

## Declaration of Compliance:

In Accordance with EU Regulations 1935/2004 and 10/2011 Plastic materials and articles to come into contact with food.

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**ISSUED BY:** Berry PET Power B.V.  
Hermelijnweg 2 | 4877 AE Etten-Leur | The Netherlands

**ISSUED ON:** September 30th, 2021

**FOR THE FOLLOWING PRODUCTS:** **Clear PET containers**

**MANUFACTURED BY:** Berry PET Power B.V.  
Hermelijnweg 2 | 4877 AE Etten-Leur | The Netherlands

**CONFORMATION:** PET containers covered by this DoC comply with the following requirements and all of its amendments in force:

- Regulation (EU) no. 1935/2004/EC (Food Contact Materials)
- Regulation (EU) no. 10/2011/EC (Plastic Food Contact Materials)
- Regulation (EU) no. 2020/1245 of 2 September 2020 (Food Contact Materials)
- Regulation (EU) no. 2023/2006/EC (GMP Regulation)
- Dutch Commodities Act (Packaging and Consumer Articles Regulation) chapter I; Plastics.

The following substances are subject to a specific migration limit (SML) set out in the Union list of Commission Regulation (EU) no. 10/2011:

COMPONENT	CAS	SML (mg/kg food)
Terephthalic acid	100-21-0.	7.5
Isophthalic acid	121-91-5	5
Mono ethyleneglycol	107-21-1	(T) = 30
Di ethyleneglycol	111-46-6	(T) = 30
Antimony trioxide	1309-64-4	0.04 (As Sb)
All elements of EU 10/2011.		

**CONFORMITY WITH OVER-ALL  
MIGRATION LIMITS:**

Overall migration has been performed as described in Commission Regulation (EU) No. 10/2011 (including amendments) relating to plastic materials and articles intended to come in contact with food.  
Test methods according to the parts of EN 1186 as listed below and where applicable updated by the provisions of the Regulation, which is more recent.

- EN 1186-1: Guide to the selection of conditions and test methods for overall migration;
- EN 1186-2: Test methods for overall migration into olive oil by total immersion;
- EN 1186-9: Test methods for overall migration into aqueous simulants by article filling.

Table 2: Simulants and test conditions overall migration

SIMULANTS	TEST CONDITIONS
10% Ethanol	10 days at 40°C
3% Acetic acid	10 days at 40°C
Olive oil	10 days at 40°C

*Explanatory Note: Tests in aqueous simulants have been performed in triplicate. Tests in olive oil have been performed in fourfold. Due to the diverse fields of application, worst case scenarios were chosen for test conditions.*

**CONFORMITY WITH SPECIFIC MIGRATION LIMITS:**

Specific migration has been performed in accordance with Commission Regulation (EU) No. 10/2011 (including amendments) relating to plastic materials and articles intended to come in contact with food.

Exposure methods are according to EN 13130, where applicable updated by the provisions of the Regulation, which is more recent.

Table 3: Simulants and test conditions specific migration

SIMULANTS	TEST CONDITIONS
10% Ethanol	10 days at 60°C
3% Acetic acid	10 days at 60°C
Olive oil	10 days at 60°C

*Explanatory Note: Exposures have been performed in triplicate. Due to the diverse fields of application, worst case scenarios were chosen for test conditions.*

**TYPE OF FOOD:**

Type of food intended to come in contact with material/article: all kinds of foodstuffs.

**TIME AND TEMPERATURE IN CONTACT WITH FOOD:**

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.

*(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.)*

**RATIO OF FOOD CONTACT SURFACE TO PRODUCT VOLUME:**

6 dm<sup>2</sup> per kg of food, according to article 17 of Regulation (EU) No. 10/2011.

**RESULTS:**

The results obtained for all components were found to be in compliance with their respective overall migration limits and specific migration limits as defined in Commission Regulation (EU) No. 10/2011 (including amendments in force) for food contact materials, for the tests with 10% ethanol, 3% acetic acid and olive oil under the above mentioned test conditions.

DUAL USE ADDITIVES:

The material used to manufacture our products does not contain additives approved for use in food that could migrate into food, causing either a technical effect or noncompliance of the foodstuff (so-called 'dual use additives' or 'multiple function additives').

ADDITIONAL REMARKS:

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.

TRACEABILITY:

Traceability of the product is ensured according to Regulation (EU) no. 1935/2004.

Test reports of the migration test will not be provided to customers. Conform Framework Regulation (EU) no. 1935/2004 and EU Commission Regulation (EU) no. 10/2011 these test reports are available for assessment by certifying and inspecting government authorities.

SIGNED ON BEHALF OF  
BERRY PET POWER BV:

Toine van Nijnatten  
QA Engineer



Etten-Leur, 30th September 2021