

DEPARTMENT OF HEALTH AND HUMAN SERVICES

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JUN 3 1994

Ms. M. Elizabeth Bierman  
Morgon, Lewis, and Bockius  
1800 M St. NW.  
Washington, D.C. 20036

Dear Ms. Bierman:

This responds to your letter of May 11, 1994, on behalf of your client, KAMA Corporation, regarding the use of post-consumer recycled polyethylene terephthalate (PET) in the manufacture of packaging for fresh fruits and vegetables.

The information you have provided describes the collection, recycling, extrusion, and thermoforming procedures for the use of recycled PET to manufacture containers for fresh fruits and vegetables. You state that the source of the PET is postconsumer beverage bottles, and that the PET is not blended with any other material, nor are any adjuvants added to the recycled PET. Furthermore, the packaging would be used for fruits and vegetables that are usually washed before consumption.

Based upon our review of the information you have provided and other data we find that there will be little likelihood that substances from recycled PET will migrate at significant levels from the packaging and remain on the fresh fruits and vegetables at the time of consumption. Therefore, KAMA's intended use of post-consumer recycled PET to manufacture fruit and vegetable containers will not require an amendment to the food additive regulations as long as use is limited to room temperature or below.

Although we have concluded that KAMA's 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 we can be of any further help, please do not hesitate to contact us.

Sincerely yours,



Thomas C. Brown  
Acting Branch Chief  
Indirect Additives Branch  
Center for Food Safety  
and Applied Nutrition