



**TOTAL PETROCHEMICALS**

TOTAL PETROCHEMICALS USA, INC.

**500W P0 / P1**

Effective Date: January 1, 2007

### FDA Compliance Statement

TOTAL PETROCHEMICALS USA, INC. manufactures **TOTAL PETROCHEMICALS polystyrene 500W P0 / P1** in natural, uncolored pellets that comply with all the appropriate requirements in **21 CFR § 177.1640 (a)(1)**, entitled **Polystyrene and Rubber Modified Polystyrene**, of the Food Additives Amendment of 1958 to the United States Food, Drug, and Cosmetic Act of 1938. That is, this resin may be used in components of articles intended for use in contact with food. Further, this resin meets the strict specification for contact with fatty foods defined in **21 CFR 177.1640 (c)(1)**. The adjuvants used in the production of this resin include such substances permitted for use in food-contact articles by **21 CFR 170 - 189**, substances generally recognized as safe in food and food packaging materials and substances used in accordance with a prior sanction or approval.

You may safely use items made from **TOTAL PETROCHEMICALS polystyrene 500W P0 / P1**, without further modification and in accordance with good manufacturing practices, as articles or components of articles in contact with food, subject to your performance evaluations and any other governmental regulation relating to your product.

Since this product complies with these applicable Food and Drug Administration (FFDCA) regulations, it also complies with the United States Department of Agriculture (USDA) regulations for packaging meat, poultry, and meat and poultry food products under the Federal Inspection Program of the Food Safety and Inspection Service (FSIS).

Please contact your TOTAL PETROCHEMICALS USA, INC salesperson or the TOTAL PETROCHEMICALS USA, INC customer service department at (800) 344-3462 if you require additional information about this product.

Susan D. Harms, Regulatory Affairs  
As Agent for TOTAL PETROCHEMICALS USA, INC.

Revised 12/2006

	<p><b>TOTAL PETROCHEMICALS USA, INC.</b> www.totalpetrochemicalsusa.com 1201 Louisiana Houston, TX 77002</p>	<p><b>CUSTOMER SERVICE</b> P.O. Box 674411 Houston, Texas 77267-4411 <b>1-800-344-3462</b></p>	<p><b>Research and Technology Center</b> <b>Regulatory Affairs</b> P.O. Box 1200 Deer Park, Texas 77536 Phone: 281-884-7518 FAX 281-884-7623</p>
<p><small>The application of this product must be guided by the user's own methods for selection. TOTAL PETROCHEMICALS USA, INC. disclaims any responsibility for misuse or misapplication of its products. TOTAL PETROCHEMICALS USA, INC. MAKES NO WARRANTY OF MERCHANTABILITY AND THERE IS NO WARRANTY THAT GOODS SUPPLIED SHALL BE FIT FOR ANY PARTICULAR PURPOSE. TOTAL PETROCHEMICALS USA, INC. liability and customer's exclusive remedy for any claims arising out of sales of its products are expressly limited at customer option to replacement of non-performing goods or payment not to exceed the purchase price plus transportation charges thereon in respect to any material which damage is claimed.</small></p>			



**TOTAL PETROCHEMICALS**

TOTAL PETROCHEMICALS USA, INC.

**All Polystyrene Grades**

Effective Date: January 1, 2007

**Statement of Compliance with Heavy Metals Regulations\***

TOTAL PETROCHEMICALS USA, INC. manufactures TOTAL PETROCHEMICALS polystyrene resin in natural, uncolored pellets which are not formulated to contain heavy metals, including antimony, arsenic, barium, cadmium, chromium, lead, mercury, selenium, or silver.

Acid extractable and TCLP (Toxicity Characteristic Leaching Procedure) testing was performed on samples of our polystyrene resins. The metals analyzed included antimony, arsenic, barium, cadmium, chromium, lead, mercury, and selenium. All of the metals were found to be in concentrations less than the detection limit, specifically, **less than 100 parts per billion (ppb)**.

Based on formulation and analysis, this resin complies with the elemental content restrictions required by:

- Coalition of Northeastern Governors (CONEG) model Toxics in Packaging Legislation;
- ASTM Standard Consumer Safety Specification on Toy Safety, ASTM F 963, 4.3.3 and 4.3.5;
- European Directive 94/62/EC, Article 11, addressing toxics in packaging, and as amended by 2004/12/EC;
- European Directive 2000/53/EC, Article 4, 2 (a), addressing metals in materials and components of vehicles; as amended by 2002/525/EC.
- European Directive 88/378/EEC (and amendments) including CEN EN 71, which technically addresses the fabricated article (toy), not the resin.

This statement does not cover:

- Any modification of our product by any addition of any other product to it.
- Any prejudicial modification of our product resulting from a processing of the product.
- Any inadequate use and / or storage of the material and of the finished article.

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Susan D. Harms, Regulatory Affairs

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\*This statement can be used to document the basis for estimating lead in TOTAL PETROCHEMICALS polystyrene resins in inventory for purposes of determining whether SARA 313 reporting thresholds (100 lbs) are exceeded for lead.

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**TOTAL PETROCHEMICALS**

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**All Polystyrene  
Grades**

## STATEMENT CONCERNING GLUTEN

*Gluten is a mixture of proteins in which gliadin, glutenin, globulin and albumin predominate. Gluten comprises 18 amino acids; it is insoluble in water and is hydrophilic. Its primary use is as a food additive.*

The undersigned, as agent of TOTAL PETROCHEMICALS USA, INC., hereby certifies that our product is not manufactured to contain or by contacting gluten.

These statements do not cover

- any modification of our product by any addition of any other product to it,
- any prejudicial modification of our product resulting from a processing of the product, or
- an inadequate use and/or storage of our material or the finished articles by the end user.

Date April 10, 2007

Susan D. Harms, Ph.D., CIH, CSP  
Regulatory Affairs  
As agent for TOTAL PETROCHEMICALS USA INC.



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**All Polystyrene  
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## STATEMENT CONCERNING LATEX OR NATURAL RUBBER LATEX

*Latex is a white, free-flowing liquid, obtained from some species of shrubs or trees, in which microscopically suspended particles of natural rubber are suspended in a slurry. Natural rubber latex is obtained from the tree Hevea Braziliensis.*

The undersigned, as agent of TOTAL PETROCHEMICALS USA, INC., hereby certifies that TOTAL Polystyrene resins are not manufactured to contain or by contacting latex or natural rubber latex.

These statements do not cover

- any modification of our product by any addition of any other product to it,
- any prejudicial modification of our product resulting from a processing of the product, or
- an inadequate use and/or storage of our material or the finished articles by the end user.

Date April 10, 2007

Susan D. Harms, Ph.D., CIH, CSP  
Regulatory Affairs  
As agent for TOTAL PETROCHEMICALS USA INC.



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**TOTAL PETROCHEMICALS**

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**All Polystyrene  
Grades**

**STATEMENT CONCERNING THE  
FOOD ALLERGEN LABELING AND CONSUMER PROTECTION ACT (FALCPA), 2004**

The undersigned, as agent of TOTAL PETROCHEMICALS USA, INC., hereby certifies that polystyrene grades, as supplied and manufactured at our plant in Carville, Louisiana, are not manufactured to contain or by contacting the food allergens identified by the FDA in the "Food Allergen Labeling and Consumer Protection Act (FALCPA)" of 2004. In addition, information from the suppliers of additives used in this resin indicates that these materials are not intentionally added to their products.

*Further information: The following have been identified by the U.S. Food and Drug Administration as the most common food allergens in the amendment to Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) :*

*"(qq) The term 'major food allergen' means any of the following (1) Milk, egg, fish (e.g., bass, flounder, or cod), Crustacean shellfish (e.g., crab, lobster, or shrimp), tree nuts (e.g., almonds, pecans, or walnuts), wheat, peanuts, and soybeans. "*

*The FDA's policy with respect to allergens is that products that contain an allergenic ingredient by design must comply with section 403(i)(2) of the Act, which requires each ingredient in a food to be declared. Processing aids that contain allergenic ingredients must also be declared in accordance with 21 CFR 101.4(a)(1). Production practices that lead to unintentional addition of allergens to food may be considered insanitary(sic) conditions that may render the food injurious to health and cause the food product to be adulterated under section 402(a)(4) of the Act.*

These statements do not cover

- any modification of our product by any addition of any other product to it,
- any prejudicial modification of our product resulting from a processing of the product, or
- an inadequate use and/or storage of our material or the finished articles by the end user.

Date December 19, 2006

Susan D. Harms, Ph.D., CIH, CSP  
Regulatory Affairs  
As agent for TOTAL PETROCHEMICALS USA, INC.

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**TOTAL PETROCHEMICALS**

TOTAL PETROCHEMICALS USA, INC.

**All Polystyrene Grades**

Effective Date: April 20, 2008

**Statement Concerning Bisphenol A and Bis-phenyl Ether Compounds**

The undersigned, as agent of TOTAL PETROCHEMICALS USA, INC., hereby certifies that TOTAL Polystyrene resins, as supplied, manufactured at our plant in Carville, Louisiana, USA, are not manufactured to contain the following substances:

Common Name	Chemical Name	CAS Reg. No.	EINECS No.
Bisphenol A	Phenol, 4,4'-(1-methylethylidene)bis-	80-05-7	201-245-8
Bisphenol F	Phenol, 2,2'-methylenebis-	2467-02-9	219-578-2
BADGE and derivatives <sup>1</sup>	2,2-bis(4-hydroxyphenyl)propane bis(2,3-epoxypropyl)ether	1675-54-3	216-823-5
BFDGE and derivatives <sup>2</sup>	Oxirane, 2,2'-[methylenebis(4,1-phenyleneoxymethylene)]bis-	2095-03-6	218-257-4
NOGE Novolac glycidyl ethers	Phenol, polymer with formaldehyde, glycidyl ether Formaldehyde, polymer with 2-(chloromethyl)oxirane and phenol	28064-14-4 9003-36-5	500-006-8

We do not test each raw material we purchase nor our polystyrene products for trace amounts of these listed chemicals. However, we do exercise good product stewardship and seek information concerning additive composition from our suppliers. Information from the suppliers of raw materials used in our resins indicates that these materials are not intentionally added to their products. Based on this information, and knowledge of our process, we believe that our product does not contain the above listed materials.

These statements do not cover

- any modification of our product by any addition of any other product to it,
- any prejudicial modification of our product resulting from a processing of the product, or
- an inadequate use and/or storage of our material or the finished articles by the end user.

Paul Bradley  
Regulatory Affairs  
TOTAL PETROCHEMICALS USA, INC.

<sup>1</sup> BADGE.HCl, BADGE.2HCl, BADGE.HCl.H<sub>2</sub>O, BADGE.H<sub>2</sub>O and BADGE.2H<sub>2</sub>O.

<sup>2</sup> BFDGE.HCl, BFDGE.2HCl, BFDGE.HCl.H<sub>2</sub>O, BFDGE.H<sub>2</sub>O, and BFDGE.2H<sub>2</sub>O.

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**All Polystyrene  
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Effective Date: January 1, 2007

**California Proposition 65 Compliance Statement**

This statement defines the status of all TOTAL PETROCHEMICALS Polystyrene resins with respect to the California Safe Drinking Water and Toxic Enforcement Act of 1986, also known as **Proposition 65**.

*Proposition 65, passed by the voters of California in 1986, requires the Governor to publish a list of chemicals that are determined by the State of California to cause cancer, birth defects or other reproductive harm. This list is updated annually; with the most recent update (09/2005) the list contained approximately 600 chemicals. The State is further required to publish No Significant Risk Levels (NSRL) and Maximum Allowed Daily Intake levels (MADI) for these chemicals. For a chemical that is listed as a carcinogen, the "no significant risk" level is defined as the level which is calculated to result in not more than one excess case of cancer in 100,000 individuals exposed over a 70-year lifetime. In other words, if you are exposed to the chemical in question at this level every day for 70 years, theoretically it will increase your chances of getting cancer by no more than 1 case in 100,000 individuals so exposed. A company is required to issue a warning when it is known that one or more listed chemicals is present in a product, in the workplace, or in the emissions into the environment at or above these levels set by the State.*

Ethylbenzene, a process component of styrene monomer, the starting material for polystyrene, was listed on Prop 65 in June 2004. Under the law, a warning must be given unless a business demonstrates that the exposure to the listed chemical poses no significant risk. The compliance date for providing this warning was June 11, 2005. With this letter and consistent with the requirements of the State of California, TOTAL PETROCHEMICALS USA, INC. provides a "clear and reasonable" warning concerning the presence of this listed chemical in polystyrene. TOTAL PETROCHEMICALS USA, INC. has chosen to provide a warning simply based on its knowledge about the presence of the listed chemical as a constituent of the starting materials.

The Office of Environmental Health Hazard Assessment's Proposition 65 Implementation Office, as of the date of this letter, has not published the NSRL or MADI for ethylbenzene, therefore, TOTAL PETROCHEMICALS USA, INC. cannot offer interpretation with respect to this listing. However, TOTAL PETROCHEMICALS USA, INC. worked with the Polystyrene Packaging Council, Keller and Heckman LLP, and other industry groups to develop a workbook to assist our customers to comply with the California regulations with respect to ethylbenzene. This workbook is available to our customers on request. At this time, ethylbenzene is the only substance which may be present in polystyrene at a level that might trigger the warning requirements of this regulation. We have no scientific information to suggest that the presence of the very low levels of ethylbenzene in polystyrene poses any significant risk to the consumer.. Any other listed residuals fall below published safe harbor levels. We will continue to follow the regulatory developments in California and will provide additional information to our customers as it becomes available.

If you require more specific information about the warning, such as how exposures to this chemical may or may not occur, please contact TOTAL PETROCHEMICALS USA, INC. Regulatory Affairs, 281-884-0518, or email [susan.harms@total.com](mailto:susan.harms@total.com).

Susan D. Harms, Regulatory Affairs

Revised 11/2006

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