

JAN - 5 1998

Mr. Jerome H. Heckman
Keller and Heckman
1001 G St., N.W.
Suite 500 West
Washington, DC 20001

Dear Mr. Heckman:

This letter responds to your submission of May 9, 1996, on behalf of Crown Cork and Seal Company, Inc., regarding the use of post-consumer recycled (PCR) polyethylene terephthalate (PET) for contact with aqueous, acidic, and low alcoholic (15% or less) food under Condition of Use C (hot filled or pasteurized above 150° F) or less severe conditions.

The information that was provided describes, in detail, a secondary recycling process involving sorting, grinding, washing, drying, and extrusion. The process was evaluated for its capability of producing PCR-PET of suitable purity by performing surrogate contaminate testing on PET flake. Analytical data were provided demonstrating that surrogate contaminants (representing nonvolatile/nonpolar, nonvolatile/polar, volatile/nonpolar, volatile/polar, and heavy metal compounds) intentionally added to PET feed material would be reduced to levels that will result in dietary concentrations of less than 0.5 parts per billion (ppb), under the conditions of use stated above.

Based on our review of this information, we conclude that the levels of exposure to possible contaminants resulting from the proposed use of PCR-PET that was subjected to the recycling process described in your submission of May 9, 1996, would be below the threshold of regulation (0.5 ppb dietary concentration). Therefore, we also conclude that this recycling process will produce PCR-PET that is of suitable purity and is acceptable for use in contact with aqueous, acidic, and low alcoholic (15% or less) food under Condition of Use C and less severe conditions, provided that the PCR-PET complies with 21 CFR 177.1630 and other applicable regulations. Our conclusions apply only to recycled PCR-PET produced as described in your submission.

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Although we have concluded that your intended use of PCR-PET that has been processed in the manner described in your submission is acceptable, you should be aware that we are currently developing a formal policy on the use of recycled plastics in contact with food. Therefore, the decisions set forth in this letter may need to be modified due to future deliberations on this matter.

If you have any questions pertaining to this letter, 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