

Feluy, November 3, 2022

EXAMPLE

STATEMENT OF COMPLIANCE FOR FOOD CONTACT APPLICATIONS IN EUROPE

1. Commission Regulation (EU) No 10/2011

We confirm that the above-mentioned Product fulfils the requirements on plastic materials and articles intended to come into contact with food as described in the Regulation (EU) No 10/2011 as amended up to the Regulation (EU) 2020/1245¹. The Product can be lawfully marketed and used in all member states².

1.1. Restrictions and/or migration limits:

This Product may contain intentionally added substances with specific migration limits and/or restrictions defined in Annex I of Regulation (EU) No 10/2011 as amended up to the Regulation (EU) 2020/1245: more information in section 2.

Experimental tests and/or theoretical calculation of migration carried out on the above-mentioned Product (or a specimen representative of this material) covering long term storage at room temperature or below, including when packaged under hot-fill conditions, and/or heating up to 70 °C for up to 2 hours, or heating up to 100°C for up to 15 minutes³ with simulants A, B and D2 (single use, polymer used at 100% and thickness up to 250 µm applying a surface to volume ratio of 6 dm² per kg of food⁴) have shown that the overall and if relevant the specific migration limit(s) - including those related to the metals of Annex II – were not exceeded.

For other specific conditions of use, not covered above, it pertains to downstream users to check by appropriate overall and/or specific migration tests on the final material or article the suitability for contact with different food-types and various end-use conditions. However, these are beyond the control of TotalEnergies OneTech Belgium and are a part of the responsibility of the user of the above-mentioned Product.

1.2. Dual use additive:

We inform you that the above-mentioned Product may contain substance(s) defined as dual use additive(s)⁵: more information in section 2.

1.3. NIAS:

TotalEnergies is aware of the legal requirements of Regulations (EC) No 1935/2004 and (EU) No 10/2011, namely materials and articles coming into contact with food shall be manufactured so that they do not transfer their constituents to food in quantities that could endanger human health or bring about unacceptable change to the composition of the food. It does include both constituents intentionally added and non-intentionally added substances (NIAS).

¹ To meet the requirements of Regulation (EU) 10/2011 Annex IV (6) we are continuously performing analytical tests and questioning our suppliers regarding the presence of targeted substances. This declaration has been established to the best of our knowledge and based on the available information at the time of edition of this document. A new document will be edited if a new evidence on the subject changes our statement.

² For some ingredients not harmonized in EU level, the mutual recognition principle could have been used.

³ For other temperature, you may use the formulation included in Table 3 of Chapter 3 of Regulation (EU) No 10/2011: T where $70\text{ °C} \leq T \leq 100\text{ °C}$ for a maximum of $t = 120/2^{\frac{(T-70)}{10}}$ minutes.

⁴ For the risk assessment, TotalEnergies uses an assumption that a 60 kg person may consume daily up to 1 kg of food in contact with the relevant food contact material. For the details, see EFSA Journal 2012;10(3):2579 (doi:10.2903/j.efsa.2012.2579).

⁵ As defined in article 11 (3) of Regulation (EU) No 10/2011.

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To the best of our knowledge and based on the information received from our suppliers, you will find in section 2 relevant information needed to establish your risk assessment under article 19 and Annex IV (6) of Regulation (EU) No 10/2011 as amended up to (EU) 2020/1245.

2. Relevant information required by Regulation (EU) No 10/2011

Substances under restriction as mentioned in the Regulation (EU) No 10/2011 Annex I, Annex II and/or Annex IV (6) ¹			
Substances	Maximal Residual Level (ppm)	FCM Reference No or CAS RN	Specific Migration Limit or Restriction (ppm)
1-hexene	75	356	3 (SML)
Acetaldehyde	Traces*	128	6 (SML(T)) Group 1**
Ethylene oxide	Traces*	129	ND (SML), 0.01 (DL) 1 (QM)***
Vinylidene fluoride	Traces*	132	5 (SML)
Propylene oxide	Traces*	135	ND (SML), 0.01 (DL) 1 (QM)***
4-tert-butylphenol	Traces*	186	0.05 (SML)
Diethyleneglycol	Traces*	263	30 (SML(T)) Group 2**
Hexafluoropropylene	Traces*	282	ND (SML), 0.01 (DL)***
2,6-di-tert-butyl-4-ethylphenol	Traces*	477	4.8 (SML)

* Non-Intentionally Added Substances – impurities, reaction products or others - with restrictions as mentioned in Commission Regulation (EU) No 10/2011 and/or national legislations may be present. The presence of these substances might depend on processing conditions. Therefore, we are not able to give a typical quantity of these substances occurring after processing of the polymer in your specific conditions of use. Some traces could be present in our resin, but to the best of our knowledge, theoretically, the restrictions would be met if the product is used in the conditions described in section 1.1. of this document.

** See Table 2 of Annex I of Regulation (EU) No 10/2011

*** QM stands for maximal residual quantity; ND for non-detectable; DL for detection limit; SML for Specific Migration Limit.

Dual Use Additives under restriction as listed in Regulations (EC) No 1333/2008 ⁶ and No 1334/2008 ⁷			
Substances	Maximal Residual Level (ppm)	FCM Reference No or CAS RN	Restriction in Food (ppm)
E 170 Calcium Carbonate	Traces*	21	70000
E 530 Magnesium oxide	Traces*	397	70000
E 553b Talc	Traces*	615	5400
E 1521 Polyethylene Glycol	Traces*	638	10000

⁶ REGULATION (EC) No 1333/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on food additives.

⁷ REGULATION (EC) No 1334/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods.

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* Non-Intentionally Added Substances – impurities, reaction products or others - with restrictions as mentioned in Commission Regulation (EU) No 10/2011 and/or national legislations may be present. The presence of these substances might depend on processing conditions. Therefore, we are not able to give a typical quantity of these substances occurring after processing of the polymer in your specific conditions of use. Some traces could be present in our resin, but to the best of our knowledge, theoretically, the restrictions would be met if the product is used in the conditions described in section 1.1. of this document.

3. Regulation (EC) No 1935/2004 of the European Parliament & of the Council (Framework Regulation)

We hereby confirm that the above-mentioned Product, when used in the conditions described in section 1.1 of this document, is expected to meet the relevant requirements laid down in Regulation (EC) No 1935/2004.

Moreover, we inform you that the organoleptic properties are influenced by the conditions of use i.e. temperature, type of packaged foodstuff, storage conditions. Consequently, the packaging must be controlled by the downstream user following the specific end-use conditions of use.

4. Commission Regulation (EC) No 2023/2006 (GMP)

We inform you that the production of the above-mentioned Product is systematically reviewed with regards to good manufacturing practice (GMP) using our ISO 9001 System and following the Plastics Europe guideline specifically dedicated to GMP.

Therefore, we can state that the above-mentioned Product meets the relevant requirements laid down in Commission Regulation (EC) No 2023/2006.

5. Business Operator

TotalEnergies Petrochemicals & Refining (For European countries, except France)
Rue de l'Industrie 52
1040 Bruxelles
Belgium

TotalEnergies Petrochemicals France (For France)
Place Jean Millier 2
92400 Courbevoie
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6. Business Operator issuing the Statement of Compliance

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DISCLAIMER:

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Our Statement of Compliance is only valid for as far as above-mentioned Product was bought from TotalEnergies or its distributor and does not cover:

- Any modification of the above-mentioned Product by any addition of any other product or ingredient to it;
- Any prejudicial modification of the above-mentioned Product resulting from a processing of it;
- An inadequate use and/or storage of the above-mentioned Product and/or of the finished articles.

Unless specifically indicated in a regulatory document, the products mentioned herein are not suitable for applications in the pharmaceutical or medical sector. Under no circumstances any products sold by TotalEnergies Refining & Chemicals are suitable for humans or animals in the following applications: (i) Implantable devices intended for human or animal body (ii) Devices intended to be used in contact with internal body fluids (iii) Devices intended to be used in contact with internal body tissues.

Information contained in this publication is true and accurate at the time of publication and to the best of our knowledge. The nominal values stated herein are obtained using laboratory test specimens. Before using one of the products mentioned herein, customers and other users should take all care in determining the suitability of such product for the intended use.

The Companies within TotalEnergies Refining & Chemicals do not accept any liability whatsoever arising from the use of this information or the use, application or processing of any product described herein. No information contained in this publication can be considered as a suggestion to infringe patents. The Companies disclaim any liability that may be claimed for infringement or alleged infringement of patents.

The present Statement of Compliance is valid for a period of 24 months starting from the date first above written and replaces any earlier Statement relating to this subject which should be considered null and void. Upon the expiration of this Statement, we can issue a new one at your request. In case of change during this period a new Statement will be issued automatically; kindly forward it to any recipient of the present Statement.

TotalEnergies OneTech Belgium, Regulatory Affairs

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