



## ZESPRI FOOD SAFETY REQUIREMENTS FOR CONSUMER FACING PACKAGING COMPONENTS

All suppliers of packaging components used for the packing and labelling 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)**, such as pocket packs, and is used in food contact:

➡ If the product is to be supplied in Europe:

- rPET recycling process must be **authorised** for material to be used in food contact applications. This must be stated in the Declaration of compliance provided by the Recycler.
- A **declaration of compliance (DoC)** must be submitted, addressing all regulations outlined below, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals):
  - Regulation (EC) No. 1935/2004 - 'Framework Regulation'
  - Commission Regulation (EU) No. 2023/2006 - Good manufacturing practice for materials and articles intended to come into contact with food
  - Commission Regulation (EU) No. 10/2011 including amendments up to (EU) No. 2024/3190 - Food contact plastics
  - Commission Regulation (EU) 2022/1616 - Recycled food contact plastics.

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

- A **"letter of no objection" (LNO)** from the US Food and Drug Administration (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 applicable regulations outlined below:
  - US FDA Title 21 CFR 174.5 General provisions applicable to indirect food additives (including GMP requirements)
  - US FDA Title 21 CFR 177.1630 Polyethylene phthalate polymers
  - US FDA Title 21 CFR 178.2010 - Antioxidants and/or stabilizers for polymers (if applicable)
  - or a valid Food Contact Substance Notification (FCN) for the material and supplier can be supplied

➡ If the product is to be supplied in Asia:

● **Japan:**

rPET recycling process must be **authorised** for material to be used in food contact applications. Manufacturer must provide a MHLW's concurrence regarding the safe use of recycled plastics in their applications.

Additionally, the manufacturer must declare compliance with all applicable regulations outlined below, preferably including relevant compliance testing results:

- Ministry of Health, Labour, and Welfare (MHLW) Act No. 233, 1947 “Food Sanitation Law”
- MHLW Notification No. 370,1959 “Specifications and Standards for Foods, Food Additives, etc.” including all amendments such as Notifications No. 46, 2018 and No. 196, 2020
- MHLW Guidelines for the use of recycled raw materials for synthetic resins used in the manufacture of food utensils, containers and packaging, 2024

● **Singapore:**

No additional requirements apply to the use of rPET in food contact. Manufacturer must declare compliance with general regulations for food contact materials outlined below:

- 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:**

No additional requirements apply to the use of rPET in food contact. Manufacturer must declare compliance with general regulations, requirements and standards for food contact materials outlined below:

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

● **India:**

rPET recycling process must be **authorised** for material to be used in food contact applications. Manufacturer must declare compliance with all regulations outlined below (preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals and potassium permanganate consumption):

- Food Safety and Standards (Packaging) Second Amendment Regulations, 2022
- IS 12252:2017: Polyalkylene Terephthalates (PET and PBT)

● **Taiwan:**

rPET recycling process must be **authorised** for material to be used in food contact applications. Manufacturer must declare compliance with all regulations outlined below (preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals and potassium permanganate consumption):

- Food Sanitation Act, 2011
- Sanitation Standard for Food Utensils, Containers and Packages (Consolidated 2023-01-11)
- Taiwan rPET pellet requirements

● **South Korea:**

rPET recycling process must be **authorised** for material to be used in food contact applications. Manufacturer must declare compliance with all regulations outlined below:

- Food Sanitation Act
- MFDS Regulation No 29/2024: Standards and Specifications for Utensils, Containers and Packages (Consolidated 2024-06-21)
- Ministry of Environment Notice No. 2024-185: Food Container Recycling Raw Material Standards

● **China and Malaysia:**

- All direct food contact packaging containing **recycled plastic** 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**, such as pocket packs, 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, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals):

- Regulation (EC) No. 1935/2004 - 'Framework Regulation'
- Commission Regulation (EU) No. 2023/2006 - Good manufacturing practice for materials and articles intended to come into contact with food
- Commission Regulation (EU) No. 10/2011 including amendments up to (EU) No. 2024/3190 - Food contact plastics

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

- Manufacturer must declare compliance to all regulations outlined below:
  - US FDA Title 21 CFR 174.5 General provisions applicable to indirect food additives (including GMP requirements)
  - US FDA Title 21 CFR 177.1630 Polyethylene phthalate polymers (for PET)
  - US FDA Title 21 CFR 177.1520 Olefin polymers (for PE and PP)
  - US FDA Title 21 CFR 178.2010 Antioxidants and/or stabilizers for polymers (if applicable)
  - or a valid Food Contact Substance Notification (FCN) for the material and supplier can be supplied

➡ If the product is to be supplied in China:

- **A declaration of conformity** must be submitted, addressing all regulations outlined below, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals, potassium permanganate testing results as well as sensory limits):
  - GB 4806.1-2016 General safety requirements on food contact materials and articles
  - GB 31603-2015 General hygienic norms for manufacture of food contact materials and articles (GMP requirements)
  - GB 9685-2016 Standard for the use of additives in food contact materials and articles

- GB 4806.7-2023 Plastic materials and products for food contact; valid from September 2024 repealing GB 4806.6-2016 and GB 4806.7-2016

The following regulations shall be met if your product contains **Virgin Paper/Fibre**, such as paperboard packaging potentially including inks and adhesives, 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 and/or industry guidelines 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 relevant regulations outlined below, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals, primary aromatic amines, pentachlorophenol, etc.):
  - Regulation (EC) No. 1935/2004 - ‘Framework Regulation’
  - Commission Regulation (EU) No. 2023/2006 - Good manufacturing practice for materials and articles intended to come into contact with food
  - Either German BfR Recommendations XXXVI on paper and board for food contact (as of 01.08.2024) - not legally binding outside of Germany but widely recognized or “CEPI food contact guideline for the compliance of paper & board materials and articles, 2019” -not legally binding but widely recognized or any other relevant national food contact paper legislation as required
  - Swiss Printing Ink Ordinance SR 17.023.21, Annex 10 Edition 3.2 (only applicable if FCM is printed)
  - FEICA Industry Guidance for food contact adhesives (only applicable if FCM is glued).

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

- Manufacturer must declare compliance to all regulations outlined below:
  - US FDA Title 21 CFR 174.5 General provisions applicable to indirect food additives (including GMP requirements)
  - US FDA Title 21 CFR 176.170 Paper and board components in contact with aqueous and fatty food
  - US FDA Title 21 CFR 176.180 Paper and board components in contact with dry food
  - US FDA Title 21 CFR 186.1673 Pulp (GRAS exemption)
  - or a valid Food Contact Substance Notification (FCN) for the material and supplier can be supplied
  - US API pre-1958 colorants used in paper and paperboard food packaging (only applicable if FCM is printed)
  - US FDA Title 21 CFR 175.105 Adhesives (only applicable if FCM is glued)

➡ If the product is to be supplied in China:

- A **declaration of conformity** must be submitted, addressing all regulations outlined below, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals as well as sensory limits):
  - GB 4806.1-2016 General safety requirements on food contact materials and articles

- GB 31603-2015 General hygienic norms for manufacture of food contact materials and articles (GMP requirements)
- GB 9685-2016 Standard for the use of additives in food contact materials and articles
- GB 4806.8-2022 Food contact paper and paperboard materials and articles
- GB 4806.14-2024 Product standard for inks used in food contact materials and articles released (only applicable if FCM is printed)
- GB 4806.15-2024 Adhesives for food contact materials and products (only applicable if FCM is glued)

The following regulations shall be met if your product contains **Recycled Paper/Fibre**, such as corrugated paperboard packaging potentially including inks and adhesives, 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 and/or industry guidelines 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, preferably including relevant compliance testing results (such as overall migration and specific migration results including heavy metals, primary aromatic amines, pentachlorophenol, BPA, etc.):
  - Regulation (EC) No. 1935/2004 - ‘Framework Regulation’
  - Commission Regulation (EU) No. 2023/2006 - Good manufacturing practice for materials and articles intended to come into contact with food
  - EN 643 standard for recycled Paper and Board
  - Either German BfR Recommendations XXXVI on paper and board for food contact (as of 01.08.2024) - not legally binding outside of Germany but widely recognized or “CEPI food contact guideline for the compliance of paper & board materials and articles, 2019” (not legally binding but widely recognized or any other relevant national food contact paper legislation as required
  - Swiss Printing Ink Ordinance SR 17.023.21, Annex 10 Edition 3.2 (only applicable if FCM is printed)
  - FEICA Industry Guidance for food contact adhesives (only applicable if FCM is glued).

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

- Manufacturer must declare compliance to all regulations outlined below:
  - US FDA Title 21 CFR 174.5 General provisions applicable to indirect food additives (including GMP requirements)
  - US FDA Title 21 CFR 176.170 Paper and board components in contact with aqueous and fatty food
  - US FDA Title 21 CFR 176.180 Paper and board components in contact with dry food
  - US FDA Title 21 CFR 176.260 Pulp from reclaimed fibre
  - US API pre-1958 colorants used in paper and paperboard food packaging (only applicable if FCM is printed)
  - US FDA Title 21 CFR 175.105 Adhesives (only applicable if FCM is glued)

➔ 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](mailto: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](mailto:packaging@zespri.com)

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**Technical Packaging Lead**