



FEDERCHIMICA

ASSOGASTECNICI

Associazione nazionale imprese gas tecnici,  
speciali e medicinali

## Position Paper for the evaluation of Food Contact Materials (FCMs) EU legislative framework with respect to **food gases**

**Assogastecnici**, the **Italian Association of Industrial and Medical Gases Manufacturers**, is a sector association representing more than 90% of national operators. More precisely, Assogastecnici represents 25 member companies which directly employ about 5.000 people with a turnover of over 2.400 million of Euros.

It has been part of Federchimica – Italian Federation of Chemical Industry – since 1985. Assogastecnici is also part of EIGA, the European Industrial Gases Association.

This Position Paper is focused on **food gases**, a specific sector of the industrial gas industry that produces and distributes gases for several and important food applications. Food gases are used for a variety of purposes in the food and beverage industry, employed as additives, processing aids or ingredients in contact with food. Food gases, in liquid, gaseous or solid form, have to meet law requirements regarding labelling, purity criteria and hygiene. In particular, they have to meet the specific prescriptions of Regulation 1935/2004 on FCMs.

**Regulation 1935/2004** is mainly intended to regulate the use of primary packaging of foods, and to provide a legal framework to ensure that only safe materials are used as "wrapping" and other packaging materials that comes directly in contact with food. As Regulation 178/2002 considers food additives as food, we can assert that also food gases are food.

Therefore **storage tanks and cylinders, that is food gases containers**, may be defined as "food packaging" and would fall under the requirements of Regulation No. 1935/2004.

It is important to note that the most common materials used in food gas packaging, which are various types of steel and stainless steel, have not been prioritised by EU Regulation because such materials are in use to a limited extent compared to e.g. plastics, and there has been a presumption of low risk associated with the use of these materials.



In Italy Regulation 1935/2004 coexists with the **national law on FCMs**, the Ministerial Decree of 21 March 1973 and the numerous updates over the years which single packaging materials are authorized with specific and designated law. Some of these updates authorized stainless steel, aluminum and its alloys, tinplate and band chrome as safe materials for the contact with food.

Actually **there is an important lack with respect to authorization of carbon steel** which is commonly uses for transport and storage of food gases.

Assogastecnici is involved in the development and establishment of specific legislation and standards related to this kind of pressure containing equipment. We started a collaboration with our Ministry of Health and with the Superior Institute for Health which are analyzing and evaluating a series of scientific documents assessing the completely suitability and safety of storage tanks and cylinders used by the industry. With this respect, we can cite the **scientific result of the experimentations of the Italian CNR**, the National Research Council that have been also published in the Journal "Packaging Technology and Science", the international forum for the publication of research papers about physical, chemical & biological sciences and engineering concerned with the development and applications of packaging. (See the two Documents here with enclosed).

Within the EU Roadmap towards the evaluation of Food Contact Materials regulatory framework, Assogastecnici would like to stress the importance that European legislation recognize food gases specificities.

This means, for example, to consider the particular features of the materials used for food gases containers. But also **to define specific methodologies for contamination test** of metal and non-metal elements in food gases, including migration threshold values.

We think that Assogastecnici and Federchimica are important stakeholder in this crucial moment of the evaluation process and we are at completely disposal to be engaged in the consultation phase to give our contribution for a better regulatory framework.

Milan, 29 January 2018

## Bibliography

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