

Message 001

Communication from the Commission - TRIS/(2025) 1906

Directive (EU) 2015/1535

Notification: 2025/0387/DK

Notification of a draft text from a Member State

Notification – Notification – 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 - Nezahtuje 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 késésekét - 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: 20251906.EN

1. MSG 001 IND 2025 0387 DK EN 17-07-2025 DK NOTIF

2. Denmark

3A. Erhvervsstyrelsen

Langelinie allé 17

2100 København Ø

Danmark

+45 35 29 10 00

notifikationer@erst.dk

3B. Fødevarestyrelsen

Stationsparken 31-33

2600 Glostrup

Danmark

+45 72 27 69 00

294@fvst.dk

4. 2025/0387/DK - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Legislative decree on food contact materials and on provisions for penalties for violations of related EU legislation

6. The attached draft amended legislative decree establishes new lower migration limits for lead and cadmium from ceramics, enamelled articles and glass, and clarifies the applicable requirements for declaration of conformity for all food contact materials.

7.

8. The attached draft amended legislative decree establishes new lower migration limits for lead and cadmium from ceramics, enamelled articles and glass, and clarifies the applicable requirements for declaration of conformity for all food contact materials.

The relevant provisions are marked in yellow in the attached draft.

Section 5 therefore specifies the formal requirements for the declaration of conformity to which food contact materials marketed in Denmark at an earlier stage than the retail stage must be accompanied. The requirements for the declaration of conformity are set out in Annex 1 and apply without prejudice to specific measures issued by the Commission pursuant to Article 5 of Regulation (EC) No 1935/2004 of the European Parliament and of the Council on food contact materials and articles. Requirements for the declaration of conformity have been established by reference to Article 16(2) of Regulation (EC) No 1935/2004 of the European Parliament and of the Council on materials and articles intended to come into contact with food.

In accordance with the current Section 10, ceramic and enamelled articles and glassware may only be placed on the market in Denmark if they comply with the migration limits for lead and cadmium set out in Annex 5 to the legislative decree.

The migration limits applicable to lead and cadmium in ceramics are in accordance with Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the member states relating to ceramic articles intended to come into contact with foodstuffs.

The applicable migration limits for lead and cadmium in glass and enamelled articles are a specific national measure laid down under Article 6 of Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food products.

The migration limits for lead and cadmium from ceramics, enamelled articles and glass in Annex 5 are set at a lower level in order to safeguard public health. Articles 18 and 6 of Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food;

The draft legislative decree is expected to enter into force on 1 January 2026, though Section 10, which contains the new migration limits, is not expected to enter into force until 1 July 2026.

9. The new lower migration limits for lead and cadmium from ceramics, enamelled articles and glass are

established following a risk assessment carried out by the Danish Technical University (DTU) Food Institute. The National Food Institute has therefore assessed that the current migration limits do not adequately protect the population from the adverse health effects of lead and cadmium. On the basis of the new assessment by the National Food Institute at the Technical University of Denmark, the Danish government has concluded that the use of ceramics, enamelled objects and glass with the current migration limits for lead and cadmium poses a danger to human health, which is why new lower migration limits have been established. The new migration limits are therefore established to safeguard public health.

10. References in the original text:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu