

15 April, 2008

Comprehensive Statement of PRODUCT SAFETY and REGULATORY COMPLIANCE

To Amcor PET Packaging customers and interested parties,

This letter affirms that Amcor PET Packaging North America, Inc. (APP-NA), producer of containers and preforms for food, beverage, health & personal care, and many other applications, uses only materials and processes compliant with applicable regulations under US and International laws for direct food contact, human health, and safety.

The primary material used in the production of these plastic containers is Poly (E)thylene Terephthalate, or thermo-plastic polyester, which polymer has been used and proven safe for many years in direct food contact applications. As such, it is regulated by the United States Food and Drug Administration (FDA) and complies with Code of Federal Regulations Title 21 sections 177.1630 and 177.1315.

Specifically, 21CFR177.1630 regulates PET in homo-polymer and specified co-polymer compositions as a food packaging medium and 21CFR177.1315 regulates PET modified with a specific co-polymer, cyclohexanedi-methanol, as a food packaging medium. All PET materials, and any additives such as colorants, are FDA regulated and approved for food and beverage applications, and specifically beverage applications requiring hot filling at temperatures up to 95° C or contact with ethanol up to 95% concentration.

Those who wish to obtain a version of this or any other CFR regulation, may find them accessible online at: <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>. Documentation on FDA / CFSAN Hazard Analysis Critical Control Point guidelines is accessible on-line at: <http://www.cfsan.fda.gov/~lrd/haccp.html> and Food Safety regulations at <http://www.cfsan.fda.gov/>.

Additional Declarations

The PET materials used in APP-NA products are FULLY recyclable and qualify for the primary, voluntary recycling designation "1". More information on PET recycling is available from the National Association for Plastic Container Recovery (see for reference <http://www.napcor.com>), the Association of Postconsumer Plastic Recyclers (<http://www.plasticsrecycling.org/index.asp>), and other authoritative sources.

The PET materials used in APP-NA products comply with applicable provisions of European Commission Plastics Directive 2002/72/EC and its subsequent amendments, and comply with applicable food-contact packaging regulations in force in European Union member countries (see http://ec.europa.eu/food/index_en.htm).

The PET materials used in APP-NA products have received Health Canada, Health Products and Food Branch's (HPFB) "No Objection" designation with respect to its formulary use in food-contact packaging articles, and the material has received Canadian Food Inspection Agency (CFIA) Acceptance. It is included in CFIA's "Reference Listing of Accepted ... Packaging Materials and Non-Food Chemical Products." (see <http://www.inspection.gc.ca/english/fssa/fssae.shtml>)

None of the materials employed by APP-NA to produce its packaging products is known to contain food or other allergens.

The PET materials used in APP-NA products are formulated with no primary substances derived from animal origins, and are in compliance with USDA / APHIS regulations (i.e., 9 CFR 94.18) and/or international regulations (e.g.: European Commission Directives) governing exposures to transmissible spongiform encephalopathy (TSE) / bovine spongiform encephalopathy (BSE).

APP-NA products are capable of and have obtained Letters of (kosher) Certification, IF and when the material is produced under Rabbinic supervision.

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The PET materials used in APP-NA products contain no formulary antimicrobial, fungicidal, or pesticidal additives.

The PET materials used in APP-NA products do not “contain,” and are not “manufactured with,” any “ozone-depleting chemicals” within the meaning of Title VI of the U.S. Clean Air Act, and U.S. EPA regulation 40 CFR Part 82: “Protection of Stratospheric Ozone.”

The PET materials used in APP-NA products are in compliance with United States laws based on the “CONEG” legislative model. Arsenic, barium, cadmium, hexavalent chromium, lead, mercury, selenium, or silver are not intentionally introduced into the material’s formulation. The cumulative sum concentration of Arsenic, barium, cadmium, hexavalent chromium, lead, mercury, selenium, and silver does not exceed 100 parts per million (ppm).

The PET materials used in APP-NA products are in compliance with U.S. and international Consumer Toy Safety Standards (ASTM F 963, EN-71, part 3, paragraph 4), including the following maximum elemental migration restrictions: Antimony (Sb) not to exceed 60 mg/kg; Arsenic (As) 25 mg/kg; Barium (Ba) 500 ppm; Cadmium (Cd) 75 mg/kg; Chromium (Cr) 60 mg/kg; Lead (Pb) 90 mg/kg; Mercury (Hg) 60 mg/kg; Selenium (Se) 500 mg/kg.

The PET materials used in APP-NA products are in compliance with respect to California’s Safe Drinking Water and Toxic Enforcement Act (Proposition 65) restrictions on “known carcinogens and reproductive toxicants.” No California Proposition 65 - listed chemicals are present. APP-NA recognizes and acknowledges its obligation to update its certification as necessitated by Proposition 65 list revisions promulgated by California Environmental Protection Agency’s (CALEPA) Office of Environmental Health Hazard Assessment (OEHHA).

Although APP-NA has not specifically tested for the presence of the following chemicals in the PET materials used in its products, the company would not expect them to be present in those materials. These chemicals are not used in the manufacture of PET materials, nor, to the best of the company’s knowledge, are they present as components of, or impurities in, the raw materials used in its manufacture, nor are they expected to be components of food use compliant additives, materials in incidental contact, or colorants used with PET materials.

- Phthalates:
The term phthalate refers to chemicals typically used to soften certain plastics such as PVC, e.g. dibenzyl phthalate, butyl benzyl phthalate and bis(2-ethylhexyl) phthalate, di-n-octylphthalate, ortho-Phthalate or n-butyl Phthalate Compounds.
- Bisphenol A, a component of PolyCarbonate and certain epoxy-based coatings of metal substrates (see for reference <http://www.bisphenol-a.org>)
- Alkylphenol, Nonylphenol, and Octylphenol Ethoxylates
- Organic Tins (Mono-, Di-, Tri-, or Tetra- Butyl Tins)
- Tris-Nonylphenol Phosphite (TNPP)
- Asbestos
- Fluorinated telomers, including, specifically, PFOA (Perfluoro-Octanoic Acid) as defined by the US Environmental Protection Agency (see for reference <http://www.epa.gov/opptintr/pfoa/>, California “Emerging Chemicals of Concern (<http://www.dtsc.ca.gov/AssessingRisk/EmergingContaminants.cfm>), and California Senate Bill 1313).

Respectfully Submitted,



Vice President, Quality Systems and Engineering Standards
Amcor PET Packaging North America, Inc.