

TOTAL PETROCHEMICALS

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CERTIFICATE N° 33562

Feluy, July 9, 2009

POLYPROPYLENE PPC 4640

STATEMENT OF COMPLIANCE FOR FOOD CONTACT APPLICATIONS :

In the EUROPEAN UNION

We confirm that the above-mentioned Product fulfils the harmonised requirements on materials used for articles or components of articles intended to come into contact with food as described in the European Directive 2002/72/EC amended by Directives 2004/1/EC, 2004/19/EC, 2005/79/EC, 2007/19/EC, 2008/39/EC and its transposition into national laws as incorporated in the following contact regulations:

in Belgium :

- Arrêté Royal du 03/07/2005 concernant les matériaux et objets destinés à entrer en contact avec les denrées alimentaires (Moniteur Belge du 29/07/2005).
- Arrêté Royal du 05/07/2006 (Moniteur Belge du 07/09/2006) modifiant l'Arrêté Royal du 3/07/2005.

in France :

- Décret Ministériel n° 73-138 du 12/02/73 et n° 2007-766 du 10/05/2007 ainsi que les lettres circulaires de la Répression des Fraudes et contrôle de la qualité (Recueil de textes: brochure n° 1227 "Matériaux au contact des aliments et denrées destinées à l'alimentation humaine" - dernière édition : 15/07/2002);
- Instruction relative à l'emploi d'additifs dans les matières plastiques au contact des denrées alimentaires (Bulletin Officiel de la concurrence, de la consommation et de la répression des fraudes du 11/08/93);
- Arrêté du 19/10/2006 modifiant l'arrêté du 02/01/2003 relatif aux matériaux et objets en matière plastique mis ou destinés à être mis au contact avec les denrées, produits et boissons alimentaires.

in Germany :

- Gesundheitliche Beurteilung von Kunststoffen im Rahmen des Lebensmittel- und Bedarfsgegenständegesetzes (BfR): Empfehlung VII: Polypropylen Stand 01.06.2007 - 210 Mitteilung - B. Gesundh. Bl. 50 (2007) 1470,
- Bedarfsgegenstandsverordnung (BGV) vom 23 Dezember 1997 (BGBl. I 1998 S.5) und Änderung von 16 Juni 2008 (BGBl. I S. 1170)

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in Italy :

- Decreto Ministeriale 21/03/1973 (G.U. n° 104 - 20/4/1973) Disciplina igienica degli imballaggi, recipienti, utensili, destinati a venire in contatto con le sostanze alimentari o con sostanze d'uso personale as amended by Decree of the Ministry of Health N°411 of 1/12/2000 (G.U. N°11-15/01/2001)
- Decreto Ministeriale 26/04/1993, n°220 (G.U. n° 162 - 13/7/1993) Regolamento recante aggiornamento del decreto ministeriale 21/03/1973, concernente la disciplina igienica degli imballaggi, recipienti, utensili destinati a venire in contatto con le sostanze alimentari e con sostanze d'uso personale as updated up to D.M.H n° 82 of 18/04/2007 (G.U. N°151 - 02/07/2007).

in the Netherlands :

- Verpakkingen- en gebruiksartikelenbesluit (Warenwet) - Deel A, Hoofdstuk 1 : Kunststoffen, VGB, 27e suppl., December 2008.

in Spain :

- Real Decreto 118/2003 de 31 de enero as updated to R.D. 103/2009 de 6 de febrero.
- Resoluciones del Ministerio de Sanidad de 04.11.1982.
- Orden del Ministerio de sanidad de 03.07.1985 (BOE n° 166 de 12.07.1985).
- Orden SCO/ 983/2003 de 15 de abril
- Orden SCO/3508/2006 de 10 de noviembre

in the United kingdom :

- The Plastic Materials and Articles in Contact with Food Regulations - 2009
- England: Statutory Instruments 2009/205
- Northern Ireland: Statutory Rules 2009/56
- Scotland: Statutory Instruments 2009/30
- Wales: Statutory Instruments 2008/1682 (W.162): 2009 (forthcoming)

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Conditions:

- Regarding overall migration:

According to Directive 82/711/EEC (and its amendments 93/8/EEC and 97/48/EEC), 85/572/EEC and 2002/72/EC, the overall migration limit, for which a maximum value of 10 mg/dm² or 60 mg/kg is set (Directive 2002/72/EC, article 2) , has to be controlled on the finished articles intended to come into contact with foodstuffs; consequently it is the responsibility of the end-user of the above-mentioned Product.

Specific Migration Limit(s) and/or other restrictions :

Restriction for Monomer ^{a)}: none

Restriction for Additive(s) ^{b)}:

We shall supply the TOTAL PETROCHEMICALS proprietary information needed to perform the migration measurements upon request.

The end-user must contact us for additional information, and you must inform the end-user accordingly.

It pertains also to end-users to check by appropriate specific migration tests on the final material or article the suitability for contact with different food-types and various end-use conditions. However this is beyond the control of TOTAL PETROCHEMICALS RESEARCH FELUY and is a part of the responsibility of the user of the above-mentioned Product.

European Directive 2004/19/EC and its transposition into national laws:

We inform you that the above-mentioned Product contains one or more food additive(s) authorized and subject of a use restriction in food under Directive 95/2/EC. We received from the concerned additive(s) suppliers' information demonstrating that applicable restriction in food under Directive 95/2/EC will be met in the finished products. The end-user must contact us for additional information, and you must inform the end-user accordingly.

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REGULATION 1935/2004/EC

We hereby confirm that the above-mentioned Product, when used under normal or foreseeable conditions of use, meets the relevant requirements laid down in Regulation 1935/2004/EC.

REGULATION 2023/2006/EC (GMP)

We inform you that the production of the above-mentioned Product is systematically reviewed with regards to good manufacturing practice (GMP) using our ISO 9001 System, and following the Plastics Europe guideline specifically dedicated to GMP.

Therefore we can state that the above-mentioned Product meets the relevant requirements laid down in Regulation 2023/2006/EC.

In the UNITED STATES OF AMERICA :

- Code of Federal Regulations Food and Drugs (FDA) Title 21- 2008 - §177.1520: Olefins Polymers;

For film: Olefins copolymers described in paragraph (a)(3)(i) and (c) 3.1a (except for articles use for packing or holding food during cooking). This product meets the criteria in §176.170(c), with food types I through IX of Table 1, under conditions of use B through H of Table 2.

For molded or extruded polypropylene: Olefins copolymers described in paragraph (a)(3)(i) and (c) 3.1a(except for articles use for packing or holding food during cooking). This product meets the criteria in §176.170(c), with food types II, III, IV, V, VII-A and IX, under the conditions of use C through G described in Table 2.

GENERAL USE CONDITIONS :

it pertains to end-users of materials intended to come into contact with food, to ensure that the material does not bring about an unacceptable change in the composition of the food, or bring about a deterioration in the organoleptic characteristics which render it unfit.

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STATEMENT ON TOYS - EUROPEAN STANDARD EN 71- 3.1994 and EN 71- 9.2005 :

We hereby confirm that the above-mentioned Product meets the requirements of European Standard EN 71-3 1994 its amendment EN 71- 3/ A1 2000 corrigendum AC: 2002 entitled "Safety of Toys - Part 3 : Migration of certain elements" and EN 71-9, September 2005 "Organic chemical compounds- requirements".

The above-mentioned Product meets this standard because every time analyses were performed on this product, results were below the prescribed limits.

STATEMENT ON NO COMPLIANCE WITH EUROPEAN PHARMACOPOEIA :

We **DO NOT** certify that the above-mentioned product would comply with the European pharmacopoeia.

STATEMENT ON NO COMPLIANCE WITH UNITED STATES PHARMACOPOEIA :

The above-mentioned product is **NOT** in compliance with the US pharmacopoeia because we **DID NOT** perform the required tests.

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STATEMENT ON TRANSMISSIBLE BOVINE SPONGIFORM ENCEPHALOPATHY (BSE) :

Our suppliers provided us with documents addressing potential BSE/TSE concerns for additives which might be used in the above-mentioned Product and may themselves be derived from tallow/lard, or contain components derived from tallow/lard (tallow derivatives). Based on our supplier documentation and/or our own evaluation, we can confirm the following:

- 1) While Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSE) does not apply to components of packaging materials, we can confirm that none of the components potentially present in the above-mentioned Product qualify as Specified Risk Materials (SRMs) under said Regulation.
- 2) While Regulation (EC) No 1774/2002 laying down health rules concerning animal by-products not intended for human consumption does not apply to tallow derivative components themselves, which do not qualify as animal by-products subject to the Regulation, we can confirm that any animal by-product used to manufacture the tallow from which tallow derivative components in the above-mentioned Product are derived are exclusively Category 3 materials processed in compliance with said Regulation.
- 3) The tallow derivatives potentially present in the above-mentioned Product comply with the requirements of Section 6-4 ("Tallow derivatives") of Chapter 5.2.8 of the European Pharmacopoeia ("Minimising the Risk of Transmitting Animal Spongiform Encephalopathy Agents via Human and Veterinary Medicinal Products") and the guidance document bearing the same name issued by the European Medicines Agency (EMA/410/01 Rev2 – October 2003) and given the force of law by Directives 2001/82/EC and 2001/83/EC. We note that European Pharmacopoeia Chapter 5.2.8 is identical to the EMA guidance document.

STATEMENT ON GENETICALLY MODIFIED ORGANISMS (GMO).

We hereby confirm that we did receive statements regarding GMO from our current additive supplier.

- 1) The majority of additives^{b)} used in the above-mentioned Product are not GMO derived
- 2) Whilst the others could derive from GMO, we receive two types of answers:
 - (i) the basis of additives is corn and GMO based material is not intentionally used, however, they cannot completely exclude presence of GMO material.
 - (ii) the other supplier(s) have stated that on the basis of current scientific knowledge, it can be stated that no DNA and no proteins from a given organism can resist to the series of treatments used in the manufacturing of plastics.

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STATEMENT ON INVENTORIES:

We declare that the monomers and, if present, the additives ^{b)} of the above-mentioned Product are listed or exempted from listing on:

- Australia: AICS (Australian Inventory of Chemical Substances)
- Europe: EINECS AND/OR ELINCS (Replaced by REACH)
- Japan: ENCS (Japanese inventory of Existing and New Chemical Substances)
- Korea: KECL (Korean Existing Chemicals List)
- The Philippines: PICCS (Philippines Inventory of Chemicals and Chemical Substances)
- United States: TSCA (Toxics Substances Control Act Inventory).

NOTE :

a) Monomer as defined in the EC Directive 2002/72/EC up to 2008/39/EC.

b) Additive as defined in the EC Directive 2002/72/EC up to 2008/39/EC.

DISCLAIMER :

Our certificate does not cover:

- any modification of the above-mentioned Product by any addition of any other product or ingredient to it;
- any prejudicial modification of the above-mentioned Product resulting from a processing of it;
- an inadequate use and/or storage of the above-mentioned Product and/or of the finished articles.

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The present certificate is valid for a period of one year starting from the date first above written. Upon the expiration of this certificate, we can issue a new one at your request. In case of change during this period a new certificate will be issued automatically; kindly forward it to any recipient of the present certificate.

TOTAL PETROCHEMICALS RESEARCH FELUY

C. RAIMOND
Regulatory Affairs

F. WYLIN
Regulatory Affairs, Manager

Issued by an electronic system

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