

Brussels, 02/12/2009

Explanatory note on

Transitional measures for the authorisation of recycling processes under Regulation (EC) No 282/2008

Some questions have been raised concerning the application of Articles 13, 14 and 16 of Regulation (EC) No 282/2008 on recycled plastic materials and articles intended to come into contact with foods.

In order to clarify this point, the Directorate General Health and Consumers would like to remind the following:

- Applications concerning “**existing**” processes¹ have to be submitted **by 31 December 2009 and received by the national contact point by this date.**
The list of national contact points is published on the Europa website:
http://ec.europa.eu/food/food/chemicalsafety/foodcontact/nat_contact_points_en.pdf
- If no valid application on an "existing" process is submitted or a process is not authorised, the process can continue to be used until 6 months after the adoption by the Commission of the decisions on the processes received in the initial phase.
- Materials and articles containing recycled plastics from "existing" processes can be traded until the exhaustion of stocks.
- Applications concerning “**new**” processes² can be submitted at any time (before and after 31 December 2009).
- National rules will continue to apply to recycled materials and articles until the adoption of Community decisions on recycling processes.

¹ An “existing” process is a process that was in place at the entry into force of the Regulation (17 April 2008)

² An “new” process is a process that was NOT in place at the entry into force of the Regulation (17 April 2008)