

APR 14 1993

Mr. Ralph A. Simmons
Keller and Heckman
1001 G Street, N.W.
Suite 500 West
Washington, DC 20001

Re: Food Additive Master File No. 518

Dear Mr. Simmons:

This responds to your submissions of June 23, November 5, and December 16, 1992, regarding the use of post-consumer polyethylene terephthalate (PET) in the manufacturing of tri-laminated soft drink bottles consisting of at least thick outer layers, including the food-contact layer, of virgin PET, complying with 21 CFR 177.1630, sandwiching a core layer of at least thick post-consumer PET.

We have reviewed the analytical data provided to demonstrate that a 1-mil thick layer of virgin PET is an effective functional barrier for intentionally contaminated post-consumer PET resin used as the non-food-contact layer of laminate structures. Based on our review of these data, we find that there is little likelihood that substances from the recycled PET will migrate into food if the recycled PET is separated from food by at least a 1.0-mil thick layer of virgin PET that complies with 21 CFR 177.1630. Therefore, your intended use of recycled PET as the non-food-contact layer in laminated bottles does not require amendment of the food additive regulations, as long as it is separated from food by a layer of virgin PET at least 1.0 mil thick, and the use of the bottles is limited to room temperature or below.

Although we have concluded that your intended use of recycled PET does not require an amendment to the food additive regulations, you should be aware that we are currently developing a formal policy on the use of post-consumer recycled plastics in contact with food. Thus, the decisions set forth in this letter may need to be modified due to future deliberations on this matter.

If you have any further questions related to this letter, please do not hesitate to contact us.

Sincerely yours,



Eugene C. Coleman
Director
Division of Petition Control
Center for Food Safety
and Applied Nutrition