

All suppliers of packaging components used for the packing and labeling of Zespri™ branded kiwifruit are required to provide proof of compliance to the Food Contact Material (FCM) Regulations relevant to the product being supplied and the market(s) in which the kiwifruit will be sold.

The following regulations shall be met if your product contains **Recycled PET (rPET)** and is used in food contact:

➔ If the product is to be supplied in Europe:

- **A declaration of compliance (DoC) must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits (e.g. heavy metals):**
 - Framework regulation, EC No. 1935/2004
 - Regulation on food contact plastics, EU No. 10/2011 and Amendments
 - GMP regulation for food contact materials, EC No. 2023/2006
 - Regulation on recyclable food contact plastics, EU No. 282/2008

➔ If the product is to be supplied in the United States:

- **A “letter of no objection” (LNO) from the US FDA must be submitted for the recycling process (secondary recycling) for post-consumer recycled (PCR) PET (including the conditions of use)**
- **Manufacturer must declare compliance to all regulations outlined below including relevant compliance testing results**
 - US FDA GMP regulation for food packaging materials
 - US FDA CFR Title 21 Section 174.5 General provisions applicable to indirect food additives
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 177.1630 Polyethylene phthalate polymers
 - or a valid Food Contact Notification (FCN) for the material and supplier

➔ If the product is to be supplied in Asia:

● **Japan:**

Manufacturer must provide a MHLW's concurrence regarding the safe use of recycled plastics in their applications. Additionally, the manufacturer must declare compliance to all regulations outlined below including relevant compliance testing results including but not limited to overall and specific migration limits (e.g. heavy metals and potassium permanganate):

- Ministry of Health, Labour, and Welfare (MHLW) Act No. 233, 1947 “Food Sanitation Act”
- MHLW Act No. 48, 2003 “Food Safety Basic Law”
- MHLW Notification No. 370,1959 “Specifications and Standards for Foods, Food Additives, etc.” including all amendments (Notifications No. 46, 2018 and No. 196, 2020)
- MHLW Shokuan-hatsu 0427 No.2, 2012 “Guidelines related to recycled plastics in utensils and food packaging”

- **Singapore:**

Manufacturer must declare compliance with all regulations outlined below including relevant compliance testing results (e.g. heavy metals testing):

- Singapore Food Agency (SFA) “Food Regulations Cap. 283, revised edition 2005; Regulation 37 “Containers for Food”
- International standards (e.g. US, EU, or Japan) shall be used for demonstrating material safety and compliance

- **Hong Kong:**

Manufacturer must declare compliance with all regulations outlined below:

- Consumer Goods Safety Ordinance
- International standards (e.g. EU, US, or Mainland China) shall be used for demonstrating material safety and compliance

- **China; India; Malaysia; Taiwan; South Korea:**

- All products containing rPET are currently **BANNED** in food contact applications in these jurisdictions.

The following regulations shall be met if your product contains **Virgin PET; PP; or PE** and is used in food contact:

➔ If the product is to be supplied in Europe:

- A **declaration of compliance (DoC)** must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits(e.g. heavy metals):

- Framework regulation, EC No. 1935/2004
- Regulation on food contact plastics, EU No. 10/2011 and Amendments
- GMP regulation for food contact materials, EC No. 2023/2006

➔ If the product is to be supplied in the United States:

- Manufacturer must declare compliance to all regulations outlined below including relevant compliance testing results:

- US FDA GMP regulation for food packaging materials
- US FDA CFR Title 21 Section 174.5 General provisions applicable to indirect food additives
- US FDA CFR Title 21, Chapter 1-Subchapter B, 177.1630 Polyethylene phthalate polymers (for PET)
- US FDA CFR Title 21, Chapter 1-Subchapter B, 177.1520 Olefin polymers (for PE and PP)
- or a valid Food Contact Notification (FCN) for the material and supplier

➔ If the product is to be supplied in China:

- A declaration of conformity must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits(e.g. heavy metals, potassium permanganate) as well as sensory limits:

- GB 4806.1-2016 General safety requirements on FCMs and articles
- GB 31603-2015 GMP requirements for food contact materials
- GB 9685-2016 Standard for the use of additives in food contact materials and articles
- GB 4806.6-2016 Plastic resins used in plastic food contact material
- GB 4806.7-2016 Food contact used plastic materials and products

The following regulations shall be met if your product contains **Virgin Paper/Fiber** and is used in food contact:

➔ If the product is to be supplied in Europe:

- Due to a lack of harmonized European food contact paper regulations, national regulations apply to demonstrate food contact paper compliance as well as principles of mutual recognition and safeguard measures.
- A declaration of compliance (DoC) must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits (e.g. heavy metals, primary aromatic amines, pentachlorophenol, etc.):
 - Framework regulation, EC No. 1935/2004
 - GMP regulation for food contact materials, EC No. 2023/2006
 - German BfR Recommendations XXXVI on paper and board for food contact (not legally outside of Germany binding but widely recognized)
 - or “CEPI food contact guideline for the compliance of paper & board materials and articles” (not legally binding but widely recognized)
 - or any other legislation as required

➔ If the product is to be supplied in the United States:

- Manufacturer must declare compliance to all regulations outlined below including relevant compliance testing results:
 - US FDA GMP regulation for food packaging materials
 - US FDA CFR Title 21 Section 174.5 General provisions applicable to indirect food additives
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 176.170 Paper and board components in contact with aqueous and fatty food
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 176.180 Paper and board components in contact with dry food
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 186.1673 Pulp

➔ If the product is to be supplied in China:

- A declaration of conformity must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits (e.g. heavy metals, potassium permanganate) as well as sensory limits:
 - GB 4806.1-2016 General Safety Requirements on FCMs and Articles
 - GB 31603-2015 GMP requirements for food contact materials
 - GB 9685-2016 Standard for the Use of Additives in Food Contact Materials and Articles
 - GB 4806.6-2016 Plastic resins used in plastic food contact material, only if the paper contains synthetic fibre raw materials
 - GB 4806.8-2016 Food Contact Paper and Board Materials and Their Products

The following regulations shall be met if your product contains **Recycled Paper/Fiber** and is used in food contact:

➔ If the product is to be supplied in Europe:

- Due to a lack of harmonized European food contact paper regulations, national regulations apply to demonstrate food contact paper compliance as well as principles of mutual recognition and safeguard measures
- A declaration of compliance (DoC) must be submitted, addressing all regulations outlined below, including relevant compliance testing results including but not limited to overall and specific migration limits (e.g. heavy metals, phthalates, primary aromatic amines, pentachlorophenol, BPA, etc.):
 - Framework regulation, EC No. 1935/2004
 - GMP regulation for food contact materials, EC No. 2023/2006
 - German BfR Recommendations XXXVI on paper and board for food contact (not legally binding but widely recognized)
 - or “CEPI food contact guideline for the compliance of paper & board materials and articles” (not legally binding but widely recognized)
 - or any other national food contact paper legislation if required

➔ If the product is to be supplied in the United States:

- Manufacturer must declare compliance to all regulations outlined below including relevant compliance testing results:
 - US FDA GMP regulation for food packaging materials
 - US FDA CFR Title 21 Section 174.5 General provisions applicable to indirect food additives
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 176.170 Paper and board components in contact with aqueous and fatty food
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 176.180 Paper and board components in contact with dry food
 - US FDA CFR Title 21, Chapter 1-Subchapter B, 176.260 Pulp from reclaimed fiber

➔ If the product is to be supplied in China:

All products containing recycled fibre are currently **BANNED** in direct food contact applications in China

For **Novel Polymers (PBAT; PLA; PHA; PBS)** contact Zespri International Limited at: packaging@zespri.com

For any other Food Contact Material regulation inquiries, or to have your compliance documentation reviewed by Zespri for feedback or discussion, please contact the Packaging Team at: packaging@zespri.com

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