



April 29, 2009

Rick Reiss, Ph.D.
Principal Scientist
Exponent
1800 Diagonal Road
Suite 300
Alexandria, VA 22314

Re: Prenotification Consultation 757 - Continued

Dear Mr. Reiss:

This responds to your e-mail inquiry of April 22, 2009, requesting clarification on the regulatory status of decabromodiphenyl ether for use as a component of plastic pallets. You state that these plastic pallets will be used to store fruit and vegetables. The fruit and vegetables is cooled and kept moist by means of either placing ice on the product in the topmost location or with a sprinkler / mister system putting water onto the topmost product. In addition, you state the produce is vertically stacked on pallets at least two high and the water drips from the topmost location to those underneath. The water may contact both the pallet and produce that is being stored on the pallets below.

The scenario described above is a food additive situation for the use of decabromodiphenyl ether as a component of plastic pallets. Decabromodiphenyl ether is not authorized for this use, and in order for it to be used in contact with food under the Federal Food Drug and Cosmetic Act, it must have pre-market approval.

If you have any further questions concerning this matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Sánchez Furukawa".

Elizabeth Sánchez Furukawa, Ph.D.
Consumer Safety Officer
Division of Food Contact Notifications, HFS-275
Office of Food Additive Safety
Center for Food Safety
and Applied Nutrition