

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

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

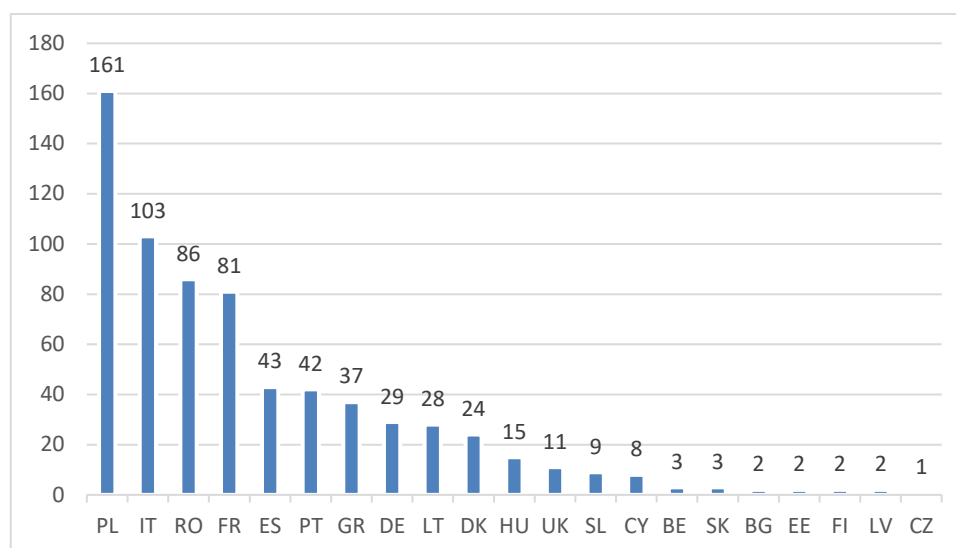
### Introduction

The survey aimed to collect the views of micro, small and medium enterprises (SMEs) on the EU legislation on Food Contact Materials (Regulation (EC) No 1935/2004). In particular, it sought to gather views and evidence from small companies operating in the Food Contact Material supply chain on the functioning of the FCM legislation and about how the legislation affects businesses in the EU. The results of the consultation are important to identify the impact of the existing rules on SMEs.

### Who contributed?

701 SMEs from 21 Member States participated to the survey. The majority of the respondents originate from four Member States: Poland, Italy, Romania and France (Figure 1).

**Figure 1. Number of respondents by Member State**



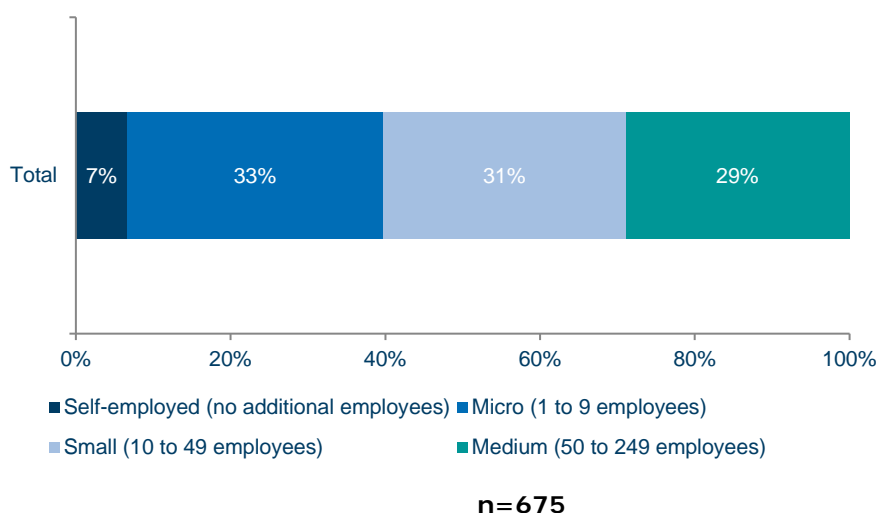
### Whom are they representing?

#### Size of the enterprises

Four types of companies responded to the survey: self-employed (enterprises with no additional employee (45 replies representing 7% of the total number of responses), micro enterprise (223 replies, 33% of the total), small enterprises (212 replies, 31% of the total) and medium-sized enterprises (195 replies, 29% of the total).

<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 2. Size of SMEs responding to the survey<sup>2</sup>**



### Type of FCM

The largest number of SMEs that have responded to the survey declared to be active in the plastics, and paper and board industry (respectively, 67 and 64% of SMEs), followed by the glass, and metals and alloys industry (34 and 25%)<sup>3</sup>.

Materials	Count	%
Plastics	456	67%
Paper and board	437	64%
Glass	234	34%
Metals and alloys	173	25%
Printing inks	131	19%
Wood	105	15%
Adhesives or binders	87	13%
Ceramics	79	12%
Textiles	68	10%
Others	64	9%
Rubbers	52	8%
Multi-material multi-layer articles	43	6%
Regenerated cellulose	42	6%
Multi-layer articles	40	6%
Varnishes and coatings	38	6%
Silicones	38	6%
Cork	34	5%
Active and intelligent materials and articles	17	2%
Waxes	14	2%
Ion-exchange resins	8	1%

### Sectors

Respondents were also asked to classify the sector in which they operate. A majority of SMEs that replied to the questionnaire classified themselves as Food business operator - processor or manufacturer of food products (42%). The second largest sector in which SMEs responding to the survey were active is as manufacturer of final articles or converter (19%). From the 698 responses received, 181 SMEs indicated multiple types

<sup>2</sup> 26 enterprises did not indicate the size of their business and are therefore excluded from the graph.

<sup>3</sup> Multiple answers possible

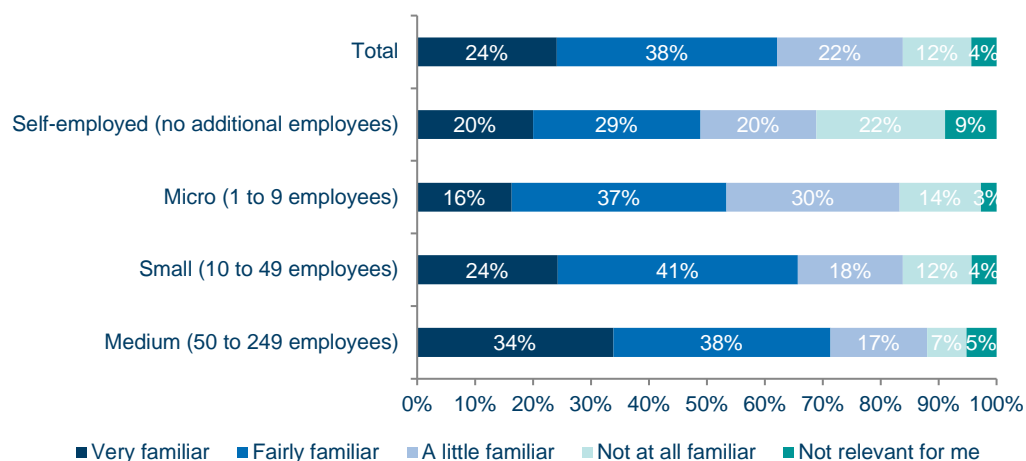
of business categories in which they operate. The category 'other' received 53 responses.

Type of business	Count	%
Food business operator - processor / manufacturer of food products	296	42%
Manufacturer of final articles / converter	134	19%
Food business operator – retailer of foods	104	15%
Caterer / restaurant	101	14%
Filling / packaging business	79	11%
Importer / distributor	77	11%
Manufacturer of intermediate materials and articles	65	9%
Other, please specify	53	8%
Manufacturer of starting material	27	4%
Retailer of FCMs	24	3%
Consultant / laboratory specialising in compliance	15	2%

### Key findings

Respondents indicated to what extent they are familiar with the requirements of the food contact material legislation. In total the 38% of the SMEs declared to be fairly familiar with general safety requirements, 24% very familiar, 22% a little familiar and 12% not at all familiar.

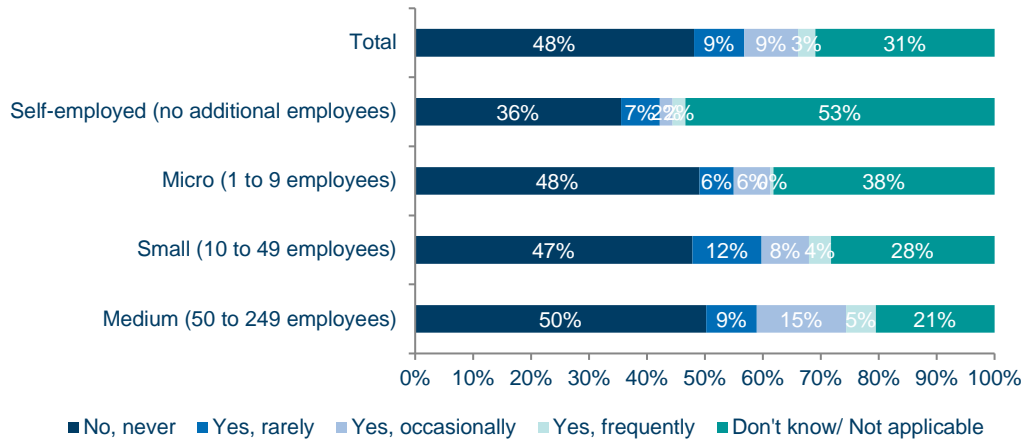
**Figure 3. How familiar are you with the general safety requirements?**



**n=668**

Overall, 48% of SMEs indicated that they did not experience any difficulties in complying with the FCM legislation or in selling FCMs on the EU market in the past. 21% of respondents reported to have encounter difficulties to comply with the regulation (9% rarely, 9% occasionally and 3% frequently).

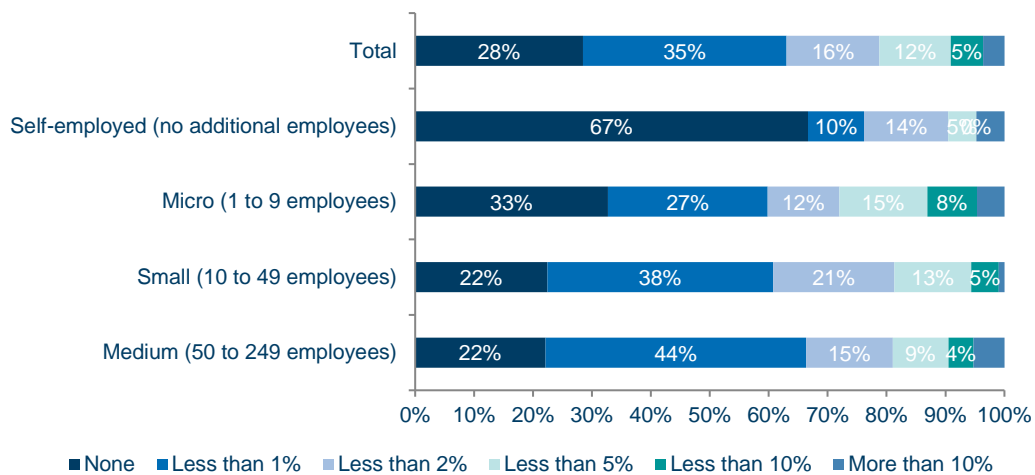
**Figure 4. Have you ever had difficulties complying with the FCM legislation or selling your FCM on the EU market?**



**n=669**

Regarding the administrative costs stemming from the FCM regulation for SME businesses, 79% of respondents indicated that FCM regulation represents less than 2% of their total administrative costs. The overall administrative burden stemming from the FCM regulation appears to be rather small (none or less than 1%) across all SME types.

**Figure 5. What is the share of administrative costs stemming from the FCM regulation as a percentage of all administrative costs of your business? <sup>4</sup>**

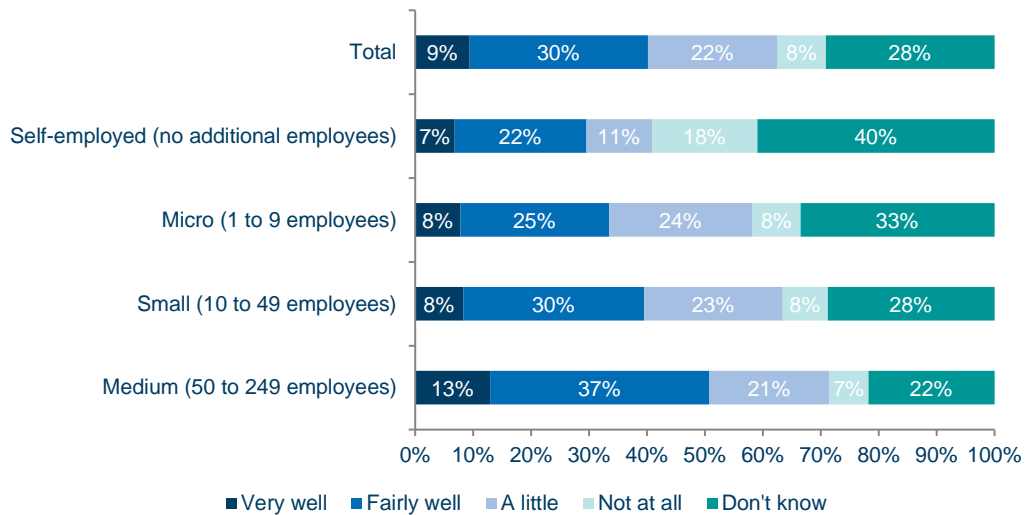


**n=330**

On average, 39% respondents believe that the needs of their business are sufficiently addressed ('fairly' to 'very well') by the current FCM Regulation. The results show that medium-sized enterprises are slightly more positive (50% 'fairly' to 'well') than smaller businesses. The results split by the different size of businesses is shown in Figure 6.

<sup>4</sup> 50% of respondents replied with 'don't know' to this question. This category is left out from the graph.

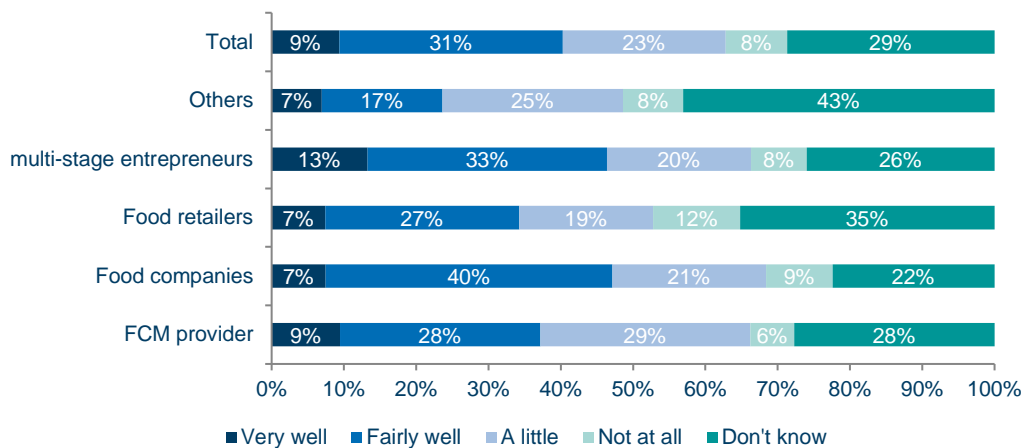
**Figure 6. Are the specific needs of your business sufficiently reflected in the FCM Regulation?**



**n=686**

When looking at the needs of different type of businesses, 47% of 'Food companies' and 46% of 'multi-stage entrepreneurs' believe that their business' needs are sufficiently reflected by the current FCM Regulation. This number is slightly lower for FCM providers with 37%.

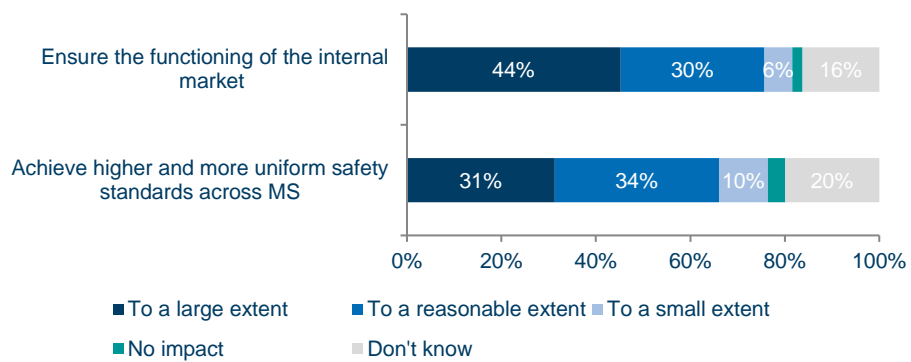
**Figure 7. Are the specific needs of your business sufficiently reflected in the FCM regulation?**



**n=683**

Finally, a large majority of respondents indicated that more harmonisation at EU level would ensure a better functioning of the EU internal market and could help to achieve higher and more uniform safety standards across MS (respectively, 74 and 65%).

**Figure 8. To what extent do you think more harmonisation at EU level would help to:**



**n=675**