

JAN 16 1998

Ms. Priscilla B. Stanley
Manager, FDA/USDA Liaison
Union Carbide Corporation
P.O. Box 670
Bound Brook, New Jersey 08805

Dear Ms. Stanley:

This is in response to your letter dated June 14, 1996, requesting a No Objection Letter for the use of post-consumer recycled high density polyethylene (HDPE) for packaging aqueous and/or acidic food, under Conditions of Use C through H. Your letter states that the post-consumer HDPE includes only bottles that were used in food applications such as milk, water, and juice.

We have reviewed the data contained in this June 14, 1996, submission and the data contained in your Food Additive Master File 583 (FAMF 583). In particular, you have provided analytical data for: (1) levels of contaminants typically found in recycled HDPE produced by your commercial recycling plants, (2) surrogate contaminant testing, where surrogate compounds were used to represent exaggerated cases of contamination that may be found in post-consumer feedstock, and (3) migration studies.

Based on our review of these data, we conclude that your post-consumer recycled HDPE, when processed as described in this submission and FAMF 583, will not introduce any contaminants into the diet at a concentration greater than 0.5 parts per billion (ppb), our threshold of regulation level. Therefore, this recycled HDPE, which is produced only from bottles that were used in food applications such as milk, water, and juice, is of suitable purity and is acceptable for use in contact with aqueous and acidic foods under Condition of Use C (hot fill or pasteurized above 150°F) and less severe Conditions of Use D through H, as described in Table 2 in 21 CFR 176.170. This conclusion applies only to recycled HDPE produced as described in the stated submissions.

Page - 2- Ms. Priscilla B. Stanley

Although we have concluded that your intended use of recycled HDPE is acceptable, 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,



Eugene C. Coleman

Director

Division of Petition Control, HFS-215

Center for Food Safety

and Applied Nutrition