

Summary of responses to call for evidence on environmental plastic for use as food contact materials

Summary of stakeholder responses after the call for evidence on the use of recycled plastic, originating from ocean-bound/cycle schemes and similar environmental collection, in food contact material products.

Introduction

This call for evidence was issued on 21 March 2022 and closed on 21 October 2022.

It was launched to gather further information on how business operators determined the safe use of recycled plastic by means of risk assessment that had originally been sourced from the open environment (ocean, ocean-bound, land) in food contact material (FCM) products. Business operators are required to take into account sourcing from countries whose regulatory standards and waste management strategies differ to those of the UK/EU and where information on previous use and/or misuse are less certain.

The key information which the call for evidence sought views on was:

- how operators propose to, or currently, carry out their own risk assessment to ensure the plastic obtained from the environment in FCM products is safe for the consumer, particularly when sourcing from areas where information on previous use and/or misuse are less certain. (It will be important to take the different regulatory requirements, from where the material was sourced, into account).
- what reference contamination levels are being referred to in risk assessments (note that European Food Safety Authority (EFSA) previously derived a maximum concentration of 3 mg/kg polyethylene terephthalate (PET) based on levels potentially found in washed PET flakes at the EU level - [Scientific Opinion on the criteria to be used for safety evaluation of a mechanical recycling process to produce recycled PET intended to be used for manufacture of materials and articles in contact with food | EFSA \(europa.eu\)](#)).
- how the material is or proposed to be used. Is it in direct contact with food or is it used as a middle layer (for example it is not in direct contact with food)?

Following discussions held in 2021, the Food Contact Material Joint Expert Group (FCM JEG) published an [interim position paper](#) on ocean-bound plastic (OBP) in March 2022. The FSA and Food Standards Scotland, jointly launched a call for evidence: Use of recycled plastic originating from ocean-bound or ocean-cycle schemes and similar environmental collection, in food contact material products. The call for evidence was proposed to run for six months but was extended by a month to enable more time for information and evidence to be submitted.

Summary of stakeholder responses

There were six responses to the call for evidence. Two of the responses did not provide relevant information for this call and so were handled as separate queries. The FSA/FSS are grateful to those stakeholders who responded and are currently seeking clarification on some of the information submitted. In the interim, we have set out below a summary of the responses received and our proposed next steps.

An outline of the four substantive responses are as follows:

One of the major retailers provided information on their commitment to achieve Net Zero by 2040, halving their plastic packaging by 2025 and making recycling easier for the customers. They stated that they are working proactively with suppliers to introduce recycled ocean plastics into the packaging supply chains within the fish and berry categories. No other additional information was provided.

A manufacturing company stated that they currently do not use recycled OBP in their products. They had investigated this and do not have the necessary assurances that they will be able to carry out an accurate risk assessment to inform compliance. The manufacturing company expressed their full support of collecting and recycling plastic from the environment and see great environmental and climate benefits if the material is used in locally produced non-food products.

A supplier of OBP provided information on their current processes from collection, sorting to shipping of OBP for the UK market. They provided information and documentation on compliance with regulations and traceability of the material to collection points. In addition, the respondent provided specifications of their materials and results of analytical testing.

A manufacturer of plastic articles provided information on their manufacturing sites, analytical results and traceability of their plastic material. In addition, the respondent stated that due to their due diligence practices and working to EU and EFSA standards they are able to provide full certification regarding the packaging adhering to all food contact safety standards.

Next Steps

Once the additional information and clarifications has been obtained, the evidence will be thoroughly reviewed and presented to the appropriate independent scientific advisory committee/s. A risk assessment will then be conducted and the outcome published. It is not currently possible to provide a timeframe for this work.

A list of stakeholders who responded is below.

List of respondents

1. Sainsbury's
2. Faerch
3. Bantam Materials UK Ltd
4. Sharpak
5. Public citizen (handled as a separate query)
6. Public citizen (handled as a separate query)