

Declaration regarding Paper Drinking Straws

Foreword

This section of the Charter of Trust for Paper Drinking Straws catalogues and describes **the necessary European legislation and technical guidance** which paper drinking straws, their constituent components and the special machines used to manufacture them should respect on a permanent basis for paper drinking straws sold in Europe. This section of the charter will be updated and re-issued under controlled procedure in the event of relevant new or revised legislation.

This section also lists the **necessary certifications** that manufacturing sites for the production of paper drinking straws should hold.

The declaration

Each signatory to the 360° Foodservice Charter of Trust for Paper Drinking Straws shall issue a declaration **that it will comply fully with all applicable EU and national laws** referring, at minimum, to all the below respective European and national legislations / regulations / technical standards applicable to paper drinking straws and associated raw materials:

1. [For paper drinking straws](#)

- The paper drinking straw, as such, with all constituent components (paper, adhesive, ink), must be evaluated as a food contact material (FCM), which is subject to the EU's **FRAMEWORK REGULATION (EC) No. 1935/2004 on food contact materials**.¹
- The combination of the regulations noted below offers a practical approach for evaluating the compliance of paper drinking straw applications with food contact legislation under **FRAMEWORK REGULATION (EC) No. 1935/2004**:
 - **BfR RECOMMENDATION XXXVI-LFGB** as it applies to paper and paper board in contact with food (issued by the German Federal Institute for Risk Assessment / Bundesinstitut für Risikobewertung (BfR)).

¹ *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 and repealing Directives 80/590/EEC and 89/109/EEC*

- **EU COMMISSION REGULATION (EU) No. 10/2011** of 14 January 2011 on plastic materials and articles intended to come into contact with food, as a reference tool for the evaluation of raw materials used in Adhesives (exceptions for biocides, covered by BfR recommendations) and Printing Inks.
- **EU COMMISSION REGULATION (EC) No. 2023/2006** of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food.
- **DGCCRF-MCDA-n°4(V02-01/01/2019)** for food contact suitability of organic materials made from bio-based fibres intended to come into contact with foodstuffs (issued by the French Government Department for competition, consumers and anti-fraud / Direction générale de la concurrence, de la consommation et de la répression des frauds (DGCCRF)).
- **COUNCIL OF EUROPE RESOLUTION ResAP(2002)-1** on paper and board materials and articles intended to come into contact with foodstuffs.
- In addition to chemical analysis, the organoleptic impact of paper drinking straws on food must also be investigated in accordance with Article 3 of **FRAMEWORK REGULATION (EC) No. 1935/2004** on food contact materials which states that no deterioration of the organoleptic characteristics of the food should be caused by the food contact material.
- **European Parliament and Council DIRECTIVE 94/62/EC** of 20 December 1994 on packaging and packaging waste (as amended) – for heavy metal characterization.
- **REGULATION (EC) No 1907/2006** of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (**REACH**), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93.
- The **paper drinking straw manufacturing site** should have the following certifications:
 - **Sustainability certifications:**
 - **Forest Stewardship Council (FSC) Chain of Custody certification** according to the standard FSC-STD-40-004 V(3-0) and/or **Programme for the Endorsement of Forest Certification (PEFC)** chain of custody of forest-based products certification.
 - The paper drinking straw manufacturer shall provide information on **species and origin of wood** and confirmation of compliance with **REGULATION (EU) No 995/2010** of the European Parliament and of the Council of 20 October 2010

laying down the obligations of operators who place timber and timber products on the market.

○ **Quality / Food Certificates:**

- The paper drinking straw manufacturer shall be certified according to one or more of the following:

- ✓ **International Standards Organisation** - ISO 9001:2015 “Quality management systems – Requirements”
- ✓ **Global Food Safety Initiative (GFSI)-recognized certificate**, which notably includes the **British Retail Consortium – Global Standard for Packaging Material** (Issue 6) certification

2. [For paper used in the manufacture of paper drinking straws](#)

- **FRAMEWORK REGULATION (EC) No. 1935/2004** on food contact materials.
- **BfR RECOMMENDATION XXXVI-LFGB** as it applies to paper and paper board in contact with food (issued by the German Federal Institute for Risk Assessment / Bundesinstitut für Risikobewertung (BfR)).
- **EU COMMISSION REGULATION (EC) No 2023/2006** of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food.
- **DGCCRF-MCDA-n°4(V02-01/01/2019)** for food contact suitability of organic materials made from bio-based fibres intended to come into contact with foodstuffs (issued by the French government Department for competition, consumers and anti-fraud / Direction générale de la concurrence, de la consommation et de la répression des frauds (DGCCRF)).
- **COUNCIL OF EUROPE RESOLUTION ResAP(2002)-1** on paper and board materials and articles intended to come into contact with foodstuffs.
- **REGULATION (EC) No 1907/2006** of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (**REACH**), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 – issue of *Declaration of Compliance*.
- **Declaration of Compliance** issued by the paper manufacturer confirming:
 - No **Substances of Very High Concern (SVHC)** intentionally added to the paper drinking straws or expected to be incidentally present in levels above the reportable limit ($\leq 0,1\%$).

- No intentional use of **nanotechnology** or materials engineered to be **nanomaterials**.
- No **Perfluorooctanoic Acid (PFOA), Perfluorooctane Sulfonate (PFOS), Butanediol Diacrylate (BDDA), Diethylene glycol Diacrylate (DEGDA), Isodecyl acrylate (IDA), Octyl acrylate (ODA), Phenoxy ethyl acrylate, Phthalates and Dioxins** intentionally added to the paper.
- In **coloured paper**, no intentionally added **Azo dyes** after Annex 1, No. 7 (§ 3) of the German Commodities Regulation (Bedarfsgegenständeverordnung).
- No **recycled paper fibre** used in the manufacture of the paper.
- **Pulp source:**
 - **Forest Stewardship Council (FSC) Chain of Custody certification** according to the standard FSC-STD-40-004 V(3-0) and/or **Programme for the Endorsement of Forest Certification (PEFC)** chain of custody of forest-based products certification.
 - Information on **species/origin of wood** and confirmation of compliance with **REGULATION (EU) No 995/2010** of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market.
 - **Pulp in paper specifications – Declaration of Compliance**
 - 100% Total Chlorine-Free (TCF) or Elemental Chlorine-Free (ECF) pulp for bleached pulp
 - 100% virgin pulp
 - Unbleached pulp
- **End of Life (Recyclability & compostability):**

To support environmentally friendly end-of-life disposal, **paper should meet:**

 - **For Recyclability:** European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste;
 - **For Compostability / Biodegradability:** Paper should comply with one of the following technical standards:
 - **Compostability:** Paper should comply with home compost standard requirements (either *OK Home Compost* or another internationally recognized standard);

and/or

- **Biodegradability:** Paper should comply with either:
 - ✓ Marine Biodegradable standard requirements (either *OK Marine Biodegradable* or another internationally recognized standard); or,
 - ✓ Soil Biodegradable standard requirements (either *OK Soil Biodegradable* or another internationally recognized standard).

3. For adhesive used in the manufacture of paper drinking straws

- Adhesive shall be designed to allow the paper drinking straw to meet the overall requirements of **FRAMEWORK REGULATION (EC) No. 1935/2004 on food contact materials**.
- **EU COMMISSION REGULATION (EU) No. 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food**, as a reference tool for the evaluation of raw materials used in adhesives (exceptions for biocides, covered by BfR recommendations).
- **BfR RECOMMENDATION XIV** (only for water-based products) issued by the German Federal Institute for Risk Assessment / Bundesinstitut für Risikobewertung (BfR).
- **EU COMMISSION REGULATION (EC) No 2023/2006** of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food – please consider specifically:
 - “**FEICA Guideline for Good Manufacturing Practice of food packaging adhesives**”, and,
 - “**FEICA-Guidance for a food contact status declaration for adhesives**”.
- **REGULATION (EC) No 1907/2006** of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (**REACH**), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 – issue of *Declaration of Compliance*. Adhesives shall not contain any substance, which is subject to a restriction (REACH annex XVII) or authorization (REACH annex XIV).
- **EU COMMISSION REGULATION (EC) No 1895/2005** of 18 November 2005 on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food.
- **REGULATION (EU) No 528/2012** of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products

(BPR). Any preservative / biocide should comply with this legislation, especially “main group2: preservatives” and covered by number PT6 “preservatives for products during storage”.

- **Declaration of Compliance** issued by the Adhesive Manufacturer confirming:
 - No **Substances of Very High Concern (SVHC)** intentionally added to the adhesive or expected to be incidentally present in levels above the reportable limit ($\leq 0,1\%$).

4. For printing inks used in the manufacture of paper drinking straws

- **Direct Food Contact (DFC)** printing ink shall be designed to allow the printed paper drinking straw to meet the overall requirements of:
 - **REGULATION (EC) No 1907/2006** of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (**REACH**), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 – issue of *Declaration of Compliance*.
 - **FRAMEWORK REGULATION (EC) No. 1935/2004** on food contact materials.
 - **EU COMMISSION REGULATION (EC) No 2023/2006** of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (and more specifically to the **European Printing Inks Association (EuPIA) “Good Manufacturing Practices” (GMP), and the EuPIA Exclusion Policy**.)]
- All substances used in printing inks shall be either listed in **EU COMMISSION REGULATION (EU) No 10/2011** of 14 January 2011 on plastic materials and articles intended to come into contact with food or **Swiss Ordinance on Materials and Articles (SR 817.023.21)**. For substances that are out of the scope of the Swiss Ordinance on Materials and Articles (for example pigment coatings) a hazard assessment shall be done to derive a Specific Migration Limit using the **EuPIA Guidance for Risk Assessment of Non Intentionally Added Substances (NIAS) and Non Listed Substances (NLS) in printing inks for food contact materials**. The printed straw shall meet the substance Specific Migration Limits (SML’s).
- For Non-Intentionally-Added-Substances (NIAS) that are not listed in either the **EU COMMISSION REGULATION (EU) No 10/2011** of 14 January 2011 on plastic materials and articles intended to come into contact with food or **Swiss Ordinance on Materials and Articles (SR 817.023.21)**, then a hazard assessment shall be done according to **Article 3 of the EU COMMISSION REGULATION (EU) No 10/2011** of 14 January 2011 on plastic materials and articles intended to come into contact with food, while following the principles of its Article 19 and the **EuPIA Guidance for Risk Assessment of Non Intentionally Added Substances (NIAS) and Non Listed Substances (NLS) in printing**

inks for food contact materials. The NIAS shall meet the Specific Migration Limits (SML's) derived from the hazard assessments.

- **COUNCIL OF EUROPE RESOLUTION AP(89)-1** on colorants in plastic materials and articles coming into contact with food.
- **EU COMMISSION REGULATION (EC) No 1895/2005** of 18 November 2005 on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food.
- **REGULATION (EU) No 528/2012** of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (“BPR”). Any preservative / biocide should comply with this legislation, especially with article 95(2) and covered by number PT6 “Preservatives for products during storage”.
- **European Parliament and Council DIRECTIVE 94/62/EC** of 20 December 1994 on packaging and packaging waste (as amended) – for heavy metal characterization.
- **Declaration of Compliance** issued by the Ink Manufacturer confirming:
 - No **Substances of Very High Concern (SVHC)** intentionally added to the printing ink or expected to be incidentally present in levels above the reportable limit ($\leq 0,1\%$).
 - **A Statement of Composition (SoC)** shall be issued by the Ink Manufacturer giving information about all potentially regulatory relevant migrating substances in the ink, along with their respective Specific Migration Limits to allow straw printers to do their own compliance assessment. Instructions on how to do such an assessment can be found in the EuPIA Customer Guidance Note for using ink Statements of Composition when considering compliance of food packaging.
- **A Direct Food Contact Overprint varnish** may be required in some instances depending on the physical and chemical resistance properties of the Direct Food Contact ink that is being used. It is not recommended to use a Direct Food Contact Overprint varnish in combination with non-Direct Food Contact inks.

5. [For Special Machines used to manufacture paper drinking straws](#)

- **Special Machines** shall be designed to allow the paper drinking straw to meet the overall requirements of **FRAMEWORK REGULATION (EC) No. 1935/2004** on food contact materials.
- **CE MACHINERY DIRECTIVE 2006/42/EC**, in particular application of CE Essential Health & Safety Regulations (EHSR's).

- **REGULATION (EC) No 1907/2006** of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 – issue of *Declaration of Compliance*.
- **EU COMMISSION REGULATION (EC) No 2023/2006** of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food.
- **DIRECTIVE 2011/65/EU** of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electric and electronic equipment, amended by Directive (EU) 2015/863.

Analysis and Certification

All analyses and certifications shall be performed by an ISO 17025 accredited Test Institute (see Appendix 1 for a list of recommended Test Institutes in Europe).

Verifying non-compliance

Analysis of products in the market has demonstrated that there are a number of unacceptable chemical compounds found on a recurring basis in non-compliant paper drinking straws. On request, 360° Foodservice may be able to provide further guidance in this regard to enable control authorities to carry out a first-level check on compliance before investing in the full set of analyses required according to applicable European regulation / technical guidance / standards.

LIST OF APPENDICES

APPENDIX 1:

Recommended Testing & Certification institutes

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APPENDIX 1:

Recommended Testing & Certification institutes

The following is a (non-exhaustive) list of recommended testing and certification institutes in Europe:

- ISEGA Forschungs – und Untersuchungsgesellschaft mbH (www.isega.de)
- Intertek (www.intertek.com)
- Eurofins (www.eurofins.com)
- CSI S.P.A (www.csi-spa.com)
- Institut Kirchhoff Berlin GmbH (www.institut-kirchhoff.de)
- FABES Forschungs - GmbH (www.fabes-online.de)
- SQTS Swiss Quality Testing Services (www.sqts.ch)
- TÜV Rheinland (www.tuv.com)