

# Do the coatings you use comply with Federal food-contact regulations?

## Are you sure?

There is no small amount of confusion regarding rules covering items that come into contact with food, which include non-stick (and other similar) coatings.

### What you should know

The most important regulatory agency in the United States is the Federal Food and Drug Administration (FDA). Its rules (which regulate coatings) are published in the Code of Federal Regulations (CFR).

The most widely known regulation is CFR 21 175.300, which lists components that are acceptable. It also includes a series of water, alcohol and solvent extraction tests that must be passed by all materials that come into contact with food.

What is not known by most industry participants are the rules governing the solvent extraction limits. For example, it is not enough only to meet the extraction minimums. These must be met with the *exact materials* described in the relevant CFR Regulation.

For example, there are specific black pigments that are acceptable but, more important, most black pigments are *not* acceptable. Similar restrictions are listed for other raw materials used in coatings. Some com-

pounds are limited as to the amount any food-contact coating can contain. Frequently, these food-safe components are more expensive than similar non-compliant materials.

### No FDA approval

Many do not realize that the FDA does not “approve” food-contact materials. These regulations are to be observed by the coating formulators — the FDA does not normally police them.

Further, a coating cannot be said to comply with FDA Regulations unless both the extraction data *and* the composition meet the standards of the regulations. If it does, it is said to be “compliant” with the FDA requirements. Not “approved”, but “compliant”.

Whitford’s experience has shown that the

FDA standards are sometimes not complied with by coating manufacturers. And sometimes they are overlooked, due to external pressure to keep costs as low as possible.

### The NSF

Commercial applications of food-contact materials must have the National Sanitation Foundation (NSF) seal of acceptability. The NSF, located in Ann Arbor, MI, tests and certifies many



The Code of Federal Regulations book #21 delineates the rules for food-contact materials.

hundreds of products used in Interstate Commerce, which include the various pieces of cookware and institutional appliances used in the United States.

Many of Whitford's customers (such as Meyer, Nordic Ware, Tramontina) also demand NSF certification of all materials used in their products as a way of assuring themselves and their customers that the final product meets the appropriate regulations.

As part of the certification process, we must supply the NSF with the entire list of ingredients and the specific amounts used in each coating (primer, mid- and topcoat).

If a desired ingredient is not specifically listed, Whitford consults Keller and Heckman (a Washington, DC, law firm specializing in FDA matters) to obtain an opinion on the ingredient's acceptability, which is passed on to the NSF. K&H is well known in the industry and can obtain proprietary data directly from raw-material suppliers, which relieves Whitford of requesting data that we do not need and the supplier is reluctant to surrender.

Once a Whitford formula has been accepted by the NSF, we can use it time and again with no obligation other than to inform the NSF that we are using it as part a customer's product line — and it has automatic NSF approval.

As of this writing, we have well over 100 approved formulae that our chemists can work from

without additional work from the Regulatory department. And this is an on-going process, so the list of FDA-compliant and NSF-certified coatings will continue to grow.

### **In summary**

FDA-compliant means:

1. The coatings pass the solvent extraction tests listed in CFR 21 175.300.
2. They contain no heavy metals.
3. All coating components conform to the materials listed by the FDA.

NSF-certified means:

1. The coating meets the requirements of the FDA.
2. Each ingredient used has passed NSF inspection.

Whitford believes that NSF certification is more reliable than self-regulated FDA compliance, since the third-party NSF testing removes the possibility of any conflict of interest on the part of the coating manufacturer.

Whitford's program of strict regulatory compliance includes the entire world. All our food-contact coatings, wherever they are made, comply with the all the regulations of all the countries in which they are sold.

For more information, please contact your Whitford representative or Whitford directly at [sales@whitfordww.com](mailto:sales@whitfordww.com) or our website: [whitfordww.com](http://whitfordww.com).

# **Whitford**

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