

1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
tel. 202.434.4100
fax 202.434.4646

Writer's Direct Access
Devon Wm. Hill
(202) 434-4279
hill@khlaw.com

June 22, 2018

Via Electronic and Regular Mail

Dr. Dennis Keefe
Director of the Office of Food Additive Safety (HFS-200)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, Maryland 20740

**Re: Petition Seeking Amendment of Food Additive Regulations to Abandon
the Use of 26 Ortho-Phthalates in Food-contact Applications**

Dear Dr. Keefe:

The Flexible Vinyl Alliance (FVA), by and through its Counsel, Keller and Heckman LLP, submits this Food Additive Petition (FAP) pursuant to Section 409(b)(1) of the Federal Food, Drug, and Cosmetic Act and 21 C.F.R. §171.130 ("Procedure for amending and repealing tolerances or exemptions from tolerances"). The Petitioner requests that the Food and Drug Administration (FDA) amend the food additive regulations (21 C.F.R. §§170 *et seq.*) to remove the clearances for 26 different ortho-phthalates on the basis that the use of these ortho-phthalates in food-contact applications has been permanently abandoned. The proposed amendments to the food additive regulations that are the subject of this FAP are discussed below.

I. Regulatory Basis for Abandonment

Under 21 C.F.R. §171.130, any interested person is permitted to file a petition to "propose the issuance of a regulation amending or repealing a regulation pertaining to a food additive or granting or repealing an exception for such additive."¹ This petition "shall include an assertion of facts, supported by data, showing that new information exists with respect to the food additive or that new uses have been developed or old uses abandoned, that new data are

¹ 21 C.F.R. §171.130(a).

available as to toxicity of the chemical, or that experience with the existing regulation or exemption may justify its amendment or repeal.”²

II. Statement of Facts

A. Substances Impacted by this FAP

This FAP requests that FDA revoke the current clearances in FDA’s food additive regulations for the ortho-phthalates listed in Table I.

Table I: List of Ortho-Phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5

² § 171.130(b).

KELLER AND HECKMAN LLP

Dr. Dennis Keefe

June 22, 2018

Page 3

Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

B. Food Additive Regulations Impacted by this FAP

Tables II - XVII present a summary of the existing clearances in 21 C.F.R. §§ 175-178 for the ortho-phthalates listed in Table I that are impacted by this FAP.

Table II: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 178.3740 (“Plasticizers in polymeric substances”).	
Ortho-Phthalate	CAS Reg. No.
Diphenyl phthalate	84-62-8
Butyl benzyl phthalate	85-68-7
Dihexyl phthalate	84-75-3

Table III: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 175.105 (“Adhesives”).	
Ortho-Phthalate	CAS Reg. No.
Dimethyl phthalate	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate	85-71-2
Diethyl phthalate	84-66-2
Ethyl phthalyl ethyl glycolate	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate	85-70-1
Dihexyl phthalate	84-75-3
Di(butoxyethyl) phthalate	117-83-9
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate	117-84-0
Butyloctyl phthalate	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Butyl decyl phthalate	89-19-0
Decyl octyl phthalate	119-07-3
Dihydroabietyl phthalate	26760-71-4

KELLER AND HECKMAN LLP

Dr. Dennis Keefe

June 22, 2018

Page 4

Table IV: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 175.300 (“Resinous and Polymeric Coatings”).	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2
Ethyl phthalyl ethyl glycolate	84-72-0
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate	85-70-1
Diisooctyl phthalate	27554-26-3

Table V: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 175.320 (“Resinous and polymeric coatings for polyolefin films”).	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2
Butyl phthalyl butyl glycolate	85-70-1
Ethyl phthalyl ethyl glycolate	84-72-0

Table VI: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 175.380 (“Xylene-formaldehyde resins condensed with 4,4’-isopropylidenediphenol-epichlorohydrin epoxy resins”).	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2
Ethyl phthalyl ethyl glycolate	84-72-0
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate	85-70-1
Diisooctyl phthalate	27554-26-3

Table VII: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 175.390 (“Zinc-silicon dioxide matrix coatings”).	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2
Ethyl phthalyl ethyl glycolate	84-72-0
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate	85-70-1
Diisooctyl phthalate	27554-26-3

KELLER AND HECKMAN LLP

Dr. Dennis Keefe

June 22, 2018

Page 5

Table VIII: Clearances for Ortho-phthalates Listed in Table I in 21 C.F.R. § 176.170 (“Components of paper and paperboard in contact with aqueous and fatty food”), 21 C.F.R. § 176.180 (“Components of paper and paperboard in contact with dry food”), 21 C.F.R. § 176.210 (“Defoaming agents used in the manufacture of paper and paperboard”), and 21 C.F.R. § 176.300 (“Slimicides”).	
Ortho-phthalate	CAS Reg. No.
Diallyl phthalate	131-17-9
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Dodecyl phthalate	21577-80-0
Didecyl phthalate	84-77-5

Table IX: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1010 (“Acrylic and modified acrylic plastics, semirigid and rigid”).	
Ortho-Phthalate	CAS Reg. No.
Dimethyl phthalate	131-11-3

Table X: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1200 (“Cellophane”).	
Ortho-Phthalate	CAS Reg. No.
Diisobutyl phthalate	84-69-5
Di-n-butyl phthalate	84-74-2
Dimethylcyclohexyl phthalate	1322-94-7
Castor oil phthalate, hydrogenated	
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

Table XI: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1210 (“Closures with sealing gaskets for food containers”).	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2
Ethyl phthalyl ethyl glycolate	84-72-0
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate	85-70-1
Diisooctyl phthalate	27554-26-3

KELLER AND HECKMAN LLP

Dr. Dennis Keefe

June 22, 2018

Page 6

Table XII: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1400 (“Hydroxyethyl cellulose film, water-insoluble”).	
Ortho-Phthalate	CAS Reg. No.
Diisobutyl phthalate	84-69-5
Di-n-butyl phthalate	84-74-2
Dimethylcyclohexyl phthalate	1322-94-7
Castor oil phthalate, hydrogenated	
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

Table XIII: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1460 (“Melamine-formaldehyde resins in molded articles”).	
Ortho-Phthalate	CAS Reg. No.
Dioctyl phthalate	117-84-0

Table XIV: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.1590 (“Polyester elastomers”).	
Ortho-Phthalate	CAS Reg. No.
Dimethyl phthalate	131-11-3

Table XV: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.2420 (“Polyester resins, cross-linked”).	
Ortho-Phthalate	CAS Reg. No.
Dimethyl phthalate	131-11-3
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2

Table XVI: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 177.2600 (“Rubber articles intended for repeated use”).	
Ortho-Phthalate	CAS Reg. No.
Diphenylguanidine phthalate	17573-13-6
Di-n-butyl phthalate	84-74-2
Dioctyl phthalate	117-84-0
Amyl decyl phthalate	7493-81-4
Decyl octyl phthalate	119-07-3
Didecyl phthalate	84-77-5

Table XVII: Clearances for Ortho-Phthalates Listed in Table I in 21 C.F.R. § 178.3910 ("Surface lubricants used in the manufacture of metallic articles").	
Ortho-Phthalate	CAS Reg. No.
Diethyl phthalate	84-66-2

C. Evidence of Abandonment

The members of FVA include plasticizer manufacturers, compounders, formulators, molders and fabricators of plasticized polyvinyl chloride (PVC). The FVA is qualified to serve as the Petitioner for this FAP because it is a broad-based coalition representing stakeholders in the phthalate and plasticized-PVC markets, across the entire value chain, from resin production to final product. FVA, through its relationships with additional trade association partners, comprehensively represents flexible vinyl business interests and addresses issues relevant to the production of an array of flexible PVC applications in a variety of consumer products. Although there are other uses for ortho-phthalates in the marketplace, they are primarily used to plasticize PVC.³

The Petitioner has surveyed its membership to verify that they do not:

1. currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

³ See, e.g., Phthalates Action Plan, U.S. Environmental Protection Agency, available at https://www.epa.gov/sites/production/files/2015-09/documents/phthalates_actionplan_revised_2012-03-14.pdf.

Attached are signed surveys from Petitioner's members and other key industry stakeholders verifying they do not engage in any of the aforementioned activities. The surveys collected include the substantial majority of phthalate and PVC manufacturers, as well as the downstream compounders and users of these materials in various products. These completed surveys confirm that industry has abandoned the use of the ortho-phthalates listed in Table I as authorized in FDA's aforementioned food additive regulations.

Petitioner also has confirmed with other key industry stakeholders, including members of the Plastics Industry Association's (PIA) Food, Drug and Cosmetic Packaging Materials Committee (FDCPMC),⁴ the Adhesives and Sealants Council (ACS),⁵ the American Beverage Association (ABA),⁶ the American Forest and Paper Association (AF&PA),⁷ the Grocery

⁴ By way of background, PIA represents one of the largest manufacturing industries in the United States. PIA's members represent the entire plastics industry supply chain, including processors, machinery and equipment manufacturers, and raw material suppliers. The FDCPMC is composed of PIA members with particular interest and expertise in packaging for food, drugs, cosmetics, and related products. The Committee has worked cooperatively with government agencies on regulatory issues relating to packaging since its formation in 1957. PIA asked its member companies to advise whether they have any knowledge that the ortho-phthalates listed in Table I are being used in food-contact applications. This inquiry was intentionally and purposefully worded to encompass not only member company activities, but also the activities of companies that may not be PIA member companies themselves, but which supply, purchase from, or otherwise cooperate with PIA member companies.

⁵ The ASC members include manufacturers of adhesives and sealants and industry suppliers, ranging in size from small, privately-held companies to multi-national corporations. These companies are the leaders in innovation, best practices and manufacturing quality not only in North America but throughout the world.

⁶ The ABA is the trade association that represents America's non-alcoholic beverage industry. ABA was founded in 1919 as the American Bottlers of Carbonated Beverages, and renamed the National Soft Drink Association in 1966. Today the ABA represents hundreds of beverage producers, distributors, franchise companies and support industries.

⁷ The AF&PA is the national trade association of the forest products industry and advances public policies that promote a strong and sustainable U.S. forest products industry in the global marketplace. AF&PA's member companies make more than 75 percent of U.S. pulp, paper, paper-based packaging and wood building materials—essential products used every day that are made from renewable and recyclable resources that sustain the environment. The Association's membership represents the diverse spectrum of the forest products industry—from independent

(continued ...)

Manufacturers Association (GMA)⁸ and the High Phthalates Panel of the American Chemistry Council (ACC),⁹ that no entities appear to be using or marketing the ortho-phthalates listed in Table I in the food-contact applications authorized in the regulations referenced in Tables II – XVII. No member companies from these organizations indicated that they had any knowledge that the regulatory clearances in Tables II – XVII are relied upon for use of the ortho-phthalates listed in Table I.

If FDA accepts this FAP for filing, it must publish a notice in the Federal Register that: (1) contains a summary of the FAP, (2) states that the Agency is evaluating the merits of the FAP, and (3) provides the public with an opportunity to comment on the proposed action. If any potentially impacted parties possess knowledge that the food additive regulation clearances for the ortho-phthalates listed in Table I are not abandoned (which we do not expect to be the case), the public notice and comment process associated with filing of the FAP will ensure such parties can present any relevant information to FDA. Thus, this process provides additional assurance that potentially impacted parties will receive adequate notice that the food additive regulation clearances in Tables II – XVII for the ortho-phthalates listed in Table I are understood to be abandoned.

We also note that, when FDA publishes a notice of filing of a FAP, the Agency notifies the World Trade Organization (WTO) of the FAP filing. The WTO provides notice of the potential action to the WTO contact point for each WTO member country. The WTO contact point for each country distributes the notices to the relevant regulatory agencies and industry bodies within that country. If the proposed action affects a member country's trade of affected products, it would provide comment to the WTO notice by commenting to the appropriate docket established for the petition. We do not expect that FDA will receive any such comments, but this notification process will nonetheless provide additional confirmation that the clearances in

(...continued)

forest owners, to family-owned mills, to large multi-product, publicly-owned companies that manufacture pulp, paper, paperboard and wood products.

⁸ The GMA is the voice of more than 250 leading food, beverage and consumer product companies that sustain and enhance the quality of life for hundreds of millions of people in the United States and around the globe. Based in Washington, D.C., GMA's member organizations include internationally recognized brands as well as steadily growing, localized brands.

⁹ The ACC represents a diverse set of companies engaged in the business of chemistry. An innovative, \$768 billion enterprise, ACC works to solve some of the biggest challenges facing our nation and our world. ACC's mission is to deliver value to our members through advocacy, using best-in-class member engagement, political advocacy, communications and scientific research. ACC is committed to fostering progress in our economy, environment and society.

Dr. Dennis Keefe

June 22, 2018

Page 10

Tables II – XVII for the ortho-phthalates listed in Table I are no longer relied upon by foreign entities importing products into the U.S.

The Petitioner believes that the statement of facts provided above captures the substantial majority of domestic and international phthalate manufacturers and users and convincingly demonstrates that the clearances in Tables II – XVII for the ortho-phthalates listed in Table I are no longer relied upon by industry and, therefore, have been abandoned.

III. Proposed Amendment

On the basis of the foregoing, the Petitioner respectfully requests that FDA amend the regulations in Tables II – XVII to remove the clearances for the ortho-phthalates listed in Table I because the use of the clearances is abandoned. This amendment would have the effect of precluding industry from relying on the clearances in Tables II – XVII for the ortho-phthalates listed in Table I, and would appropriately reflect the purposeful abandonment of these clearances by industry.

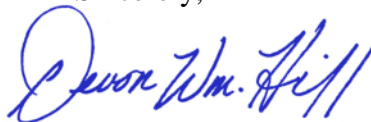
IV. Environmental Impact

Petitioner hereby claims a categorical exclusion from the need to prepare an environmental assessment for this action pursuant to 21 C.F.R. §25.32(m) (“Action to prohibit or otherwise restrict or reduce the use of a substance in food, food packaging, or cosmetics”). The claim complies with the categorical exclusion criteria, and to the Petitioner’s knowledge, there are no extraordinary circumstances that would otherwise warrant the preparation of an environmental assessment.

* * *

Should you have any questions related to this FAP, please do not hesitate to contact me at your convenience.

Sincerely,



Devon Wm. Hill

Enclosures

KELLER AND HECKMAN LLP

Dr. Dennis Keefe

June 22, 2018

Page 11

Enclosures:

- Attachment 1: Survey Response from BASF Corporation
- Attachment 2: Survey Response from Berry Plastics Corporation
- Attachment 3: Survey Response from The Coca-Cola Company
- Attachment 4: Survey Response from Covestro LLC
- Attachment 5: Survey Response from Dart Container Corporation
- Attachment 6: Survey Response from DuPont Teijin Films U.S. Limited Partnership
- Attachment 7: Survey Response from Eastman Chemical Company
- Attachment 8: Survey Response from Envision Plastics
- Attachment 9: Survey Response from ExxonMobil Chemical Company
- Attachment 10: Survey Response from LyondellBassell
- Attachment 11: Survey Response from Mexichem Specialty Compounds
- Attachment 12: Survey Response from New Age Industries
- Attachment 13: Survey Response from NOVA Chemicals Corporation
- Attachment 14: Survey Response from PepsiCo, Inc.
- Attachment 15: Survey Response from PolyOne Corporation
- Attachment 16: Survey Response from Silgan Closures GmbH
- Attachment 17: Survey Response from Teknor Apex Company
- Attachment 18: Survey Response from Valtris Specialty Chemicals

Attachment 1



We create chemistry

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: BASF Corporation

Address: 11750 Katy Freeway, Suite 120

Houston, TX 77079

Name of Authorized Agent/Representative: J. Patrick Harmon

Title: Industry Manager

Telephone: (346) 252 - 4123 x

E-Mail Address: patrick.harmon@basf.com

BASF Corporation
11750 Katy Freeway, Suite 120
Houston, TX 77079



We create chemistry

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications?

No ☒ Yes ☐ N/A

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4



We create chemistry


Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


Signature of Authorized Agent/Representative

11/1/17
Date

Attachment 2



SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Berry Plastics Corporation

Address: 101 Oakley St
Evansville, IN 47710

Name of Authorized Agent/Representative: Matt Kelly

Title: VP of Corporate Quality Systems and Regulatory Compliance

Telephone: (812) 250-3646

E-Mail Address: mattkelly@berryplastics.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have **knowledge** of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Diethyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	

Berry Plastics Corporation

101 Oakley Street Evansville, IN 47710 Tele: 812-424-2904 Fax: 812-424-0128

Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



3/14/2017

Signature of Authorized Agent/Representative

Date

Berry Plastics Corporation

101 Oakley Street Evansville, IN 47710 Tele: 812-424-2904 Fax: 812-424-0128

Attachment 3



COCA-COLA PLAZA
ATLANTA, GEORGIA

ADDRESS REPLY TO
P. O. DRAWER 1734
ATLANTA, GA 30301
404 676-2121

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: The Coca-Cola Company

Address: One Coca-Cola Plaza

Atlanta, GA 30313

Name of Authorized Agent/Representative: Jim Huang

Title: Director, Food Contact Materials
Global Scientific & Regulatory Affairs

Telephone: (404) 676-9725

E-Mail Address: huang2@coca-cola.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company have reason to believe it currently manufactures, imports, or otherwise markets or uses any of the ortho-phthalates listed in Table I in food-contact applications? **No**

If your company does have reason to believe it currently manufactures any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? **No**

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Diethyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Diethyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

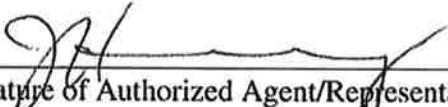
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not have reason to believe it currently manufactures the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not have reason to believe it currently imports the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not have reason to believe it intends to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not have reason to believe it currently maintains any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


Signature of Authorized Agent/Representative


Date

Attachment 4



July 17, 2017

Covestro LLC
Product Safety & Regulatory Affairs
1 Covestro Circle
Pittsburgh, PA 15205
Phone: 412 413 5832
e-mail: rick.siergiej@covestro.com

Mr. Devon Hill
Keller & Heckman LLP
hill@khlaw.com

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Covestro LLC

Address: 1 Covestro Circle, Pittsburgh, PA 15205

Name of Authorized Agent/Representative: Richard W. Siergiej

Title: Regulatory Affairs Manager

Telephone: 413-413-5832

E-Mail Address: rick.siergiej@covestro.com

The information herein is being provided in good faith for informational purposes only, without warranty or guarantee except as expressly provided in any written sales agreement between you and Covestro LLC (Covestro). By providing this information, you are not in any way released from the obligation to independently verify the information and to evaluate Covestro products for your intended uses and purposes. The application, use and/or processing of Covestro products and any products which are manufactured using Covestro products on the basis of any information being provided herein are beyond the control of Covestro and are the sole responsibility of the customer.

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n-butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Ameyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0



Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:

7/17/2017

Signature of Authorized Agent/Representative

Date

The information herein is being provided in good faith for informational purposes only, without warranty or guarantee except as expressly provided in any written sales agreement between you and Covestro LLC (Covestro). By providing this information, you are not in any way released from the obligation to independently verify the information and to evaluate Covestro products for your intended uses and purposes. The application, use and/or processing of Covestro products and any products which are manufactured using Covestro products on the bases of any information being provided herein are beyond the control of Covestro and are the sole responsibility of the customer.

Attachment 5



DART CONTAINER CORPORATION

www.dart.biz

500 Hogsback Road • Mason, Michigan 48854 • (800) 248-5960

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Dart Container Corporation

Address: 500 Hogsback Rd.
Mason, MI 48854

Name of Authorized Agent/Representative: Harry J. Kopp

Title: Corporate Compliance Services Manager

Telephone: (517) 244-2931

E-Mail Address: harry.kopp@dart.biz

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? **No**

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? **N/A**

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;

3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:

A handwritten signature in black ink, appearing to read "Harry Koff". The signature is fluid and cursive, with the first name "Harry" and last name "Koff" clearly distinguishable.

27 March 2017

Signature of Authorized Agent/Representative

Date

Attachment 6



P. O. Box 27222
Richmond, VA 23261
Office: (804) 383-4075
Fax: (804) 383-2429
www.dupontteijinfilms.com

DuPont Teijin Films U.S. Limited Partnership

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: DuPont Teijin Films U.S. Limited Partnership

Address: 3600 Discovery Drive
Chester, VA 23836

Name of Authorized Agent/Representative: Ashley Rock

Title: Americas Regulatory Affairs Manager & Product Steward

Telephone: 804-530-8161

E-Mail Address: Ashley.h.rock@dupont.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? Not applicable.

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Di-hexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n-butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	

Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:

A. H. Roek

Signature of Authorized Agent/Representative

3/31/17

Date

Attachment 7

**SURVEY REGARDING USE OF ORTHO-PHTHALATES IN
FOOD-CONTACT APPLICATIONS**

Name of Company: Eastman Chemical Company

Address: 200 South Wilcox Drive
Kingsport, TN 37660

Name of Authorized
Agent/Representative: Scott C Boito

Title: Product Stewardship & Advocacy Representative

Telephone: 423 229-2966

E-Mail Address: sboito@eastman.com

Neither Eastman Chemical Company nor its marketing affiliates shall be responsible for the use of this information, or of any product, method, or apparatus mentioned, and you must make your own determination of its suitability and completeness for your own use, for the protection of the environment, and for the health and safety of your employees and purchasers of your products. No warranty is made of the merchantability or fitness of any product, and nothing herein waives any of the Seller's conditions of sale.

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate – This is NOT an ortho-phthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4

Neither Eastman Chemical Company nor its marketing affiliates shall be responsible for the use of this information, or of any product, method, or apparatus mentioned, and you must make your own determination of its suitability and completeness for your own use, for the protection of the environment, and for the health and safety of your employees and purchasers of your products. No warranty is made of the merchantability or fitness of any product, and nothing herein waives any of the Seller's conditions of sale.

Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative

7 March 2017
Date

Attachment 8



SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Envision Plastics

Address: 606 Walters St. Reidsville, NC 27320
and
14312 Central Avenue, Chino, CA, 91710

Name of Authorized Agent/Representative: Khosrow Hallaji

Title: Multi Plant Technical Manager

Telephone: (336)342-4947 x236

E-Mail Address: khosrow.hallaji@envisionplastics.com



www.envisionplastics.com
Chino, CA Reidsville, NC



Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6



www.envisionplastics.com

Chino, CA Reidsville, NC




Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:

 3-22-17
Signature of Authorized Agent/Representative Date



www.envisionplastics.com
Chino, CA Reidsville, NC

Attachment 9

ExxonMobil Chemical Company
22777 Springwoods Village Parkway
Spring, Texas 77389
832-625-4070 Telephone

Chris Wallace
Global Regulatory Affairs Manager
Intermediates



**SURVEY REGARDING USE OF ORTHO-PHTHALATES IN
FOOD-CONTACT APPLICATIONS**

Name of Company: ExxonMobil Chemical Company

Address: 22777 Springwoods Village Parkway

Spring, TX 77389

Name of Authorized Agent/Representative: Chris W. Wallace

Title: Global Regulatory Affairs Manager, Intermediates

Telephone: (832) 625 - 4070 x

E-Mail Address: Chris.W.Wallace@exxonmobil.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications?

No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Diocetyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative

3/30/17

Date

Attachment 10



SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: _____ LyondellBasell _____

Address: _____ 1221 McKinney Street, Suite 300 _____
_____ Houston, TX 77010 _____

Name of Authorized Agent/Representative: _____ Andrew Scheie _____

Title: _____ Product Stewardship, Lead Business Consultant _____

Telephone: (513) 530 - 4229 x _____

E-Mail Address: _____ andrew.scheie@lyb.com _____



Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Diethyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4

Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


Signature of Authorized Agent/Representative

3-31-17
Date

Attachment 11

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Mexichem Specialty Compounds

Address: 170 Pioneer Drive

Leominster, MA 01453

Name of Authorized Agent/Representative: Troy E. Brantley

Title: Manager of Regulatory Compliance

Telephone: (704) 612 - 4207 x

E-Mail Address: troy.brantley@mexichem.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:

Lroy E Brantley
Signature of Authorized Agent/Representative

6/13/17
Date

Attachment 12



145 James Way, Southampton, PA 18966

215-526-2300 • Fax: 215-526-2191

E-mail: info@newageind.com

www.newageindustries.com

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: NewAge Industries

Address: 145 James Way

 Southampton, PA 18966

Name of Authorized Agent/Representative: Sonja McClennen

Title: Regulatory Compliance Manager

Telephone: (610) 526-2300, x 117

E-Mail Address: smcclennen@newageindustries.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐ N/A

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


 Signature of Authorized Agent/Representative

6/28/17
 Date

Attachment 13



NOVA Chemicals Corporation
Post Office Box 2518, Station M
Calgary, Alberta, Canada T2P 5C6
Offices: 1000 Seventh Avenue S.W.
Telephone: (403) 750-3600
Fax: (403) 269-7410

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: NOVA Chemicals Corporation _____

Address: P.O. Box 2518, Stn. M _____
Calgary, AB Canada _____
T2P 5C6 _____

Name of Authorized Agent/Representative: Kenneth Sonnenberg _____

Title: Senior Advisor, Product Integrity _____

Telephone: (403) 750-3615

E-Mail Address: ken.sonnenberg@novachem.com _____

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐ *not applicable*

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amylecyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butylecyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


Signature of Authorized Agent/Representative

2007/03/31
Date

Attachment 14



SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: PepsiCo Inc.

Address: 700 Anderson Hill Rd.
Purchase, NY 10577

Name of Authorized Agent/Representative: Randy Liebowitz

Title: Global Food Regulatory Counsel

Telephone: (914) 253-3730

E-Mail Address: randy.liebowitz@pepsico.com

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative

12-6-17

Date

Attachment 15

[PRINT ON COMPANY LETTERHEAD]

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: _____ PolyOne Corporation _____

Address: _____ 33587 Walker Road, Avon Lake, Ohio USA 44012

Name of Authorized Agent/Representative: _____ Kelly Nicolini _____

Title: _____ Product Stewardship Regulatory Manager _____

Telephone: (____ 770) 286 ____ - ____ 1507 ____ x ____

E-Mail Address: _____ Kelly.Nicolini@polyone.com _____

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

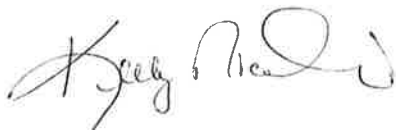
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative

3/15/18

Date

Attachment 16



1140 31st Street
Downers Grove, IL 60515

Telephone: (630) 515-8383
Fax: (630) 963-1620

Name of Company: _____ Silgan Closures _____

Address: _____ 1140 31st St. _____
_____ Downers Grove, IL 60515 _____

Name of Authorized
Agent/Representative: _____ Tina Robertson _____

Title: _____ Mgr., Regulatory Compliance _____

Telephone: (630) _____ 515 _____ - _____ 7510 _____

E-Mail Address: _____ Tina.Robertson@silganclosures.com _____

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications?

No ☐ Yes ☐ N/A-We do not manufacture the listed ortho-phthalates

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Diocetyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0
Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative

March 30, 2017

Date

Attachment 17



TEKNOR APEX

SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: Teknor Apex Company

Address: 505 Central Avenue

Pawtucket, RI 02861

Name of Authorized Agent/Representative: Louis Cappucci

Title: Senior Vice President

Telephone: (401) 642-3552 (direct)

E-Mail Address: lcappucci@teknorapex.com

VINYL DIVISION

505 CENTRAL AVENUE • PAWTUCKET, RI 02861 • TEL 401-725-8000 • FAX 401-729-0166 • WWW.TEKNORAPEX.COM

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☒ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n- butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:


 Signature of Authorized Agent/Representative

4/11/17
 Date

Attachment 18



SURVEY REGARDING USE OF ORTHO-PHTHALATES IN FOOD-CONTACT APPLICATIONS

Name of Company: _____ Valtris Specialty Chemicals _____

Address: _____ 7550 East Pleasant Valley Road _____

_____ Independence, Ohio 44131 _____

Name of Authorized Agent/Representative: _____ Brenda Hollo _____

Title: _____ Vice President, Technical _____

Telephone: (____ 216 ____) ____ 875 ____ - ____ 7202 ____ x ____

E-Mail Address: _____ brenda.hollo@valtris.com _____

Section I

Please review the list of ortho-phthalates provided below in Table I.

Does your company currently manufacture, import, or otherwise market or use any of the ortho-phthalates listed in Table I in food-contact applications? No ☒ Yes ☐

If your company does manufacture any of the ortho-phthalates listed in Table I, does your company have knowledge of their use by downstream customers or other entities in food-contact applications? No ☐ Yes ☐

If you answered no to the above questions, please proceed to Section II of this survey. In filling out this survey, you may find it helpful to review the supporting document entitled "Summary of Clearances for Ortho-phthalates". This document contains a series of tables that present a list of the relevant clearances for the ortho-phthalates listed in Table I in Parts 175-178 and 181 of Title 21 of the Code of Federal Regulations.

Table I: List of Ortho-phthalates	
FDA Name	CAS No.
Dimethyl phthalate (dimethyl orthophthalate)	131-11-3
Diphenyl phthalate	84-62-8
Methyl phthalyl ethyl glycolate (1,2Benzenedicarboxylicacid, 1-(2-ethoxy-2-oxoethyl) 2-methyl ester)	85-71-2
Diethyl phthalate	84-66-2
Diphenylguanidine phthalate	17573-13-6
Ethyl phthalyl ethyl glycolate (Ethyl carbethoxymethyl phthalate)	84-72-0
Diallyl phthalate	131-17-9
Diisobutyl phthalate	84-69-5
Butyl benzyl phthalate	85-68-7
Di-n-butyl phthalate	84-74-2
Butyl phthalyl butyl glycolate (Butyl carbobutoxymethyl phthalate)	85-70-1
Dihexyl phthalate (Di-n-hexyl phthalate)	84-75-3
Di(butoxyethyl) phthalate (Bis(2-n-butoxyethyl) phthalate)	117-83-9
Dimethylcyclohexyl phthalate	1322-94-7
Diisooctyl phthalate	27554-26-3
Dioctyl phthalate (Di-n-octyl phthalate)	117-84-0
Butyloctyl phthalate (n-butyl n-octyl phthalate)	84-78-6
Di(2-ethylhexyl) hexahydrophthalate	
Amyl decyl phthalate (n-amyl n-decyl phthalate)	7493-81-4
Butyl decyl phthalate (n-butyl n-decyl phthalate)	89-19-0

Decyl octyl phthalate (Octyldecyl phthalate / n-octyl n-decyl phthalate)	119-07-3
Didecyl phthalate (Di-n-decyl phthalate)	84-77-5
Dodecyl phthalate	21577-80-0
Dihydroabietyl phthalate	26760-71-4
Castor oil phthalate, hydrogenated	FDA # 977037-59-4
Castor oil phthalate with adipic acid and fumaric acid-diethylene glycol	68650-73-7

SECTION II

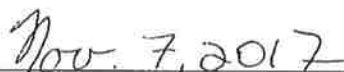
With respect to the ortho-phthalates listed in Table I, the Company hereby confirms that:

1. The Company does not currently manufacture the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
2. The Company does not currently import the ortho-phthalates listed in Table I for use in food-contact applications in the United States;
3. The Company does not intend to manufacture or import the ortho-phthalates listed in Table I for use in food-contact applications in the United States in the future;
4. The Company does not currently maintain any inventory of the ortho-phthalates listed in Table I for sale or distribution into commerce that is intended to be marketed for use in food-contact applications in the United States;
5. If the Company is a manufacturer of ortho-phthalates, the Company does not possess any knowledge that the ortho-phthalates listed in Table I are used in food-contact applications in the United States.

On behalf of the Company:



Signature of Authorized Agent/Representative



Date