

Outline Report by the Committee on the Regulation of Food Utensils, Containers and Packaging

Background

The safety of food utensils, containers and packaging (UCP) has been secured mainly by regulation by the national government and the voluntary management by trade organizations. Under regulation by the national government, the use of only substances with specifications and standards is restricted.

However, there is a drawback in the existing regulation (Negative List System) that the government cannot regulate immediately the substances whose use is not permitted in the EU countries and the United States, unless individual specifications and standards are set.

The EU countries and the United States apply the positive list (PL) system targeting only substances authorized based on risk assessment.

In light of diversification of products and an increase in imports, Japan has judged that it is necessary to establish a new regulatory system through consistency with the global regulatory trends. The Ministry of Health, Labour and Welfare (MHLW) has decided to set up a committee (the Committee on the Regulation of Food Utensils, Containers and Packaging) to discuss how to design the new system.

The committee has compiled and reported discussion results based on comments obtained through hearings of relevant trade organizations and business operators.

Management System

1. Basic concept

From the standpoint of necessity for common rules targeting all business operators concerned and consistency with global regulatory trends, the MHLW should introduce a PL system.

Basically, the system will ban the use of substances that are not authorized based on risk assessment.

2. Specific frameworks

(1) Materials to which the PL system should apply

Synthetic resins should be prioritized first. The MHLW will continue to discuss whether to apply the system to other materials, such as metals and paper considering the necessity and priority.

(2) Risk management

- Substances subject to the PL system and methods for risk management: The MHLW will continue to review the scope of target substances and methods, considering conditions at home and abroad.
- Parts subject to the PL system: Food-contact surfaces
In addition to food-contact surfaces, the system should apply to inner layers of multi-layered structures, which do not directly contact with food, if components of the layers are likely to migrate into the food.
- Risk assessment: The establishment of an assessment scheme that is rational, scientific, and globally consistent is urgently required.
- Others: The use of substances currently used should continue to be allowed, subject to the fulfillment of certain requirements. Substances—including those with significant toxicity (e.g., heavy metals) and impurities—should continue to be subject to the current risk management system.

(3) Information sharing among business operators

- UCP manufacturers
—Should confirm that the raw materials of the UCP comply with the PL system (as part of manufacturing practice).
- Raw material manufacturers
—Should provide UCP manufacturers with information required upon a request from them.
- UCP distributors and food manufacturers
—Should be provided with necessary information from the UCP manufacturers.

(4) Good manufacturing practice (GMP)

The MHLW should establish a system to require UCP manufacturers to apply GMP.

(5) Identity information on business operators and supervision/guidance by local governments

- A notification system should be established to ensure the identity of UCP manufacturers.
- Supervision and guidance should be provided to the business operators based on information obtained on identity and production management.