

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION

July
SEP 14 1970

Date: AUG 28 1970
Reply to
Attn of:
Subject: Amendment to § 121.2526
Food Additive Petition No. 0B2434
To: COMMISSIONER OF FOOD AND DRUGS

BRIEFING MEMORANDUM

3M Company
St. Paul, Minn.
AF 3-562

1. Section 121.2526 of the food additive regulations presently provides for use of ammonium bis(N-ethyl-2-perfluoroalkylsulfonamido ethyl) phosphates as an oil and water repellent added to paper and paperboard used in contact with nonalcoholic food at temperatures below 150° F. The attached order amends § 121.2526 to provide for additional use of such treated paper and paperboard in contact with fried food, bakery products, and dry fatty foods under conditions where such foods are hot filled or pasteurized above 150° F. Examples of such additional use are paper wrappers, bags, and plates used in drive-in restaurants for serving and packaging hamburgers, fried chicken, pizza, french fries, fish burgers, etc.

2. The order also amends table 2 of § 121.2526(c) to include test procedures for determining the amount of extractives from the food-contact surface of paper products used in contact with bakery products or dry fatty foods (e.g. potato chip and certain other snack foods and pet foods) under conditions where such foods are hot filled above or below 150° F. Table 2 presently prescribes test procedures for similar use of fried foods which are covered under § 121.2526(c), table 1, food type III.

3. The Division of Food Chemistry and Technology concludes that maximum migration of the additive from the treated packaging material will be of the order of 2.2 p.p.m. to aqueous food, 4.4 p.p.m. to fatty food, and 0.1 p.p.m. to the total daily diet under the conditions of use prescribed by the order.

4. The Division of Pharmacology and Toxicology concludes that the use of the additive is safe under the conditions prescribed by the order.

Page 2 - COMMISSIONER OF FOOD AND DRUGS

5. We recommend that the attached order be signed and published.

Albert Rothschild

Albert Rothschild
Division of Regulations and
Petitions Control, BF-320

APPROVED:

F. J. McFarland

F. J. McFarland, Acting Director
Division of Regulations and
Petitions Control
Office of Compliance
Bureau of Foods and Pesticides

L. L. Ramsey

L. L. Ramsey
Associate Director for
Regulatory Programs
Office of Compliance
Bureau of Foods and Pesticides

*RT Hunt
9-10-70*

4

187

000188