

# FOOD CONTACT

## BYK Regulatory Information

### BYK-354

Polyacrylate-based surface additive for solvent-borne and solvent-free coatings, for UV-curing printing inks and overprint varnishes and ambient curing plastic systems. Standard leveling additive with a deaerating effect.

#### Summary

BYK-354 is suitable according to the following compositional provisions for food contact applications, as indicated:

Coatings		
Europe	Suitable for food contact coatings	Yes
	Regulation (EU) No. 10/2011	Yes
	German BfR XIV 'Polymer Dispersions'	Yes
	CoE ResAP (2004) 1	Yes
USA	21 CFR 175.300 'Resinous and polymeric coatings'	Yes
China	GB9685-2016, table A.2 'Coatings'	No
MERCOSUR	GMC Resolution n. 39/19	No
	GMC Resolution n. 02/12	No
Printing inks		
Europe	Suitable for food contact printing inks	Yes
	Swiss Ordinance 817.023.21, Annex 10	Yes
	Nestlé Guidance Note on Packaging Inks (Oct. '18)	Yes
Industry	EuPIA Exclusion List (November 2016 - Corrigendum Dec. 2018)	Yes

Solvents and other formulation aids are not covered by the food contact status.

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

### Coatings

#### Europe

##### **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 Migration Limits and/or restrictions apply.

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

The product is conform with the compositional requirements of BfR-Recommendation XIV ‘Polymer Dispersions’.

##### **CoE ResAP (2004) 1**

The product is conform with the compositional requirements of the Council of Europe Framework Resolution ResAP (2004) 1 on coatings intended to come into contact with foodstuffs.

In summary, the product can be recommended for food contact coating applications in the Europe.

Solvents and other formulation aids are not covered by the food contact status.

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#### USA

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

The product complies with the compositional requirements of 21 CFR Sec. 175.300.

Solvents and other formulation aids are not covered by the food contact status.

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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 & n. 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 coatings.

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## Printing inks

### **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 (Version of 1 December 2020) since all components are listed in Annex 10. Specific migration limits apply.

Therefore, the product can be recommended for use in food contact printing inks in Europe.

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### **Industry**     **Nestlé Guidance Note on Packaging Inks (Oct. '18)**

According to the recipe, the product does not contain any of the substances listed in Table 1 – Table 7 of the Nestlé Guidance note on Packaging Inks (dated October 2018).

### **EuPIA Exclusion List (November 2016 - Corrigendum Dec. 2018)**

According to the recipe, none of the substances listed in Annex 1 (Group C – G) of the EuPIA Exclusion List (November 2016 - Corrigendum Dec. 2018) are present. The product itself is not classified and labeled with any of the Hazard Statements given in Group A and B.

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## Solvents

The product contains a significant amount of solvents [with a boiling range from 140 °C – 200°C] (please see SDS for more information). Solvents are currently not regulated by food contact positive lists as it is assumed that solvents evaporate from the finished product so that only residues or traces of no toxicological concern should remain. Evaporation needs to be monitored by the manufacturer of the final product. Article 3 of the Framework Regulation (EC) 1935/2004 should be fulfilled.

## 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.*

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