



**Ministry of Food, Agriculture
and Fisheries of Denmark**

Danish Veterinary and
Food Administration

The Danish ban of PFASs in paper and board food contact materials (FCM)

PFAS enforcement workshop
3 september 2024

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Food contact materials

- Intended for contact with food
- Already in contact with food, or
- Reasonably expected to be brought into contact with food



EU framework regulation (all FCMs) 1935/2004

GMP regulation (all FCMs) 2023/2006

EU specific measures

Plastic (10/2011)

Import restriction (284/2011)

Lacquer with BPA (2018/213)

Epoxyderivatives (1895/2005)

Active and intelligent packaging (450/2009)

Recycled plastic (282/2008)

Regenerated cellulose

Ceramics



Biocides

Glass and mouth rim

Declaration of compliance

Use suitable FCMs

Ban on PFASs in paper and board FCMs

DK FCM order 681/2020

2247/2021

Registration



Danish ban on PFASs in paper and board FCMs (May 2020)

§ 8. Food contact materials made of board and paper in which per- and polyfluorinated alkylated substances (PFAS) have been used may not be placed on the market.

Paragraph 2 Notwithstanding paragraph 1, food contact materials made of board and paper in which per- and polyfluorinated substances (PFAS) have been used may be placed on the market if a **functional barrier** is used in the product to prevent the substances from migrating into the food.



Management of DK ban

No legally binding limits for PFAS

Compliance can be proved in different ways (statement from supplier, analysis, EOF, ToF..)

DVFA control – a few specific PFAS and ToF

Indicator values:

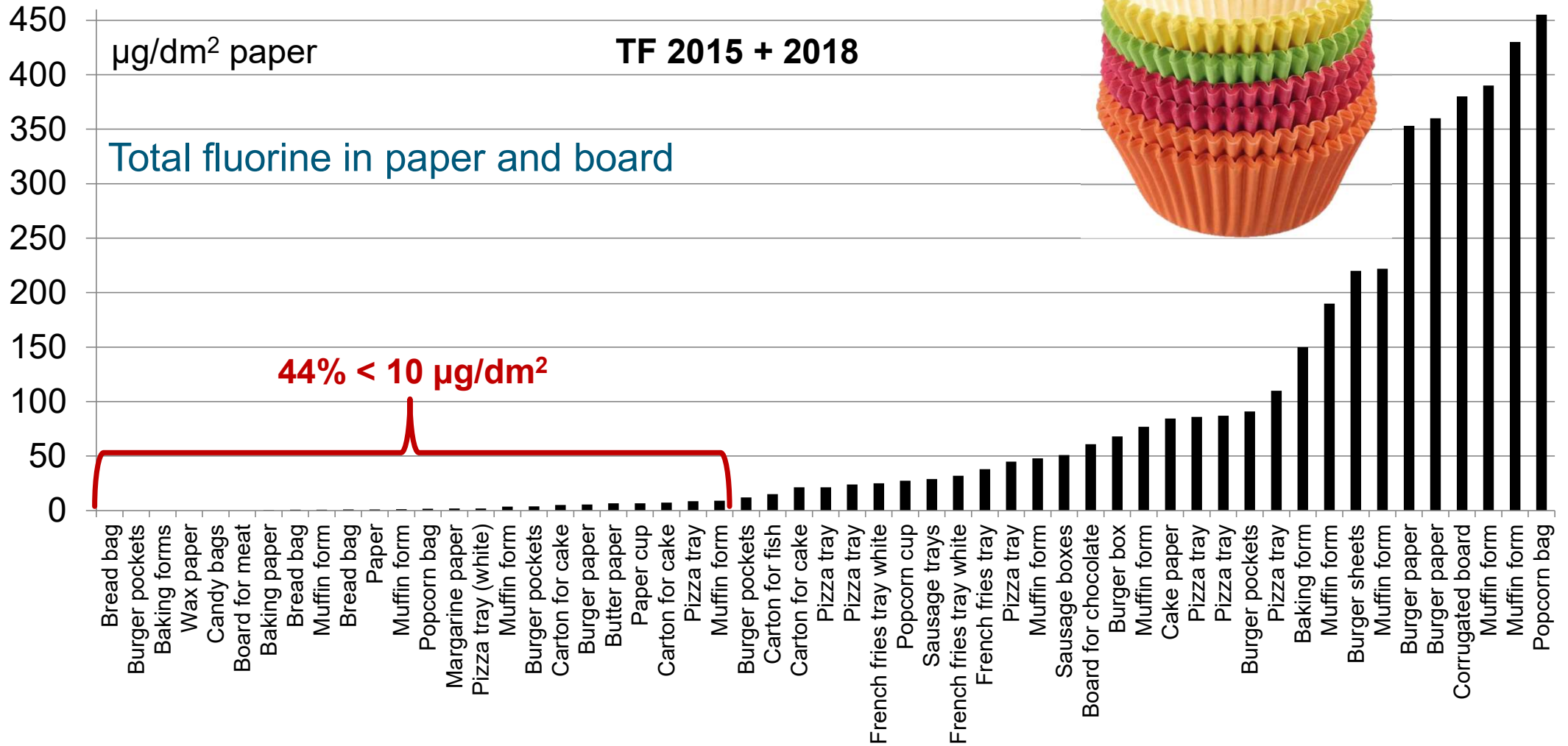
20 µg TOF / g paper

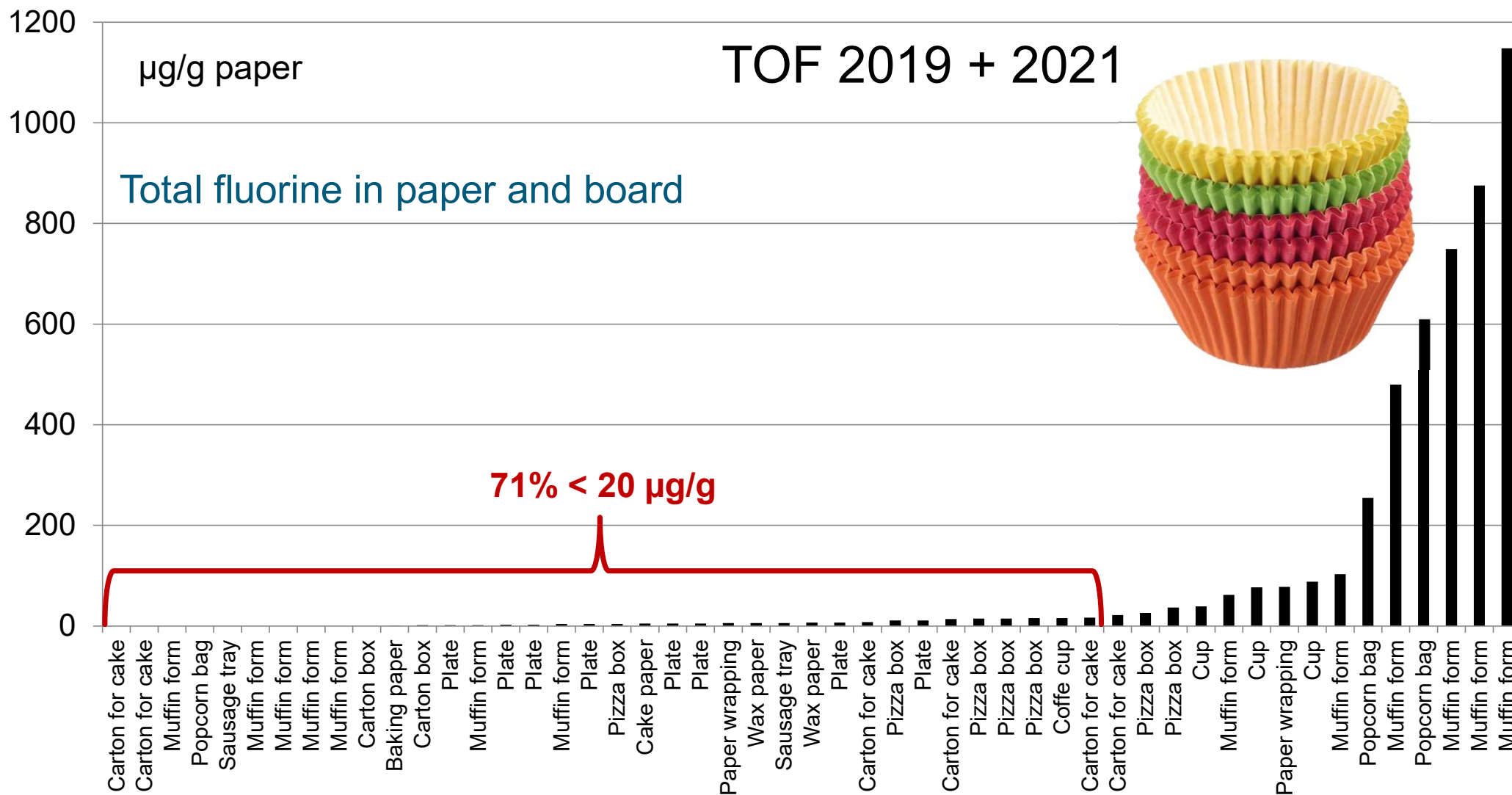
10 µg TOF / dm²

Unintended background contamination

Functional barrier







DVFA control campaign 2024

50 samples for analysis (ToF)

Followed by

Inspection of documentation (DoC) for FCM of paper and board

- importers and distributors (wholesale and retail)**
- information on PFAS in the DoC?**
- knowledge of the DK PFAS regulation?**
- follow up on analytic results**



NB! new Packaging and Packaging Waste regulation

Article 5

5. From ... [18 months from the date of entry into force of this Regulation], food contact packaging shall not be placed on the market if it contains per- and polyfluorinated alkyl substances (PFAS) in a concentration of or above the following limit values to the extent that the placing on the market of this packaging containing this concentration of PFAS is not prohibited pursuant to another Union legal act:

(a) 25 ppb for any PFAS as measured with targeted PFAS analysis (polymeric PFAS excluded from quantification);

(b) 250 ppb for the sum of PFAS measured as sum of targeted PFAS analysis, optionally with prior degradation of precursors (polymeric PFAS excluded from quantification); and

(c) 50 ppm for PFASs (polymeric PFAS included); if total fluorine exceeds 50 mg /kg the manufacturer, importer or downstream user shall upon request provide to the enforcement authorities a proof for the fluorine measured as content of either PFAS or non-PFAS.



For the purpose of this Regulation, PFAS consist of any substance that contains at least one fully fluorinated methyl (CF₃-) or methylene (-CF₂-) carbon atom (without any H/Cl/Br/I attached to it), except substances that only contain the following structural elements: CF₃-X or X-CF₂-X', where X = -OR or -NRR' and X' = methyl (-CH₃), methylene (-CH₂-), an aromatic group, a carbonyl group (-C(O)-), -OR'', -SR'' or -NR''R'''; and where R/R'/R''/R''' is a hydrogen (-H), methyl (-CH₃), methylene (-CH₂-), an aromatic group or a carbonyl group (-C(O)-).

By ... [4 years from the date of entry into force of this Regulation], the Commission shall carry out an evaluation to assess the need to amend or repeal this paragraph in order to avoid overlaps with restrictions or prohibitions of the use of PFAS set out in accordance with Regulation (EC) No 1907/2006, Regulation (EU) 2019/1021 or Regulation (EC) No 1935/2004.

6. Compliance with the requirements set out in *paragraphs 4 and 5* shall be demonstrated in the technical documentation drawn up in accordance with Annex VII.



Thank you for your attention!

