

DEC 31 1992

Mr. Michael E. Bryan
De Ster U.S. Holding Corp.
Suite 2000
260 Peachtree Street
Atlanta, Georgia 30303-1239

Dear Mr. Bryan:

This responds to your submissions of March 19, 1992, and May 13, 1992, and the letter dated September 1, 1992 from Mr. John Fearncombe of Bottom Line Consulting, Inc., regarding the use of post-consumer polystyrene as the outer, non-food-contact layer in a two-layer snack box intended for use by the airline industry to serve such foods as cold sandwiches, crackers, and fruit.

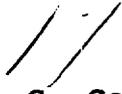
The information you have provided describes your collection, sorting, washing, processing and extruding procedures for post-consumer polystyrene. In particular, you state that the recycled polystyrene would be produced from used snack boxes that are collected on airlines. You further state that the recycled polystyrene would form the outer, non-food-contact layer in a two-layer package and would be separated from food by a thick layer of virgin polystyrene complying with 21 CFR 177.1640.

Based upon our review of the information you and Mr. Fearncombe provided, we find that your proposed recycling protocol minimizes the probability of unacceptable contaminant levels in the recycled resin. We also find that, if contaminants are present in the recycled polystyrene, there is little likelihood that these substances would migrate to food at significant levels because the recycled polystyrene is separated from food by at least a 1.0-mil thick layer of virgin polystyrene. Therefore, your intended use of post-consumer recycled polystyrene would not require an amendment to the food additive regulations as long as: 1) the recycled polystyrene is separated from food by a layer of virgin polystyrene that is at least 1.0-mil thick, 2) the virgin polystyrene used as the food-contact layer complies with 21 CFR 177.1640, and 3) the food is in contact with the container for short periods of time (less than 2 weeks) at room temperature or below.

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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
Center for Food Safety
and Applied Nutrition