



November 21, 2018

Mitzi Ng Clark
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Three Embarcadero Center
Suite 1420
San Francisco, CA 94111
clark@khlaw.com

Re: Prenotification Consultation PNC 2561

Dear Ms. Clark:

This letter is in response to your electronic submission (PNC 2561), received ~~November 9, 2018~~, requesting on behalf of Pashupati Group of Industries (PGI) a letter of no objection, confirming the capability of PGI's secondary recycling process to produce post-consumer recycled polyethylene terephthalate (PCR-PET) material that is suitable for food-contact applications. The PCR-PET material is intended for use at levels of up to 100% recycled content in fabrication of single layer clamshells and containers that contact raw fruits, vegetables, and shell eggs at room temperature and below, i.e., under the Conditions of Use (COU) E through G, as described in Table 2, which can be accessed from the Internet in the Packaging and Food Contact Substances section under the Food topic at www.fda.gov.

You provided description of the proposed recycling process which is a typical physical recycling process, involving sorting, grinding, washing, and drying steps. The feedstock is sourced from food grade, colorless PET bottles. Because of strict source control, there is little likelihood of unacceptable contaminant levels in the recycled PET material. Therefore, we conclude that the proposed recycling process as described in the subject submission may be used to produce PET clamshells and containers that contact raw fruits, vegetables, and shell eggs under COU E through G, provided that the feedstock comes from food grade colorless PET bottles complying with all applicable authorizations.

The finished recycled material should comply with all applicable authorizations, including 21 CFR 174.5 - General provisions applicable to indirect food additives. For example, in accordance with section 402(a)(3) of the Federal Food, Drug and Cosmetic Act, use of the recycled material should not impart odor or taste to food rendering it unfit for human consumption.

If you have any further questions concerning this matter, please do not hesitate to contact us.

Sincerely,

U.S. Food and Drug Administration
Center for Food Safety & Applied Nutrition
5001 Campus Drive
College Park, MD 20740
www.fda.gov

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Vanee Komolprasert, Ph.D., P.E.
Consumer Safety Officer
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