



STATUTORY INSTRUMENTS.

S.I. No. 257 of 2018



EUROPEAN UNION (PLASTICS AND OTHER MATERIALS)
(CONTACT WITH FOOD) (AMENDMENT) REGULATIONS 2018

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(CONTACT WITH FOOD) (AMENDMENT) REGULATIONS 2018

I, MICHAEL CREED, Minister for Agriculture Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving full effect to Commission Regulation (EU) 2017/752 of 29 April 2017¹, Commission Regulation (EU) 2018/79 of 18 January 2018², and Commission Regulation (EU) 2018/213 of 12 February 2018³, hereby make the following Regulations:

1. These Regulations may be cited as the European Union (Plastics and other materials) (Contact with food) (Amendment) Regulations 2018.

2. The European Union (Plastics and other materials) (Contact with food) Regulations 2017 are amended-

(a) in Regulation 2 (1) by the substitution, for the definition of “Plastics Regulation”, of—

“ ‘Plastics Regulation’ means Commission Regulation (EC) No. 10/2011 of 14 January 2011 (as amended by Commission Implementing Regulation (EU) No 321/2011 of 1 April 2011, Commission Regulation (EU) No 1282/2011 of 28 November 2011, Commission Regulation (EU) No 1183/2012 of 30 November 2012, Commission Regulation (EU) No 202/2014 of 3 March 2014, Commission Regulation (EU) No 865/2014 of 8 August 2014, Commission Regulation (EU) 2015/174 of 5 February 2015, Commission Regulation (EU) 2016/1416 of 24 August 2016, Commission Regulation (EU) 2017/752 of 29 April 2017, Commission Regulation (EU) 2018/79 of 18 January 2018 and, from 6 September 2018, Commission Regulation (EU) 2018/213 of 12 February 2018);”,

(b) by the insertion, after Regulation 4 (11), of—

“(12) A person who commits an offence under this Regulation is liable—

¹O.J. L 113 of 29.4.2017, 18. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/-uri=CELEX:32017R0752&from=EN>

²O.J. L14 of 19.01.2018, 31. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/-uri=CELEX:32018R0079&rid=2>

³O.J. L41 of 14.02.2018, 6. <https://eur-lex.europa.eu/legal-content/EN/TXT/-uri=uriserv:OJ.L—2018.041.01.0006.01.ENG&toc=OJ:L:2018:041:TOC>

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 20th July, 2018.*

- (a) on summary conviction to a Class A fine or to a term of imprisonment not exceeding 6 months, or to both, or
 - (b) on conviction on indictment, to a fine not exceeding €250,000 or to a term of imprisonment not exceeding 5 years or to both.”, and
- (c) by the substitution, for Regulation 13 (1), of—

“(1) A person who, by act or omission, contravenes—

- (a) Article 3, 4, 11(4), 11(5), 15, 16(1), or 17 of the Framework Regulation,
- (b) Article 4, 5, 6, 9, 10, 11, 12 or 13 of the active and intelligent material Regulation, subject to Article 14 of that Regulation,
- (c) Article 4, 5, 6 or 7 of the GMP Regulation,
- (d) Article 2, 3, 4 or 5 of the Epoxy Derivatives Regulation,
- (e) Article 2, 3, 4, 5, 7, 8, 10(3), 11, 12, 13 or 14 of the Recycled Plastic Regulation, subject to Articles 14 and 16 of that Regulation,
- (f) Article 1, 2, 3 or 4 of Commission Regulation (EU) 2018/213 of 12 February 2018, subject to Article 6 of that Regulation, or
- (g) Regulation 3, 5, 6, 7, 11(3), 11(9) or 12 of these Regulations.

commits an offence and is liable—

- (i) on summary conviction to a Class A fine or to a term of imprisonment not exceeding 6 months, or to both,

or

- (ii) on conviction on indictment, to a fine not exceeding €250,000 or to a term of imprisonment not exceeding 5 years or to both.”.



GIVEN under my Official Seal,
3 July 2018.

MICHAEL CREED,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation).

These Regulations amend the European Union (Plastics and other materials) (Contact with food) Regulations 2017 to take account of developments at EU level.

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