

FOOD CONTACT

BYK Regulatory Information

BYK-359

Polyacrylate-based surface additive for solvent-borne and solvent-free coatings and powder coatings to improve leveling with a degassing effect. It is preferably used in industrial coatings and can coatings.

Summary

BYK-359 is suitable according to the following compositional provisions for food contact applications, as indicated:

Coatings		
EU	Suitable for food contact coatings	Yes
	Regulation (EU) No. 10/2011	No
	CoE ResAP (2004) 1	Yes
USA	21 CFR 175.300 'Resinous and polymeric coatings'	Yes
China	GB9685-2016, table A.2 'Coatings'	Yes
MERCOSUR	GMC Resolution n. 39/19	Yes
	GMC Resolution n. 02/12	Yes

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	
EU	<p><u>Regulation (EU) No. 10/2011</u></p> <p>The active component is a polyacrylate and manufactured using monomers which are fully evaluated as SCF-list 0-4 and directly listed in Annex I – Table I of COMMISSION REGULATION (EU) No. 10/2011 of 14 January 2011 (PIM) on plastic materials and articles intended to come into contact with food. Specific Migration Limits apply.</p> <p>The active component as such is not listed as a “polymeric additive” in a.m. REG. (EU) No. 10/2011 (PIM) (as amended), however the polymeric additive is identical to a polymer that can form the main structural component of a plastic material and therefore the risk from the polymeric additive can be regarded as evaluated as the monomers have already been evaluated and authorized (REG. (EU) No. 10/2011; Art. 6 No. (3) c.)).</p> <p><u>CoE ResAP (2004) 1</u></p> <p>For this product, either the components themselves or the monomers and starting substances used for manufacturing are listed in the CEPE</p>

'Code of practice for food contact coatings', Edition 4, Version Feb. 2009.

Therefore, the product can be recommended in food contact coatings in the EU.

USA **21 CFR 175.300 'Resinous and polymeric coatings'**

The active compound is listed in Sec. 175.300 of the Title 21 CFR (FDA) Regulations for indirect food additives.

Therefore, the product can be recommended for use in food contact coatings in regards to Sec. 175.300.

China **GB9685-2016, table A.2 'Coatings'**

The active compound is listed in GB9685-2016, table A.2 'Coatings'.

MERCOSUR **GMC Res. n. 39/19 & n. 02/12**

The product is authorized for use under MERCOSUR GMC Resolution n. 39/19 and MERCOSUR GMC Resolution n. 02/12. Specific Migration Limits and/or restrictions apply.

Therefore, the product can be recommended for use in food contact coatings in MERCOSUR member states.

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.

Food Contact Team
Regulatory Affairs
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This issue replaces all previous versions - Printed in Germany.

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