

MAR 20 1995

Mr. Gary Dixon  
 Director, Quality Assurance  
 Flagstar  
 203 East Main Street  
 Spartanburg, South Carolina 29319

Dear Mr. Dixon:

This is in response to your letters of October 27, 1993 and February 8, 1994, requesting our concurrence regarding the use of post-consumer polystyrene collected and processed by the

Based upon information provided by our letter states that the post-consumer polystyrene (PS) will be used in the manufacturing of tri-laminated PS hinged-lid and plate food-service containers consisting of a thick inner and outer layer of solid virgin cast film impact PS, which complies with 21 CFR 177.1640, sandwiching a core of thick virgin PS containing a minimum of percent post-consumer PS. Your information further states that the containers are intended to hold hot and cold foods.

The information you have provided describes the collection, sorting, washing, processing and extruding procedures for post-consumer PS. The information indicates that the recycled PS would be produced from used PS food-contact articles collected from schools, industrial cafeterias, special venues, and food feeding locations in special containers.

Based upon our review of the information provided and other data, we find that there is little likelihood of unacceptable contaminants migrating into food from the recycled PS. Therefore, your use of post-consumer PS that is no

as the tri-laminated food-contact articles, does not require amendment of the food additive regulations. This finding is based upon the requirement that the post-consumer PS is separated from the food by a layer of solid virgin cast film impact PS complying with 21 CFR 177.1640 at least 1 mil thick, the recycled PS is obtained from cafeterias and obtained from the sources described above, and the intended use is limited to contact with hot and cold foods for only a few minutes. The use of any sanitizers, processing aids and adjuvants used in the manufacture of the post-consumer recycled PS must be in accord with the regulation for virgin PS in 21 CFR 177.1640.

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Although we have concluded that your intended use of recycled PS 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 I can assist you further, please let me know.

Sincerely yours,

ES

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

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