

Declaration of Compliance for materials and articles intended to come into contact with food¹

The manufacturer,
Name of the manufacturer/company: Berry PET Power B.V.
Complete address: Hermelijnweg 2
4877 AE Etten-Leur
the Netherlands

declares that the product described below:

Clear PET containers as manufactured and supplied by Berry PET Power - the Netherlands

complies with the relevant requirements as laid down in:

- Framework Regulation (EC) 1935/2004 (dated 27-10-2004).
- EU Commission Regulation (EU) 10/2011 as amended by (EU) 1282/2011, (EU) 1183/2012, (EU) 202/2014, (EU) 2015/174, (EU) 2016/1416, (EU) 2017/752, (EU) 2018/79, (EU) 2018/213, (EU) 2018/831, (EU) 2019/37 and (EU) 2019/1338 on plastic materials and articles intended to come into contact with food.

complies with National Legislation:

- Netherlands Regeling Verpakkingen- en gebruiksartikelen (Warenwet), chapter I; Plastics

has been manufactured in accordance with the relevant requirements of Commission Regulation (EC) No. 2023/2006 on good manufacturing practice for materials and articles intended to come into contact with food.

¹ Regulation (EC) No. 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEEC – Article 16.

The chemical composition of Clear PET containers consists of:

- One or more monomers and/or additives which are regulated with a specific migration limit (SML) or a quantitative maximum (QM).

The following substances subject to limitations and/or specifications:

Component	CAS	Specific migration limit (mg/kg food)
Terephthalic acid Isophthalic acid	100-21-0 121-91-5	7.5 / 5
Mono-ethylene glycol Di-ethylene glycol	107-21-1 111-46-6	(T) 30
Antimony trioxide	1309-64-4	0.04 (expressed as Antimony)
Phosphoric acid (E 338)	7664-38-2	60

This material does contain intentionally incorporated dual use additive (E 338) which are subject to disclosure of adequate information as described in Annex VIa of Directive 2007/19/EC.

Migration tests of the above-mentioned product were performed and have shown that under these conditions of use migration limits were not exceeded:

- Type of food intended to come in contact with material/article: all kinds of foodstuffs
- Shelf-life and material/article temperature: any long term storage (> 6 months) at room temperature or below, including heating up to 70 °C for up to 2 hours, or heating up to 100 °C for up to 15 minutes ⁽²⁾
- Possible treatment of material/article: N/A
- Surface/volume ratio: 6.3 dm² contact area / 1 kg food

Table 1: test conditions overall and specific migration

Simulants	Test conditions
3% acetic acid	10 days at 60 °C
10% ethanol	10 days at 60 °C
Olive oil	10 days at 60 °C

² Please be aware of the properties of PET concerning the hot fill temperature. PET products shall degrade at approximately 60 °C, which is an indication under ideal circumstances.

Traceability of the product is ensured according to Regulation (EC) No. 1935/2004.

This Declaration of Compliance is valid for the product delivered by us as specified above.

The information included in this document is valid from stated version date until this document is superseded.

Because of possible changes in the underlying legislation and regulations, as well as possible changes in our products, we cannot guarantee that the status of this document will remain unchanged. We, therefore recommend our customers to verify the regulatory status periodically. It will be renewed in all cases where the previous conformity is no longer ensured.

The Commission Regulation (EU) 10/2011 provides a guideline for the selection of test conditions to be used for various food products. According to that and under considerations of the food contact stated, the product complies with the stipulations of this Regulation regarding the packaging of food products to be packed. The user shall verify himself that the product is suitable for the intended food to be packed beyond the stipulations of the Regulation.

Test reports of the migration test will not be provided to customers. Conform Framework Regulation (EC) 1935/2004 and EU Commission Regulation (EU) 10/2011 these test reports are available for assessment by certifying and inspecting government authorities.

Done at,

Etten-Leur, June 30th, 2020

On behalf of Berry PET Power,



Nicole Rietbroek
Quality Assurance Engineer