



April 21, 2009

Michael S. Harvey  
Enviro Tech Chemical Services, Inc.  
500 Winmoore Way  
Modesto, CA 95358

Re: Food Contact Substance Notification FCN 000879

Dear Mr. Harvey:

This is in reference to your notification for the food contact substance and use described as follows:

Food Contact Substance

An aqueous mixture of peroxyacetic acid (CAS Reg. No. 79-21-0), hydrogen peroxide (CAS Reg. No. 7722-84-1), acetic acid (CAS Reg. No. 64-19-7), and optionally sulfuric acid (CAS Reg. No. 7664-93-9).

Notifier

Enviro Tech Chemical Services, Inc.

Manufacturer/Supplier

Enviro Tech Chemical Services, Inc.

Intended Use

As an antimicrobial additive to raw whey used in the production of whey protein concentrate.

Limitations/Specifications

Not to exceed 15 parts per million of peroxyacetic acid, and 67 parts per million of hydrogen peroxide in the raw whey solution.

This is to inform you that as of May 15, 2009, FCN 000879 will become effective. It will be added to the list of effective notifications for food contact substances available on the agency's internet site in the *Ingredients and Packaging* section under the *Food* topic of [www.fda.gov](http://www.fda.gov).

The agency has determined that allowing this notification to become effective will not have a significant impact on the quality of the human environment and therefore an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, will be publicly available after the effective date of the notification.

This effective notification is applicable only to aqueous mixtures of peroxyacetic acid, hydrogen peroxide, acetic acid, and optionally sulfuric acid manufactured by Enviro Tech Chemical

Services, Inc. and is limited to the use of the food contact substance identified above. You should inform the agency of any modification in the food-contact substance limitations/specifications given in the notification or of any alteration in the manufacturing process that would result in a change in the impurities in the food-contact substance. Such changes may require submission of a new notification.

The existence of an effective notification for a food contact substance does not relieve use of the subject substance from compliance with any other provision of the Federal Food, Drug, and Cosmetic Act or with 21 CFR §174.5 General provisions applicable to indirect food additives. For example, in accordance with section 402(a)(3) of the Act, use of the food contact substance should not impart odor or taste to food rendering it unfit for human consumption.

If new data or information become available to FDA demonstrating that the intended use of the food contact substance is no longer safe, the agency will inform you of its determination that the intended use of the food contact substance is no longer safe. In addition, if you become aware of data that raise questions about the safety of the intended use of the food contact substance, you should notify the agency immediately and be prepared to supply data necessary to resolve the questions.

If you have any further questions concerning this matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Hepp", written in a cursive style.

Mark Hepp  
Division of Food Contact Notifications, HFS-275  
Office of Food Additive Safety  
Center for Food Safety  
and Applied Nutrition