom = lowest priority).

Use drag&drop or the up/down buttons to change the order or [accept the initial order](#).

- ⋮ Food packaging is minimised
- ⋮ Information on appropriate disposal
- ⋮ Information on resource use and climate impact related to their manufacture and transportation
- ⋮ They are biodegradable or compostable
- ⋮ They are made from recycled material or from renewable or natural materials (e.g. bioplastic, paper, wood)
- ⋮ Safety
- ⋮ Price, convenience, design and appeal
- ⋮ They can be recycled or reused



**Q9.** Food contact materials include either single-use (disposable or recyclable) packaging or re-usable articles. Indicate to what extent you agree or disagree with the following statements:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
* Food safety is more important than the recyclability or reusability of its packaging	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>* I prefer reusable articles over recyclable single-use packaging (coffee cups)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>* I regularly reuse food packaging to store my own food when I can (e.g. ice cream tubs)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>* I would like more information about how I can safely <i>reuse</i> packaging or materials at home (e.g. ice cream tubs) after their initial intended use</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>* I would like more information about the expected lifespan or maximum usability of reusable food contact articles (for example, plastic containers, frying pans or biodegradable cutlery) before it may become less safe to use</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>* A reusable FCM needs clear and fixed labelling about the safe use on the article itself, since instructions can be lost after a while</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
--	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------	-----------------------



**Q10.** Concerning specifically re-usable food contact articles in food retail outlets, indicate to what extent you agree or disagree with the following statements:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
<p>* I am willing to bring my own packaging to the supermarket</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>* I would be concerned about hygiene in the supermarket if I brought my own packaging to refill with certain foods</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* I would not care if the use of reusable packaging implied a shorter shelf-life of the food	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* I would prefer if supermarkets provided reusable packaging that I can return to the supermarket and they clean (e.g. collection schemes)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



\* **Q11.** Are you willing to pay a higher price for products that are more sustainable (eg. easily biodegradable, recyclable or reusable)?

- No, I would rather opt for a less sustainable, cheaper option
- No, sustainability is important to me, but I am not willing/able to pay more for products
- Yes, I would accept a price increase of up to 5%
- Yes, I would accept a price increase of up to 10%
- Yes, I would accept a price increase of more than 10%
- I have no opinion

**Q12.** Are there any other aspects concerning the safety or sustainability of food contact materials and articles that you think should be addressed by EU legislation?

## Contact

SANTE-FCM-REVISION@ec.europa.eu