



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2025/0027/NL (Netherlands)

Amendment of the Commodities Act Regulation on packaging and consumer products in relation to adding substances to Part A of the Annex and several technical amendments

Date received : 21/01/2025

End of Standstill : 22/04/2025

Message

Message 001

Communication from the Commission - TRIS/(2025) 0151

Directive (EU) 2015/1535

Notification: 2025/0027/NL

Notification of a draft text from a Member State

Notification – Notificación – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Ne zahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20250151.EN

1. MSG 001 IND 2025 0027 NL EN 21-01-2025 NL NOTIF

2. Netherlands

3A. Douane Groningen, CDIU

3B. Ministerie van Volksgezondheid, Welzijn en Sport
Directie Wetgeving en Juridische Zaken

4. 2025/0027/NL - C50A - Foodstuffs

5. Amendment of the Commodities Act Regulation on packaging and consumer products in relation to adding substances to Part A of the Annex and several technical amendments

6. Materials and articles intended to come into contact with food



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7.

8. The purpose of this Regulation is to add new substances to Part A of the Annex to the Commodities Act Regulation on packaging and consumer products that have been requested in recent months by interested parties and assessed by the Dutch Committee for Safety Assessment of Food Contact Materials (hereinafter: NCbvv). The NCbvv carries out the risk assessments for national authorisations under the Commodities Act Decree on packaging and consumer products on behalf of the Minister of Health, Welfare and Sport.

Based on risk assessments carried out, the NCbvv advised that certain substances could be authorised and under what conditions this could happen. NCbvv assessments are made public by default. To this end, the relevant assessments have been published on the website of the National Institute for Public Health and the Environment (www.rivm.nl).

In addition, a number of technical amendments and corrections are made and there is alignment of the Specific Migration Limit (hereinafter: SML) of a number of substances in accordance with the SML applicable in Regulation (EU) No 10/2011. Several amendments were made to substances and footnotes in some tables. For the sake of readability, those tables have been replaced in their entirety.

For the sake of completeness, it is noted that Article 13d of the Commodities Act contains a mutual recognition clause. The mutual recognition principle entails that an EU Member State shall not ban in its own territory the sale of goods that have been legally brought onto the market in another EU Member State on the grounds that the goods do not meet its own national regulations. It is important, however, that the legitimate public interests guaranteed by the national requirements in force are sufficiently protected.

9. Prohibition of discrimination

The proposed amendment is applied without discrimination. The amended requirements of the Commodities Act Regulation on packaging and consumer products apply to all manufacturers of food contact materials in the Netherlands.

Necessity

The proposed amendment is justified in view of an overriding reason in the public interest, namely: the protection of public health.

Proportionality

The amendment of the Commodities Act Regulation on packaging and consumer products is an appropriate measure to protect public health. This Commodities Act Regulation already lays down requirements for food contact materials.

In addition, the measure does not go beyond what is necessary. There is no less restrictive measure to ensure food safety. Consumers should be able to trust that materials and articles intended to come into contact with food are safe. In this case, measures less restrictive than regulatory measures are not appropriate for the public interest, namely: to ensure adequate protection of public health.

10. Numbers or titles of basic texts:

11. No

12.

13. No

14. No

15. No



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16.

TBT aspects: No

SPS aspects: No

European Commission

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