



## **Declaration of Compliance acc. to article 15 and annex IV of Regulation (EU) no. 10/2011**

This document is a Declaration of Conformity within the meaning of Regulation (EU) No. 10/2011 on plastic materials and articles intended to come into contact with food.

### **Company issuing the declaration in its role as importer or wholesaler or distributor**

Nette GmbH  
Elliehäuser Weg 7-11  
D-37079 Göttingen  
Germany  
[www.nette-deutschland.de](http://www.nette-deutschland.de)

### **Product: CIRC NETTE MEHRWEG made of Polypropylene Homopolymer, furthermore „Product“**

#### **Product articles:**

- To-Go Cup 0,2l colours: slate grey, cream white,  
To-Go Cup 0,3l colours: slate grey, cream white, pigeon blue,  
To-Go Cup 0,4l colours: slate grey, cream white, rosé,  
one lid for all To-Go-Cups, colour: slate grey tinted,
- Multi Cup, all sizes, colours: cream white, slate grey, garnet red, including flat lid  
highly transparent
- Food Bowl 750 ml, colours: cream white, slate grey, avocado green, including high lid  
Ø171 highly transparent  
Food Bowl 1200 ml, colours: cream white, slate grey, avocado green, including high  
lid Ø211 highly transparent
- Lunch box, 1 compartment, colours: cream white, slate grey, avocado green,  
Lunch box, 2 compartments, colours: cream white, slate grey, avocado green, garnet  
red  
Lunch box, 3 compartments, , colours: cream white, slate grey, avocado green,  
including corresponding high lid highly transparent,
- Burger Box M and Burger Box XL with hinged lid, colours: cream white, slate grey,  
garnet red
- Mulled Wine Cup 0,2l transparent garnet red frosted, with fill mark, including lid slate  
grey tinted,
- Snack Tray M and Snack Tray XL, colours: slate grey, garnet red



Page -2-

**Date of the declaration:**  
16.05.2024 – Version 3B

We confirm that the “Product” has been manufactured with authorized substances listed in the Union list in Annex I of the Regulation (EU) no. 10/2011.

The „Product“ is compliant to:

- Articles 3, 11(5), 15 und 17 of Regulation (EC) no. 1935/2004 – Frame Work Regulation
- Regulation (EC) no. 2023/2006 – Good Manufacturing Practice,
- Regulation (EU) No. 10/2011 in its consolidated version, **including Regulation (EU) no. 2023/1627 of 10.08.2023,**
- Directive (EC) No. 94/62 on packaging and packaging waste
- Regulation of Swiss EDI no. 817.023.21 of materials and articles intended to come into contact with food,
- Resolution AP(89)1 on the use of colourants in plastic materials coming into contact with food,
- EN 13429:2004 - Packaging – Reuse,
- EN 13430:2004 – Requirements for packaging recoverable by material recycling,
- EN 13431:2004 - Requirements for packaging recoverable in the form of energy recovery, including specification of minimum inferior calorific value
- The used polypropylene is compliant to US-FDA 21. CFR 177.1520 (a)(3)(i) und (c)3.2a for Olefin Polymers.

**Determination of NLS and NIAS and risk assessment acc. to Art. 19 of Regulation (EU) no. 10/2011**

In order to determine

- intentionally added substances, not-listed in the Union list of Regulation (EU) no. 10/2011 (NLS) and
- not-intentionally added substances (NIAS)

Nette GmbH have performed a screening 10 days at 60°C in 95% v/v ethanol followed by a risk assessment acc. to Article 19 of Regulation (EU) no. 10/2011.



Page -3-

**Results of the screening after the third migration and of risk assessment:**

| Substance                                                                 | CAS no.    | max. migration<br>during<br>screening<br>in mg/kg food | type of<br>substance | Restriction<br>in mg/kg food |
|---------------------------------------------------------------------------|------------|--------------------------------------------------------|----------------------|------------------------------|
| n-Hexadecanoic acid                                                       | 57-10-3    | 0,09                                                   | FCM no. 105          | 60                           |
| Irgafos 168                                                               | 31570-04-4 | 0,45                                                   | FCM no. 671          | 60                           |
| Irgafos 168 ox                                                            | 95906-11-9 | 0,20                                                   | NIAS                 | 60                           |
| Octadecanoic acid                                                         | 57-11-4    | 0,11                                                   | FCM no. 106          | 60                           |
| 2-4-Di-tert-Butylphenol                                                   | 96-76-4    | 0,01                                                   | CH-ID no. 248        | 1 [1]                        |
| 1-Tetradecanamine, N,N-dimethyl-                                          | 112-75-4   | 0,08                                                   | CH-ID no. 590        | 10 [2]                       |
| Ethyl palmitate                                                           | 628-97-7   | 0,07                                                   | FCM no. 879          | 60                           |
| Benzenepropanoic acid, 3,5-bis(1,1-dimethylethyl)-4-hydroxy-, ethyl ester | 36294-24-3 | 0,06                                                   | NIAS                 | 0,1 [1]                      |
| Ethyl stearate                                                            | 111-61-5   | 0,07                                                   | FCM no. 879          | 60                           |
| Monopalmitin isomer                                                       | 23470-00-0 | 0,19                                                   | FCM no. 9            | 60                           |
| Monostearin isomer                                                        | 123-94-4   | 0,16                                                   | FCM no. 9            | 60                           |
| Benzyl stearate                                                           | 5531-65-7  | 0,01                                                   | NIAS                 | 1,8 [3]                      |
| Branched/aliphatic hydrocarbons                                           |            | 3,87                                                   | oligomers            | Covered by monomer propene   |

[1] self-derived SML via NOAEL, [2] self-derived SML via NOEL, [3] Cramer Class I

Assuming the default assumption of a body weight of 60 kg the consumption of more than 10 kg of food per day can be considered as safe.

**Overall migration for reuse application**

We confirm that the Overall Migration Limit OML acc. to Art. 12 of Regulation (EU) No. 10/2011 of 10 mg/dm<sup>2</sup> is being met for reuse application (Annex V of Regulation 10/2011, no. 3.3.2.), e. g. overall migration is stable.

Test conditions for To-Go Cup, Multi Cup, all colours, including lids, Mulled Wine Cup, Snack Tray M, XL, all colours:

OM3

2 hours at 70°C with 3 % w/v acetic acid

2 hours at 60°C with ethanol 95% v/v

30 minutes at 40°C with isooctane

Page -4-

### Results

for To-Go Cup and Multi Cup, all colours, including lids

| Parameter       | Unit               | 1 <sup>st</sup> Migration Result | 2 <sup>nd</sup> Migration Result | 3 <sup>rd</sup> Migration Result | Limit |
|-----------------|--------------------|----------------------------------|----------------------------------|----------------------------------|-------|
| Acetic acid 3 % | mg/dm <sup>2</sup> | 3                                | 2                                | <2                               | 10    |
| Ethanol 95 %    | mg/dm <sup>2</sup> | <2                               | <2                               | <2                               | 10    |
| Isooctane       | mg/dm <sup>2</sup> | <2                               | <2                               | <2                               | 10    |

### Results

for Mulled Wine Cup and Snack Tray M, XL, all colours

| Parameter       | Unit               | RL | 1 <sup>st</sup> Migration Result | 2 <sup>nd</sup> Migration Result | 3 <sup>rd</sup> Migration Result | Limit |
|-----------------|--------------------|----|----------------------------------|----------------------------------|----------------------------------|-------|
| Acetic acid 3 % | mg/dm <sup>2</sup> | 2  | 2.4                              | <RL                              | <RL                              | 10    |
| Ethanol 95 %    | mg/dm <sup>2</sup> | 2  | <RL                              | <RL                              | <RL                              | 10    |
| Isooctane       | mg/dm <sup>2</sup> | 2  | 2.5                              | 2.0                              | <RL                              | 10    |

Test conditions for Food Bowl, Lunch Box, Burger Box M, XL, all colours including lids:  
OM2

10 days at 40°C with 3 % w/v acetic acid

10 days at 40°C with ethanol 95% v/v

2 days at 20°C with isooctane

### Results

für Food Bowl, all colours including lids

| Parameter       | Unit               | 1 <sup>st</sup> Migration Result | 2 <sup>nd</sup> Migration Result | 3 <sup>rd</sup> Migration Result | Limit |
|-----------------|--------------------|----------------------------------|----------------------------------|----------------------------------|-------|
| Acetic acid 3 % | mg/dm <sup>2</sup> | 2                                | <2                               | <2                               | 10    |
| Ethanol 95 %    | mg/dm <sup>2</sup> | 3                                | <2                               | <2                               | 10    |
| Isooctane       | mg/dm <sup>2</sup> | 3                                | 2                                | 2                                | 10    |

### Results

for Lunch Box and Burger Box M, XL, all colours including lids

| Parameter       | Unit               | 1 <sup>st</sup> Migration Result | 2 <sup>nd</sup> Migration Result | 3 <sup>rd</sup> Migration Result | Limit |
|-----------------|--------------------|----------------------------------|----------------------------------|----------------------------------|-------|
| Acetic acid 3 % | mg/dm <sup>2</sup> | 2                                | <2                               | <2                               | 10    |
| Ethanol 95 %    | mg/dm <sup>2</sup> | <2                               | <2                               | <2                               | 10    |
| Isooctane       | mg/dm <sup>2</sup> | 4                                | 2                                | <2                               | 10    |



Page -5-

### **Organoleptic characteristics – smell and taste**

The „Product“ is not leading to perceptible deviations in smelling or tasting of food.

Test conditions (ISO 13302) in water:

To-Go-Cups, Multi Cup, Snack Tray, Mulled Wine Cup: 2h, 70°C

Food Bowl: 2h, 70°C + 24h, 40°C

Lunch Box, Burger Box: 2h, 70°C + 3d, 40°C

Results for the „Product“: no identifiable smell/taste (grade 0)

In consideration of this, we wish to point out as a precaution that it could come to noticeable deviations of smelling/tasting after multiple using with food.

### **Colour Resistance**

The „Product“ does not release any colour to food.

Test conditions: Resolution AP(89)1, tested with water, 3 % w/v acetic acid, ethanol 50% v/v, vegetable oil, for all articles.

### **Substances with Specific Migration Limit SML oder SML(T)**

The „Product“ is not containing intentionally added substances with restrictions in Annex I of Regulation (EU) no. 10/2011.

### **Metals**

The „Product“ is not containing intentionally added substances with restrictions in Annex II of Regulation (EU) no. 10/2011.

Test conditions: Metal Screening with 3 % w/v acetic acid,

To-Go-Cup, Multi Cup, Snack Tray, Mulled Win Cup: 2h, 70°C

Food Bowl: 2h, 70°C + 24h, 40°C

Lunch Box, Burger Box: 2h, 70°C + 3d, 40°C

The detection limits of the metals listed in Annex II were not exceeded.

### **Substances with Dual Use**

The polypropylene homopolymer used is not containing any Dual Use substance acc. to Regulation (EC) no. 1333/2008 or Regulation (EC) no. 1334/2008.

The colorants used may contain titanium dioxide (E171).



Page -6-

## Specification on the use of the “Product”.

### To-Go Cup, Mulled Wine Cup, Snack Tray

All kinds of food.

Any food contact conditions that include hot-fill and/or heating up to a temperature of 70°C lasting a maximum of 2 hours or 100°C with a maximum of 15 minutes, which are not followed by long-term room temperature or refrigerated storage.

Microwave safe.

Dishwasher-safe.

### Multi Cup, Food Bowl, Lunch Box, Burger Box

All kinds of food.

Any long-term storage at room temperature or below, including when packaged under hot-fill conditions, and/or heating up to a temperature of 70°C lasting a maximum of 2 hours or 100°C with a maximum of 15 minutes.

Microwave safe. **However, do not zap pure fat or chocolate glazing in the microwave.**

Dishwasher-safe.

Suitable for freezer.

The submission of this declaration serves to fulfill the obligation under Regulation (EU) No 10/2011 and does not constitute a warranty and/or guarantee for the product characteristics. The declaration for the “Product” is valid for member states of EU, for UK, Norway, Iceland, Liechtenstein and for Switzerland.

Nette GmbH have the obligation to issue a new declaration of conformity as soon as

- there has been a change of material characteristics of the “Product” or
- there are new results of migration testing or
- there has been a change in our manufacturing process or
- there are new legal rules or scientific principles available.

Changes/additions compared to version 2 are marked in **colour**.



Page -7-

A declaration of compliance is mandatory for the distributor. Acc. to Article 16 of Regulation (EU) no. 10/2011 supporting documents including results of migration testing will be available only to our national competent authorities on request.

If you have any question, please contact Nette GmbH, [www.nette-deutschland.de](http://www.nette-deutschland.de) .

Göttingen, 16.05.2024

Signature