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November 24, 1969

To: All Members of the SPI Food, Drug
and Cosmetics Packaging Materials
Committee

Gentlemen:

Firstly, this is to apologize to you for a secretarial error we made in sending you our November 14 communication. In that letter, we indicated that we were enclosing copies of material we had received from the British Plastics Federation relative to its newly published volume entitled "Plastics for Food Applications --Code of Practice for Safety in Use." Unfortunately, the descriptive material and order blank were omitted from our mailing. We are remedying this error by sending you the material herewith. Let me also take this opportunity to thank those of you who called the omission to our attention.

Since our November 14 letter was written, and with further reference to our November 10 communication, we have now received our supply of the Food Protection Committee-Food and Nutrition Board National Academy of Sciences-National Research Council report entitled "Guidelines for Estimating Toxicologically Insignificant Levels of Chemicals in Food." In accordance with our earlier promise, therefore, a copy of this document is also enclosed with each copy of this letter.

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We now understand that there is at least some chance that the Food and Drug Administration will be making comments, or raising some questions, for the Food Protection Committee concerning the report. The indications we have received are quite vague, and are really unconfirmed, but we get the impression that FDA is now most reluctant to move ahead with any sort of blanket substance type relaxation of its present food additive regulatory scheme in light of the climate created by the cyclamates and monosodium glutamate developments. These developments have, as has been pointed out earlier, given rise to much cynicism about blanket exemptions of any kind so the impact is being felt in a widening area. Just to show you how great the impact is, one of our good friends at FDA last week indicated to me that he thought FDA should move back to a system of giving individual proprietary clearances (such as is still the USDA approach), and should perhaps give up the whole concept of trying to clear substances by broad regulations.

I assure you that I did not comment one way or the other on this idea. I must say, however, that I have long felt this to be an approach worthy of more consideration. Indeed, I believe I implied as much as long ago as 1966 when I presented my American Chemical Society paper entitled "The Packaging Industries and the Food Additives Amendment of 1958--It's Time for a Change in the Law."

In any event, I think it is fair to say that we are now in a posture where we cannot expect truly immediate progress on the long anticipated action to publish an amendment to section 121.2500 of the Food Additive Regulations. All of the information we have tends to indicate that FDA will be rethinking the matter, at least to some degree, and that further negotiations between FDA and the Food Protection Committee relative to its report are a likely prelude to additional developments.

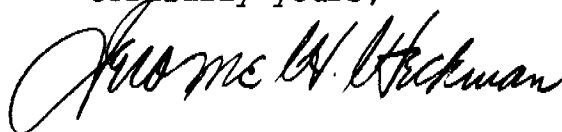
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I do caution you to understand that the information I am attempting to convey is quite "iffy" so please do not give it undue importance. We shall continue to "keep our ear to the ground" so that we can pass on any information that we receive.

Finally, and with apologies for making this letter of the "omnibus" variety, I thought I would also use this opportunity to supply each of you with copies of the invitation and program announcement we have now received concerning the Thirteenth Joint Educational Conference sponsored by the Food and Drug Law Institute and the Food and Drug Administration. These conferences are open to any who desire to attend. If you wish to be present, all that you really need to do is to come to the meetings and register then. Many do register in advance, but this is optional.

We hope you will find the information supplied in this letter of interest. If you have any questions or comments after reviewing the foregoing please, do not hesitate to let us know.

Cordially yours,

A handwritten signature in dark ink, appearing to read "Jerome W. Hickman". The signature is fluid and cursive, with the first name "Jerome" being more prominent and the last name "Hickman" following in a similar style.

Enclosures