



**Dow Europe GmbH**  
Bachtobelstrasse 3, P.O. Box  
CH-8810 Horgen  
Switzerland

Horgen, April 26, 2011

**Resinex Group**  
Attn. Mr. Ger Engelkes  
Moerenstraat 85A  
**BE - 2370 Arendonk**

Dear Mr. Engelkes,

This is to inform you that the composition of our polyethylene material:

**DOW LDPE 555E**

as supplied from our factory complies with the requirements for use in contact with food of:

EU                      Commission Regulation (EU) No 10/2011 (14.1.2011) on plastic materials and articles intended to come into contact with food, ANNEX I, Table 1

(applies to all EU-Member States)

(The EU Commission Directive 2002/72/EC and its amendments, EU-Directives 2004/1/EC, 2004/19/EC, 2005/79/EC, 2007/19/EC, 2008/39/EC and EU Commission Regulation (EC) No 975/2009 are repealed)

Austria                "Verordnung Nr. 476 (Kunststoffverordnung 2003), Anlage 1, Abschnitt A + Anlage 2, Abschnitt A+B" (14.10.2003) incl. subsequent amendments like "Änderung der Kunststoffverordnung 2003, 196. Verordnung" (25.6.2010)

Belgium                "Arrêté royal – 3.7.2005, Annexe, Chapitre I, Listes 1-6" incl. subsequent amendments like "Arrêté royal – 5.7.2006", "Arrêté royal – 18.9.2008" and "Arrêté royal – 8.3.2009"

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| Bulgaria       | Ordinance No 2 of 23 January 2008 relating to plastic materials and articles, intended to come into contact with foodstuffs” (State Gazette No 13 of 8.2.2008, incl. subsequent amendments like SG No 86 of 2008.  |
| Cyprus         | “Ε.Ε.Παρ. ΙΙΙ (Ι), Αρ. 3850, 30.4.2004, Κ.Δ.Π. 450/2004” incl. subsequent amendments like “Ε.Ε.Παρ. ΙΙΙ (Ι), Αρ. 4363, 5.6.2009, Κ.Δ.Π.230/2009”   |
| Czech Republic | “Vyhláška Ministerstva zdravotnictví č. 38/2001 Sb ze dne 19.01.2001, o hygienických požadavcích na výrobky určené pro styk s potravinami a pokrmy” (01.02.2001) incl. subsequent amendments like “Vyhláška č.186/2003 Sb ze dne 09.06.2003” (24.06.2003), “Vyhláška č.207/2006 Sb ze dne 05.05.2006” (18.05.2006), “Vyhláška č.551/2006 Sb” (20.12.2006), “Vyhláška č.271/2008 Sb ze dne 28.07.2008” (08.08.2008), “Vyhláška č.386/2008 Sb ze dne 08.10.2008” (23.10.2008) and “Vyhláška č. 127/2009 Sb” (15.05.2009) |
| Denmark        | “Fødevarestyrelsens Bekendtgørelse nr. 1068 (Bilag 2A + 4A + 4B + 6) om materialer og genstande bestemt til kontakt med fødevarer” (13.11.2009)  |
| Finland        | “Decree No. 953/2002” (12.11.2002) incl. subsequent amendments like “Decree No 107/2009” (3.3.2009)  |
| France         | “Arrêté du 2 janvier 2003, Journal Officiel de la République Française, n° 24” (29.1.2003) incl. subsequent amendments like “Arrêté du 19 novembre 2008, Journal Officiel de la République Française” (7.12.2008)  |
| Germany        | a) “Bedarfsgegenständeverordnung vom 23. Dezember 1997“ incl. subsequent amendments like “Siebzehnte Verordnung zur Änderung der Bedarfsgegenständeverordnung, vom 23. September 2009“<br><br>b) “BfR (earlier BgVV), Empfehlung III, Stand vom 1.6.2009” (Note: Monomers and additives listed in the “Bedarfsgegenständeverordnung”, as amended, are no longer listed in the “Empfehlung III”.)   |
| Great Britain  | The compositional requirements of “The Plastic Materials and Articles in Contact with Food (England) Regulations 2009 No. 205 (S.I. 2009 No. 205 / 5.2.2009)   |

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| Greece      | "Codex Alimentarius, ΑΧΣ n° 458/2003" (21.2.2003) incl. subsequent amendments like "ΑΧΣ n° 454/2008" (4.3.2009)  |
| Hungary     | "Codex Alimentarius Hungaricus 1-2-2002/72" (2003) incl. subsequent amendments like "Codex Alimentarius Hungaricus 1-2-2008/39" (2008) – [Consolidated]  |
| Ireland     | S.I. No. 587 of 2007 incl. subsequent amendments like S.I. No. 88 of 2009  |
| Italy       | a) "Decreto Ministeriale (D.M.) - 21.3.1973, Allegato II, Sezione 1, Parte A+B" incl. subsequent amendments like "D.M. n. 144 (24.6.2009)"<br>Corrigendum:<br>G.U. n 147 (27.6.2009) and G.U. n. 160 (13.7.2009)<br><br>b) "Decreto n. 174 – 6.4.2004, Art. 5.2.c. + Allegato IIIa"  |
| Lithuania   | "Lietuvos Respublikos sveikatos apsaugos ministro 2006 m. gegužes 5 d. isakymas Nr. V-371 "Dėl Lietuvos higienos normos HN 16:2006 "Medžiagu ir gaminių skirtu liestis su maistu, specialieji sveikatos saugos reikalavimai" patvirtinimo", su keitimais (Žin., 2006, Nr. 58-2069; Nr. 125-4760 ; 2008, Nr.56-2126 ; 2009, Nr. 38-1465)  |
| Luxembourg  | "Règlement grand-ducal du 25 novembre 2005 (Memorial "A" n° 194 du 7.12.2005)" incl. subsequent amendments like "Règlement grand-ducal du 23 octobre 2008 (Memorial "A" n° 163 du 5 novembre 2008)"  |
| Netherlands | "Verpakkingen en Gebruiksartikelen Besluit (Warenwet), Hoofdstuk I.2" (16.10.2003) incl. subsequent amendments like "Staatscourant nr. 713" (19.1.2010)  |
| Norway      | "Forskrift om materialer og gjenstander i kontakt med næringsmidler, Vedlegg I, Del 1+2" (21.12.1993) incl. subsequent amendments like "F. nr. 649" (4.5.2010)   |
| Poland      | "Rozporządzenie Ministra Zdrowia z dnia 22 czerwca 2007 r. w sprawie wykazu substancji, których stosowanie jest dozwolone w procesie wytwarzania lub przetwarzania materiałów i wyrobów z tworzyw sztucznych, a także sposobu sprawdzania zgodności tych materiałów i wyrobów z ustalonymi limitami Dz. U. z 19 lipca 2007 Nr 129 poz. 904" including subsequent amendments like "Dz. U. z 20 listopada 2008 Nr 205 poz. 1285" |

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| Portugal    | "Decreto-Lei n° 62/2008" (31.3.2008) incl. Subsequent amendments like "Decreto-Lei n° 29/2009" (2.2.2009)  |
| Romania     | Government Decision no. 1.197/2002 for the approval of the Norms regarding the materials and objects that come into contact with foodstuffs incl. subsequent amendments like DECISION No. 552 from 6 May 2009.   |
| Slovakia    | “Výnos Ministerstva pôdohospodárstva Slovenskej republiky a Ministerstva zdravotníctva Slovenskej republiky z 9. júna 2003 č. 1799/2003 – 100, ktorým sa vydáva piata hlava Potravinového kódexu Slovenskej republiky upravujúca materiály a predmety určené na styk s potravinami. (vydané vo Vestníku MP SR ročník XXXV, čiastka 15 z 3. júla 2003)”<br>including subsequent amendments like<br>“Výnos Ministerstva pôdohospodárstva Slovenskej republiky a Ministerstva zdravotníctva Slovenskej republiky z 23. februara 2009 č.05761/2009-OL, ktorým sa mení a dopĺňa výnos Ministerstva pôdohospodárstva Slovenskej republiky a Ministerstva zdravotníctva Slovenskej republiky z 9.júna 2003 č.1799/2003 -100, ktorým sa vydáva hlava Potravinového kódexu Slovenskej republiky upravujúca materiály a predmety určené na styk s potravinami v znení neskorších predpisov (vydané vo Vestníku MP SR ročník XLI, čiastka 5 zo 4.marca 2009)” |
| Spain       | "Real Decreto 866/2008", Anexo II, Sección A+B and Anexo III, Sección A+B" (23. 5.2008) incl. subsequent amendments like "Real Decreto 103/2009" (6.2.2009)  |
| Sweden      | "LIVSFS 2003:2, Bilaga 2A + Bilaga 3" (28.2.2003) incl. subsequent amendments like "LIVSFS 2009:2" (26.1.2009)   |
| Switzerland | "Verordnung des EDI über Bedarfsgegenstände, 3. Abschnitt, Anhang 1, Liste I, Teil A+B und Liste II" (23.11.2005), incl. subsequent amendments like<br>"Änderung vom 11. März 2010"<br>(SR 817.023.21: Stand am 1. April 2010)   |

With reference to Article 11, item 3 of Commission Regulation (EU) No 10/2011:

- No substances, which are subject to a restriction in food based on EU-Directive 95/2/EC (20.2.1995) incl. subsequent amendments like EU-Directive 2010/69/EU (22.10.2010), are present in this product.

In reference to Article 3 of Regulation (EC) No 1935/2004 concerning the generic product safety requirements of materials and articles intended to come into contact with foodstuffs:

- This resin is manufactured in accordance with good manufacturing practice as outlined in Commission Regulation (EC) No 2023/2006 of 22 December 2006.

- The raw materials used for the manufacturing of this resin are of a suitable purity for articles intended for use in contact with foodstuffs.

However, good manufacturing practice needs to be applied during processing of the polymer, including adherence to the maximum recommended processing temperatures.

- All monomers and additives used in the manufacturing of this resin are listed in Commission Regulation (EU) No 10/2011.

- Dow does not on a routine basis perform organoleptical tests on articles produced from this resin.

Please note that it is the responsibility of the manufacturers of the finished food contact article and/or the industrial food packers to ensure that the article in its final application does not bring about a deterioration of the organoleptical characteristics of the foodstuff.

- Parameters such as applied processing conditions and any modification of the resin during processing is beyond the control of Dow.

Thermal emissions (like aldehydes, ketones and organic acids) are generated during processing of polyethylene under typical processing conditions.

Since these emissions could have an impact on the organoleptical properties of the final products, it remains the responsibility of the manufacturer of the finished food contact article and the industrial food packer to make sure that the requirements of Regulation (EC) No 1935/2004, Article 3, pertaining to the final articles, are met.

Based on the considerations above as well as on our own safety assessments of all raw materials used in the manufacturing of this resin and provided that good manufacturing practice is applied during processing of this resin, we can confirm that this resin as supplied is in compliance with Article 3 of Regulation (EC) No 1935/2004.

Further, systems and procedures are implemented in the manufacture of this resin in order to fulfill the requirements of Article 17 of Regulation (EC) No 1935/2004 re. traceability. Article 17 applies as of 27 October 2006.

We like to draw your attention to the fact that Commission Regulation (EU) No 10/2011, which applies to all EU-Member States, includes a limit of 10 mg/dm<sup>2</sup> on the overall migration from finished plastic articles into food.

In accordance with Commission Regulation (EU) No 10/2011 the migration should be measured on finished articles placed into contact with the foodstuff or appropriate food simulants in accordance with ANNEX III of Commission Regulation (EU) No 10/2011 for a period and at a temperature which are chosen by reference to the contact conditions in actual use, according to the provisions in Article 22 of Commission Regulation (EU) No 10/2011.

None of the above mentioned food contact regulations or laws based on Commission Regulation (EU) No 10/2011 (as amended), impose specific migration **(SML)** or residual quantity **(QM)** limitations on the individual components of this resin.

Please note that it is the responsibility of both the manufacturers of finished food contact articles as well as the industrial food packers to make sure that these articles in their actual use are in compliance with the imposed overall migration requirements.

Further, when used unmodified and processed in accordance with good manufacturing practice for food contact applications, the above-mentioned material will comply with the U.S. Food, Drug and Cosmetic Act as amended under Regulation 21 CFR 177.1520(c)2.1 of the U.S. Food and Drug Administration (FDA).

This section in FDA does not include polymers that are used in articles for holding food during cooking.

The regulations should be consulted for complete details.

Yours faithfully,

Two blue ink signatures are present. The first signature is a cursive name, likely Anders G. Larson. The second signature is a long, horizontal line with some cursive flourishes at the beginning, possibly representing a title or a second name.

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