

AUG 25 1992

Mr. Frank I. Harvey
Larkin, Hoffman, Daly and Lindgren, Ltd.
1500 Northwestern Financial Center
7900 Xerxes Avenue South
Bloomington, Minnesota 55431

Dear Mr. Harvey:

This responds to your letter of November 7, 1991, concerning the use of post-consumer recycled polyethylene terephthalate (PET) as the inner core of a triple layer, coextruded sandwich construction. You state that the outer layers of the laminate and the inner layer : recycled material. The laminate will be used to make containers for prepared bakery and deli products. You also state that the post-consumer PET will be recycled by the same method that is described in your letter dated October 13, 1990.

Based upon our review of the information you provided and other data, we find that there is little likelihood of contaminants migrating into food in significant amounts from post-consumer recycled PET, when used in accordance with the conditions described in your letter. Therefore, your intended use of post-consumer recycled PET would not require an amendment to the food additive regulations as long as: 1) the recycled PET is separated from food by a layer of virgin PET that is at least 1.0 mil thick, 2) the virgin PET used as the food-contact layer complies with 21 CFR 177.1630, and 3) use of the laminate is limited to short term storage (less than two weeks) of food at refrigerated and room temperatures.

If we can be of any further assistance, please do not hesitate to contact us.

Sincerely yours,

/s/

Alan M. Rulis, Ph.D.
Director
Division of Food and Color Additives
Center for Food Safety
and Applied Nutrition