



September 20, 2019

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Re: Prenotification Consultation PNC 2392

Dear Ms. Clark:

This letter is in response to your electronic submission (PNC 2392) received on July 22, 2019, requesting on behalf of REPET, Inc. (REPET), an Agency's letter of no objection (LNO), confirming the capability of REPET's secondary recycling process to produce post-consumer recycled polyethylene terephthalate (PCR-PET) material that is suitable for food contact. The PCR-PET material is intended for use at levels of up to 100% recycled content in manufacture of articles (*e.g.*, single layer trays, containers and clamshells) for use with raw fruits and vegetables, and shell eggs under Conditions of Use (COU) E through G, as described in Table 2.<sup>1</sup>

You provided description of the proposed recycling process which is a typical physical recycling process, involving sorting, grinding, washing, and drying. The source of feedstock is controlled and consists of only colorless, water and beverage PET bottles. Because of strict source control, there is little likelihood of unacceptable contaminant levels in the recycled PET material. Therefore, we concluded that the proposed recycling process as described in the subject submission may be used to produce articles (*e.g.*, single layer trays, containers and clamshells) for holding raw fruits and vegetables, and shell eggs under COU E - G, provided that the feedstock comes from only colorless, water and beverage PET bottles complying with 21 CFR 177.1630, and other applicable authorizations. If the proposed recycling process is modified, new data may need to be re-evaluated.

The finished PCR-PET 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.

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<sup>1</sup> Table 2 (Conditions of Use) is available at <https://www.fda.gov/food/packaging-food-contact-substances-fcs/food-types-conditions-use-food-contact-substances>

Sincerely,

Vanee Komolprasert, Ph.D., P.E.  
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