

NOV 16 1994

Masaki Maruyama  
FP Corporation  
1-105 Akebono-Cho Fukuyama  
Hiroshima, 721 JAPAN

Dear Mr. Maruyama:

This is in response to your letter of March 31, 1994, regarding the regulatory status of your recycled polystyrene trays for food-contact use. The polystyrene containers collected for recycling were previously used to hold food. The data provided included proposed tight source control and recycling processes. The recycled polystyrene in the finished containers would be separated from food by a thick layer of virgin polystyrene, and the containers are intended to contact food for 6-8 hours at 50°F or below.

We have completed our review of the information provided and find that the intended use of your recycled polystyrene in laminated containers, where the recycled polystyrene will be separated from food by a layer of virgin polystyrene at least 1 mil thick, would not require an amendment to the food additive regulations, provided that the virgin layer complies with § 177.1640. In addition, any sanitizers, processing aids, and adjuvants used in the recycling process should be used in accordance with FDA's regulations.

The above conclusions apply only to the use of recycled polystyrene treated as described in your submission. 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.

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We trust that this letter is responsive to your inquiry. If you have any further questions, please do not hesitate to contact us.

Sincerely yours,



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