



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration  
Washington DC 20204

JUL - 1 1993

Mr. Larry E. Rembold  
President and C.E.O  
Dolco Packaging Corp.  
13400 Riverside Drive - Suite 200  
Sherman Oaks, California 91423

Dear Mr. Rembold:

This responds to Mr. Laughlin's letters of February 12, 1993, May 4, 1993, his facsimile of May 7, 1993, and several telephone conversations with Mr. Laughlin and

Mr. Laughlin has requested guidance on the conditions under which recycled polystyrene could safely be used in food-contact articles such as mushroom tills, apple trays, vegetable trays, food service clamshells, poultry trays, and meat trays. Our letter of March 1, 1993 addressed the use of your post-consumer polystyrene in meat trays.

In previous submissions to us, Mr. Laughlin has described the collecting, sorting, washing, processing and extruding procedures for post-consumer polystyrene. In particular, Mr. Laughlin has stated that some of your post-consumer foamed polystyrene is collected from school cafeterias and other food-serving establishments.

Based upon our review of the information you have provided, we find that because of strict source control, there is little likelihood of unacceptable contaminant levels in your recycled polystyrene. Therefore, we conclude that the use of post-consumer recycled polystyrene to manufacture fruit and vegetable containers, food-service clamshells, and poultry trays would not require an amendment to the food additive regulations as long as: 1) the recycled polystyrene is obtained from cafeterias and restaurants and processed in the manner described, 2) the post-consumer recycled polystyrene was fabricated entirely from regulated food-contact resin and adjuvants, and 3) any virgin polystyrene used for blending complies with 21 CFR 177.1640. If any adjuvants are used in the blending of virgin and recycled resin to form the food-contact articles, these adjuvants and their use levels must be appropriately regulated for the proposed use. The use of unregulated adjuvants, or the use of regulated adjuvants at levels higher than currently authorized, would not be permitted.

While the agency encourages the use of tight source control in the collection of products for recycling into food-contact articles, it remains the responsibility of the manufacturer to ensure that the final plastic article is free of possible chemical and microbiological contaminants.

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Although we have concluded that your intended use of recycled polystyrene 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 we can be of any further help, please do not hesitate to contact us.

Sincerely yours,



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