

# FOOD CONTACT

## BYK Regulatory Information

### AQUACER 497

Paraffin-based wax emulsion for aqueous coatings, printing inks as well as care products and polishes for improving water repellency and surface slip.

#### Summary

AQUACER 497 is suitable according to the following compositional provisions for food contact applications, as indicated:

Adhesives		
	Suitable for food contact adhesives	Yes
EU	Regulation (EU) No. 10/2011	Yes
	German BfR XIV 'Polymer Dispersions'	Yes
	German BfR XXXVI 'Paper and board for food contact'	Yes
	USA	21 CFR 175.105 'Adhesives'
China	GB9685-2016, table A.5 'Adhesives'	Yes
Coatings		
	Suitable for food contact coatings	Yes
EU	Regulation (EU) No. 10/2011	Yes
	German BfR XIV 'Polymer Dispersions'	Yes
	USA	21 CFR 175.300 'Resinous and polymeric coatings'
China	GB9685-2016, table A.2 'Coatings'	No
MERCOSUR	GMC Resolution n. 39/19	No
	GMC Resolution n. 02/12	No
Paper and paperboard		
	Suitable for food contact paper and paperboard	Yes
EU	Regulation (EU) No. 10/2011	Yes
	German BfR XXXVI 'Paper and paperboard in contact with food'	Yes
	USA	21 CFR 176.170 'Components of paper and paperboard in contact with aqueous and fatty foods'
21 CFR 176.180 'Components of paper and paperboard in contact with dry food'		Yes
China	GB9685-2016, table A.6 'Paper'	Yes

Printing inks		
Europe	Suitable for food contact printing inks	See explanation
	Swiss Ordinance 817.023.21, Annex 10	Yes
Industry	Nestlé Printing Inks for Food Packaging (07/04/2022)	See explanation
	EuPIA Exclusion List (March 2021)	See explanation
MOSH/MOAH	French Decree (13 April 2022)	Present

This summary only reflects conducted evaluations on existing regulations. It does not exclude compliant use in additional regions or applications. Explanations below show details on considered regulations and evaluations.

## Explanation

### Adhesives

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#### EU

##### **Regulation (EU) No. 10/2011**

The components of this product are either listed directly in Annex I – Table I of Regulation (EU) No. 10/2011 or are regulated by national legislation of a EU member state as Polymer Production Aid (PPA). Specific Migrations Limits and/or restrictions apply.

##### **German BfR XIV ‘Polymer Dispersions’**

The product complies with the compositional requirements of BfR XIV ‘Polymer Dispersions’.

##### **German BfR XXXVI ‘Paper and board for food contact’**

The product complies with the compositional requirements of BfR XXXVI ‘Paper and board for food contact’.

Therefore, the product can be recommended for use in food contact adhesives in the EU, with the exception of use in articles in contact with fatty foods for which simulant D is laid down.

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#### USA

##### **21 CFR 175.105 ‘Adhesives’**

The product can be used in compliance with the requirements of FDA 21 CFR 175.105. The components are covered under section 175.105.

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#### China

##### **GB9685-2016, table A.5 ‘Adhesives’**

The active components of the product are listed in GB9685-2016, table A.5 ‘Adhesives’ of the National Food Safety Standard of the People’s Republic of China, Standard for Uses of Additives in Food Contact Materials and Articles (GB9685-2016).

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## Coatings

### **EU**      **Regulation (EU) No. 10/2011**

The components of this product are either listed directly in Annex I – Table I of Regulation (EU) No. 10/2011 or are regulated by national legislation of a EU member state as Polymer Production Aid (PPA). Specific Migrations Limits and/or restrictions apply.

### **German BfR XIV ‘Polymer Dispersions’**

The product complies with the compositional requirements of BfR XIV ‘Polymer Dispersions’.

Therefore, the product can be recommended for use in food contact adhesives in the EU, with the exception of use in articles in contact with fatty foods for which simulant D is laid down.

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### **USA**      **21 CFR 175.300 ‘Resinous and polymeric coatings’**

The product cannot be used in compliance with the requirements of FDA 21 CFR 175.300. The components are not fully listed under section 175.300.

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### **China**      **GB9685-2016, table A.2 ‘Coatings’**

The product does not comply with table A.2 ‘Coatings’ of the National Food Safety Standard of the People’s Republic of China, Standard for Uses of Additives in Food Contact Materials and Articles (GB9685-2016).

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### **MERCOSUR**      **GMC Resolutions n. 39/19 & 02/12**

The product does not comply with the compositional requirements of MERCOSUR GMC Resolution n. 39/19 and MERCOSUR GMC Resolution n. 02/12.

Therefore the product is not authorized for use in food contact coatings.

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**Paper and paperboard**

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**EU**      **Regulation (EU) No. 10/2011**

The components of this product are either listed directly in Annex I – Table I of Regulation (EU) No. 10/2011 or are regulated by national legislation of a EU member state as Polymer Production Aid (PPA). Specific Migrations Limits and/or restrictions apply.

**German BfR XXXVI ‘Paper and paperboard in contact with food’**

The product is covered by the compositional requirements of BfR XXXVI ‘Paper and board for food contact’.

Therefore, the product can be recommended for use in food contact adhesives in the EU, with the exception of use in articles in contact with fatty foods for which simulant D is laid down.

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**USA**      **21 CFR 176.170 ‘Components of paper and paperboard in contact with aqueous and fatty foods’**

The product can be used in compliance with the requirements of FDA 21 CFR 176.170. The components are covered under section 176.170.

**21 CFR 176.180 ‘Components of paper and paperboard in contact with dry food’**

The product can be used in compliance with the requirements of FDA 21 CFR 176.180. The components are covered under section 176.180.

Therefore, the product can be recommended for paper and paperboard as described in 21 CFR 176.170 & 176.180.

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**China**      **GB9685-2016, table A.6 ‘Paper’**

The active components of the product are listed in table A.6 ‘Paper’ of the National Food Safety Standard of the People’s Republic of China, Standard for Uses of Additives in Food Contact Materials and Articles (GB9685-2016).

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## Printing inks

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### Europe **Swiss Ordinance 817.023.21, Annex 10**

This product is conform with the compositional requirements of the part for printing inks for packaging of the Swiss Ordinance 817.023.21 since all components are listed on the A-list in Annex 10. Specific migration limits apply.

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### Industry **Nestlé Printing Inks for Food Packaging (07/04/2022)**

According to the recipe, the product does not intentionally contain any of the substances listed in Table 5 – Table 8 of the Nestlé Printing Inks for Food Packaging (07/04/2022). The product contains MOSH and CMIT/MIT (3:1) [CAS no. 55965-84-9] (< 0.01 %), which itself is classified with the Hazard Statements given in Group A and B of the EuPIA Exclusion Policy, as mentioned under 4. 'General Nestlé Exclusions and Minimisations'.

### **EuPIA Exclusion List (March 2021)**

According to the recipe, none of the substances listed in Annex 1 (Group C – G) of the EuPIA Exclusion List (March 2021) are intentionally present. The product itself is not classified and labeled with any of the Hazard Statements given in Group A and B, although the product contains CMIT/MIT (3:1) [CAS no. 55965-84-9] (< 0.01 %), which itself is classified with the Hazard Statements given in Group A and B.

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### MOSH/MOAH **French Decree (13 April 2022)**

The French Decree of 13 April 2022 specifies substances contained in mineral oils whose use is prohibited on packaging and for printing intended for the public.

The following requirements are set:

Enforcement date 01.01.2023:

Mineral Oil Aromatic Hydrocarbons (MOAH):

Containing 1 to 7 aromatic rings:  $\leq 0,1\%$

Mineral Oil Saturated Hydrocarbons (MOSH):

Containing (C16 - C35 carbon atoms):  $\leq 1,0\%$

Enforcement date 01.01.2025:

Mineral Oil Aromatic Hydrocarbons (MOAH):

Containing 1 to 2 aromatic rings:  $\leq 0,1\%$

Containing 3 to 7 aromatic rings:  $\leq 1 \text{ ppm}$

Mineral Oil Saturated Hydrocarbons (MOSH):

Containing (C16 - C35 carbons atoms):  $\leq 0,1\%$

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According to the recipe, the product contains a wax according to the definitions set in the French Decree of 13 April 2022, in the following way: Mineral Oil Saturated Hydrocarbons containing (C16 - C35 carbon atoms): < 41%.

For you as a customer, this means that you can carry out your own food assessment of your product based on the provided amounts of MOSH/MOAH.

Please do not hesitate to contact us if you have any questions.

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## General Remarks

Regulations apply within the context of respective regional framework regulations, e.g. Regulation (EU) No. 1935/2004 and FDA 21 CFR 174.5. Since traces of unknown processing aids cannot be fully excluded, compliance with general requirements is the responsibility of the end user.

BYK reserves the right to change or update the information without notice. At most, this letter deems to be actual for three years commencing the date of issue.

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This issue replaces all previous versions - Printed in Germany.