

MAR 13 1991

Mr. Robert G. Wick
Product Manager
Lewisystems
Menasha Corporation
128 Hospital Drive
Watertown, WI 53094-0508

Dear Mr. Wick:

This is in reference to your letters of November 15, 1990, December 11, 1990, and January 4, 1991, and telephone conversations concerning the use of recycled polyethylene or polypropylene to fabricate food harvesting crates. As we understand the uses you are considering, the crates are to be used for transporting fruits and vegetables from the field to the processing plant during harvesting, and for storing and transporting pre-packaged foods. The recycled crates are constructed with food-contact polyethylene or polypropylene obtained either from (1) damaged harvesting crates or (2) recycling plants.

First, the use of any crate holding pre-packaged food is not a food-additive situation if the immediate food-contact container protects the food and prevents migration of substances from the crate to food. This appears to be the case in your use of crates for storing and transporting pre-packaged foods. Thus, whether the crates contain recycled material or not, it does not require a food additive approval.

Regarding the use of recycled polyethylene or polypropylene harvesting crates, you indicated that damaged crates are routinely washed and freed of debris before recycling. Additionally, during re-fabrication of the recycled harvesting crates, clean damaged crate resin or clean polyethylene or polypropylene resin from a recycling center is routinely:

† Because of this, and because the re-fabricated crates come into contact with raw fruits and vegetables only

Page - 2 Mr. Robert G. Wick

for short periods of time at ambient temperatures and the fruits and vegetables are subsequently washed at the processing plant, we believe there will be little likelihood that substances will migrate from the crates and remain on the raw fruits and vegetables. Therefore, we do not object to your use of recycled harvesting crates fabricated as described above for transporting raw fruits and vegetables from the field to the processing plant.

Sincerely yours,

AS
Alan M. Rulis, Ph.D.
Director
Division of Food and Color Additives
Center for Food Safety
and Applied Nutrition