

Glass for Europe's answer to Public Consultation on the revision of EU rules on food contact materials (FCMs)

Question Q1.

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

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree	No opinion
Kitchen work surfaces					X	
Interior of refrigerators					X	
Dining table surfaces					X	
Table or desk surfaces not specifically intended for eating					X	
Kitchen tiles, splashboards, and other vertically mounted kitchen surfaces					X	
Serving trays					x	

If necessary please add examples or elaborate your responses.

Glass for Europe expresses an opinion only on items where flat glass may be found. In all these cases, while exceptional contact with food may occur, it is not the article's purpose to serve for food contact, e.g. serving tray. In addition, either the contact is very short and sudden (e.g. vertical surfaces or kitchen tops) or it is not the result of a 'normal' use (e.g. fridge shelves). For these reasons, these applications should not be considered as food contact applications. Articles not intended for food contact should not be subject to the FCM legislation.

Question Q4 (b).

To what extent do you agree that the following tools are appropriate for the risk management of FCM substances:

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree	No opinion
Testing requirements and other methods for					X	



measuring single substances and groups of similar substances						
Testing requirements for all potentially migrating substances (multi-analyte methods)					X	

Question Q9.

Concerning demonstration of compliance in the FCM production chain, to what extent do you agree with the following:

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree	No opinion
The current declaration of compliance (DoC) (e.g. for plastic FCM) and requirements for information passed in the supply chain are satisfactory	X					
DoC should be mandatory for all FCMs					X	
The DoC should be based on a fixed format with obligatory fields					X	
An approval step of the final FCM article will improve compliance and safety along the supply chain				X		
An approval step of the final FCM article will improve marketing and commercial benefits for businesses				X		
Compliance information and usage indications can be made available at a batch level for intermediate FCMs	X					
Compliance information and usage indications should be made available on individual final articles					X	
The permitted use shall be clearly indicated but disclaimers disallowed					X	





Question Q10 (a).

To what extent do you agree that the following information should be required to pass from one business to the next in the production chain, to determine the eventual compliance of the final FCM article:

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree	No opinion
Identity of substance(s) used to manufacture FCM					X	
Identity of substance(s) used in the processing or conversion of FCM					X	
Analytical testing to demonstrate the level of substances in the material					X	
Analytical testing to demonstrate the level of substances that may migrate into food					X	

Question Q11.

Concerning a system for transfer of information in the supply chain, to what extent do you agree with the following:

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree	No opinion
Each individual FCM article should have a QR code or equivalent to give information to users of FCMs, including food businesses and consumers and to control authorities for enforcement purposes					X	

Question Q13.

Please upload any additional documents (e.g. position papers) to support your contribution to the consultation.

Statement by Glass for Europe:

The European Commission is currently reviewing the existing regulatory framework on food contact materials (FCM), in particular Regulation 1935/2004. To this purpose, the European Commission has launched a public consultation on the revision of EU FCM rules.



Glass for Europe, the trade association for Europe's flat glass sector, would like to take this opportunity to bring necessary precisions and explanations to the replies it has provided under the multiple-choice questionnaire.

Flat glass products are not intended for food contact. Above 99% of flat glass production is used in building applications (windows, facades, internal partitioning), automotive and transport (windshields, backlights, etc.) in photovoltaics, electronics and furniture (e.g. mirrors). The use of flat glass in articles which could potentially come into contact with food is remote (probably less than 0,5% of production) and of two different natures. In most instances, only indirect/non-intentional contact is possible (e.g., kitchen tops, kitchen splash boards, fridge shelves, serving trays, table tops) and only in the case of very marginal products such as cutting boards or design glass plates, the product is designed for food contact applications.

Glass for Europe understands that the proposed revision is driven by the European authorities' intention to put in place the most stringent regulatory framework with a view to eliminating any potential health risk.

In 2019, **a measurement campaign on flat glass products from all over Europe¹**, both clear and coloured glass, showed that all types of soda-lime silicate flat glass products made in Europe present migration levels which are so low that, even when using the most precise analytical technologies (ICP-MS), most migration results are **below the measurable limit of quantification**.

Imposing testing obligations on flat glass products would therefore have no added value in terms of health protection. It could however cause a significant burden on manufacturers. Testing would have to be carried out for all the production of flat glass manufacturers, including all building, automotive, solar glass, etc., since the final destination of glass sheets is not known at time of production. Downstream manufacturers of those articles which may potentially come in contact with food are usually SMEs producing in small series. Imposing additional burden, for example an approval step, would not benefit manufacturing but only increase the cost and potentially hamper the possibility for those companies to continue production. Following the same logic, including a QR code or an equivalent measure to provide users with information on FCMs for each piece of flat glass would represent a very high burden.

Glass for Europe therefore reiterates its position that **both clear and coloured soda-lime silicate flat glass products should not be subject to testing obligations under the FCM Regulation and should be regarded as 'safe for food contact applications' so long as its incorporation into the final articles does not involve any alteration of its surface (e.g. coating).**

¹ https://glassforeurope.com/wp-content/uploads/2013/11/GfE-Study-on-migration-of-metals-in-flat-glass-04_2019.pdf