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“Active” and "intelligent" food packaging: Commission proposes amendment to EU law on materials which come into contact with food

The European Commission proposed today a revised Regulation¹ on materials which come into contact with food. Among the proposed changes is a more modern approach to the principle that packaging materials should not interact with the food they contain. This will allow the introduction into the EU of “active” and "intelligent" packaging that, for example, prolongs shelf life or monitors and displays information about the freshness of food. The proposal will also set up traceability requirements so that materials coming into contact with food are identified at all stages of production and distribution. The proposal will now be examined by the European Parliament and the Council under the co-decision procedure.

David Byrne, the EU Health and Consumer Protection Commissioner said: “EU legislation has to keep pace with advances in food packaging technology. Active and intelligent packaging should be allowed in Europe, provided it complies with the principles of EU food safety law. This proposal also extends our "farm to fork" approach to safety so that any materials clearly intended to come into contact with food can be identified and traced”.

What are food contact materials?

Food contact materials are all items intended to touch food. This includes packaging such as plastic wrapping, and glass bottles as well as objects like coffee machines and soup spoons. The revised Regulation also covers adhesives and printing inks.

Allowing the introduction of “active” and "intelligent" food packaging

Recent technological developments have allowed the food industry to create “active” packaging to prolong food quality and shelf life. Active packaging interacts with food to reduce oxygen levels or add flavourings or preservatives. “Intelligent” packaging can monitor the food and transmit information on its quality.

At the moment this type of packaging cannot be introduced into the EU because existing legislation states that food contact materials should not trigger any chemical reactions which might change the food’s taste, appearance, texture or smell or alter its chemical composition. This applies even if the changes are beneficial.

¹ The new Regulation makes substantial amendments to Council Directive 89/109/EEC of 21 December 1988 which lays down general principles for food contact materials. It also includes the “for food” symbol introduced in Directive 80/590/EEC.

Fresh foods sometimes produce gas or moisture inside the packaging as they age naturally. This can encourage microorganisms to grow. For example, oxygen can cause bread and pizza crusts to grow mould. It also causes vegetable oils to go rancid and makes other foods lose their flavour. Some types of active packaging contain oxygen scavengers which absorb the gas the food releases. It cuts down the risk of food poisoning and it also helps the food keep its flavour for longer.

Intelligent packaging can change colour to let the customer know how fresh the food is and show if the food has been spoiled because of a change in temperature during storage or a leak in the packaging.

The proposal opens the way for the introduction of “active” and “intelligent” packaging in Europe. Active components in food packaging will be allowed as long as they comply with other EU legislation on food safety. Labelling will inform users about the nature of the active packaging.

Traceability

“Traceability” is an important part of current EU food legislation² as it sets out a system to identify and trace all stages of food production. This is an important safeguard in the event of any possible contamination. The proposed Regulation applies the same principles to the production of food contact materials so businesses in the sector can identify where food contact materials and substances used in their manufacture have come from and where they have been supplied to.

The new Regulation was prepared following broad consultation with the Member States as well as professional and consumer organisations. It will create a more efficient legal framework and a more transparent procedure for authorising new substances.

Next steps

The proposal will now be sent to the Council and to the European Parliament for a first reading in the co-decision procedure.

² Traceability in food production was established in Article 18 of Regulation (EC) No 178/2002.