



MAY 5 1994

Food and Drug Administration
Washington DC 20204

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

Re: Food Additive Master File No. S18

Dear Mr. Simmons:

This responds to your submissions of May 7 and July 6, 1993, and January 4, 1994, regarding the use of post-consumer polyethylene terephthalate (PET) in the manufacturing of tri-laminated PET bottles consisting of a thick inner and outer layer of virgin PET, complying with 21 CFR 177.1630, sandwiching a core layer of thick post-consumer PET. You stated that the PET bottles are intended to hold aqueous, acidic, and low-alcoholic foods under Conditions of Use C (Hot filled or pasteurized above 150°F (66°C)) and below.

Based on our review of the data provided, we find that the use of post-consumer PET as the middle layer of tri-laminated food-contact articles, does not require amendment of the food additive regulations where the inner food-contact layer and the outside layer are of virgin PET complying with 21 CFR 177.1630. This finding is based upon the requirement that the post-consumer PET is separated from food by a layer of virgin PET at least 1.0 mil thick, the intended use is limited to contact with aqueous, acidic, and low alcoholic foods at temperatures that do not exceed Conditions of use C (Hot filled or pasteurized above 150°F (66°C)) and below, and the food-contact article is used for storage periods not to exceed one year.

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.

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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