



FIBRE BOX ASSOCIATION

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Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane
Room 1061
Rockville, Maryland 20852
fdadockets@oc.fda.gov

**RE: Draft Report of the
Threshold Working Group,
CFSAN: Approaches to
Establish Thresholds for
Major Food Allergens and
for Gluten in Food
FDA Docket No. 2005N-0231
70 Fed. Reg. 35258 (June 17, 2005)**

These comments are submitted by the Fibre Box Association (FBA), the manufacturer's trade association representing and serving the corrugated industry in the United States. Our industry manufactures and markets corrugated and paperboard products consisting of corrugated paperboard (combined board) as well as packaging and shipping containers. There are approximately 600 corrugating plants in the United States and over 825 corrugated board converting plants, manufacturing corrugated paperboard containers, partitions, sleeves, display stands and other types of corrugated articles. The FBA is made up of large and small operators with a wide spectrum of ownership and entrepreneurial activities, representing over 90% of the corrugated production in the United States.

The FBA welcomes this opportunity to comment on the Draft Report of the Threshold Working Group. FBA appreciates FDA's recognition of the fact that

requiring declaration of every *de minimis* amount of an allergen would be contrary to the purposes of the Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) and public health goals more broadly.

FBA wishes to make the agency aware of significant, unintended complications relating to food packaging materials and food contact substances. We request the FDA to exclude food packaging and food contact substances from the scope of the FALCPA due to the ubiquitous presence of some of the eight major allergens in the primary materials supplied to us for conversion into corrugated products as well as some substances used in the converting process that could contain them.

Such an exclusion is a) within the present authority of the FDA, b) consistent with the purposes of the FALCPA because it will preserve the value of meaningful allergen declarations and will allow FDA to focus its attention and resources on establishing thresholds for allergen-derived ingredients that are intended to be ingested as components of finished foods, and c) compatible with the environmental public policy considerations favoring the use of recycled, recyclable, and renewable substances comprising paperboard food packaging and food contact substances.

We also take this opportunity to endorse the American Forest & Paper Association's (AF&PA) comments that have been submitted separately and have been attached for your reference in our submittal email.

Respectfully submitted,



Brian O'Banion
Vice President