

Legislation – Food Packaging – Switzerland

The Swiss Federal Department of Home Affairs (FDHA) has published a national food law, which incorporates a revised version of the [Ordinance on food contact materials](#) (SR 817.023.21). It came into force on 1 May 2017, and updates three Annexes of authorised substances: plastics (Annex 2), silicones (Annex 9) and printing inks (Annex 10). Section 12 sets out the provisions relating to printing inks applied to the non-food contact surface, and Article 35 specifies that only authorised substances should be used in their manufacture: printing inks and varnishes applied to the non-food contact surface of food packaging may only be manufactured from the substances listed in Annex 10 (or Annex 2), and the stipulated migration limits must not be exceeded.

Annex 2 contains the list of monomers and additives authorised for use in food contact plastics, taken from the EU Plastics Regulation 'Union List'. The list of packaging ink raw material substances (Annex 10) is categorised by function and then split as:

- part A: Evaluated
i.e. those substances having verified toxicological data, and assigned a SML; &
- part B: Non-Evaluated
i.e. those substances requiring toxicological evaluation.

Part B Substances automatically have a non-detection limit of 10 ppb (0.01 mg/kg food) imposed until an evaluation has been completed. They may then move to part A. All substances included in the Ordinance, that is in part A or part B, are permitted in the production of food packaging inks. Substances not listed are not permitted, although some substances are not required to be listed, for example polymers made from listed monomers, pigment additives, substances covered by generic group entries, certain salts of listed acids, etc.

The 'Swiss Ordinance' specifies that the key EC Food Contact Materials Framework Regulation (EC 1935/2004) requirements, namely not to transfer constituent substances in quantities that could endanger human health or bring about an unacceptable change in the composition or the organoleptic characteristics of the foodstuffs, must be met. In addition, the migration limits for substances listed in Annex 2 and Annex 10 must not be exceeded and good manufacturing and printing practices must be used.

The Swiss Ordinance only applies to packaging materials for foodstuffs that are either:
i) Manufactured in Switzerland, or ii) Imported into Switzerland; it has no legal status in any other country, including EU Member States. However, multi-national companies may require that their packaging conforms to the requirements of the Ordinance on a global basis, wherever it is manufactured.

The Swiss Federal Food Safety and Veterinary Office (FSVO) revised its [Ordinance on Food Contact Materials](#) (SR 817.023.21) in 2019, to better align with some of the EU FCM legislation. The requirements for printing inks (Section 12) are unchanged, although some of the details have been moved to the general sections. [Annex 10](#), which includes the list of substances permitted to be used for the production of packaging inks, was also updated, with a transitional period of one year. EuPIA [updated](#) its Questions & Answers on the Swiss Ordinance document to reflect the latest changes.

The Swiss Ordinance legislation is aimed at controlling what is used in, and can migrate from, food packaging. The requirements are summarised as follows:

- The duty to comply with the migration limits of the Swiss Ordinance lies with the printer, packaging converter and end user and not with the ink manufacturer because ink makers cannot control migration from the final package.
- The ink manufacturer has the responsibility to formulate inks in accordance with Good Manufacturing Practice, using materials that are listed in Annex 2 & 10.

To comply, the packaging converter or end user must ensure that:

- Materials used to formulate the inks on the packaging only contain substances listed in the Ordinance.
 - Remember, materials from both A and B status can be used, but materials in part B are only allowed to migrate up to the 10 ppb level (0.01 mg/kg food). This is a non-detection limit.
- Migration of each of the listed substances from the packaging into the foodstuff must be below the limits specified for that individual substance (or group of substances).

The ink manufacturer will supply information regarding the content of potentially migratable substances in a [Statement of Composition](#) to help printing converters and end users assess the compliance of printed packaging.

The information contained herein is based on data believed to be up-to-date and correct at the time writing. It is provided to our customers in order that they are able to comply with all applicable health and safety laws, regulations, and orders. In particular, customers are under an obligation to carry out a risk assessment under relevant Good Manufacturing Practices (GMP) in line with legislation and as a result take adequate measures to protect consumers.