New German Food and Feed Act has been released

The German legislator has published in Federal Law Gazette in September 2005 that previous LMBG (Lebensmittel- und Bedarfsgegenständegesetz – German Act for Food Processing and Commodities edited 1974) has been replaced by new German Food, Commodity and Feed Act (LFBG Lebensmittel-, Bedarfsgegenstände- und Futtermittelgesetzbuch). Therefore German legislation regarding food safety has been adopted to the Regulation (EC) No 178/2002 (laying down the general principles and requirements of food law, establishing the European Food, Safety Authority and laying down procedures in matters of food safety).

Previous LMBG and recently edited LFBG are in addition to the GPSG (Geräte- und Produktsicherheitsgesetz - Equipment and Product Safety Act), Chemical Prohibition Law (Chemikalienverbotsverordnung) and Cosmetic Act the legal foundation for the distribution of commodities related to consumer product safety. In the past LMBG covered safety aspects of commodities in food contact (kitchenware, packaging of food), commodities in skin contact (clothes, jewellery, cosmetic articles) and toys. German LMBG was particularly the legal foundation of German Commodity Act (Bedarfsgegenstände-Verordnung), which transferred certain EU requirements in national law as eg. the ban of azo-dyes or exceptional regulation about the ban of all known phthalates in plastic toys (only in Germany).

§30 (Prohibitory provisions for the protection of health) is still applicable in the new law. In the past §30 provided government bodies with the exceptional authority to reject any consumer products because of any hazards as dispersive dyes, TBT even those haven’t actually restricted by any definite regulation.

§31 (Transmission of substances to foodstuffs) is still applicable, there are not any significant changes expected. Specific test requirement about Migration of Colourants might be applicable in future for commodities with food contact, but precise test schedule is not yet available.

§ 35 (Official Collection of Testing Methods) is now transferred to §64, but the current publication containing the specific test methods due to global migration, azo dyes, nickel release, colour fastness against sweat & saliva (B80.00 to B82.10-1) has not been replaced. No significant changes might be expected.