

JUL 5, 1995

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

Dear Mr. Maruyama:

This is in response to your letter of December 16, 1994, requesting our review of your recycled polystyrene for use primarily in contact with beef, pork and fish, for approximately 2 to 3 days at contact temperatures below 50°F. The data provided indicate that the polystyrene containers collected for recycling were previously used to hold food and that tight source control is incorporated. Data were also provided regarding the recycling processes. The recycled polystyrene in the finished containers is separated from food by a thick layer of virgin polystyrene.

We have completed our review of the information provided and find that the 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 for contact with all food types for 2-3 days at temperatures not to exceed 50° F, provided that the virgin layer complies with § 177.1640. In addition, any sanitizers, processing aids, and adjuvants used in the recycling process should be appropriately used in accord with FDA's regulations. These conclusions apply only to the use of recycled polystyrene treated as described in your submission.

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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.

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

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