

APR 24 1991

Mr. Frank I. Harvey
Larkin, Hoffman, Daly & Lindgren, Ltd.
Attorneys at Law
1500 Northwestern Financial Center
7900 Xerxes Avenue South
Bloomington, MN 55431

Dear Mr. Harvey:

This responds to your letters of October 13, and December 11, 1990, concerning the use of post-consumer recycled polyethylene terephthalate (PET) to fabricate quart and pint size baskets for packaging fresh fruits and vegetables. The baskets are constructed from recycled polyethylene terephthalate soda bottles obtained from recycling plants.

The baskets will be used to package fresh vegetables and fruits, such as strawberries, tomatoes, etc., that are usually washed before consumption.

You indicated further that the recycled PET will not be blended with virgin material nor are any adjuvants added to the recycled PET. Because of the methods of processing described in your letters, and because the re-fabricated baskets come into contact with fresh fruits and vegetables at ambient temperatures and below, and the fruits and vegetables are typically washed prior to consumption, we believe there will be little likelihood that substances will migrate from the baskets and remain on the fresh fruits and vegetables at the time of consumption. Therefore, we do not object to your use of recycled baskets fabricated as described above for packaging fresh fruits and vegetables.

Sincerely yours,

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