

Leprino Foods: No Polydimethylsiloxane in Pizza Cheese

by Pete Hardin

Leprino Foods senior vice president for marketing and sales, Robert D. Boynton, has asserted that his company is not using polydimethylsiloxane in the manufacture of Leprino's "Pizza Cheese" sold to Pizza Hut. Boynton's assertion was made in a terse, February 17, 2006 letter sent to *The Milkweed*. The entire letter is reprinted on this page.

Boynton's letter was written in response to an article appearing in the February 2006 issue titled, "Clean Up Pizza Hut's Silicone-Laden Cheese!"

Boynton claims that Leprino is not using polydimethylsiloxane in "Pizza Cheese" produced under U.S. Patent #4,894,245. Boynton claims that the 18-year old patent (issued to Leprino Foods), which is listed on boxes of "Pizza Cheese", is not relevant.

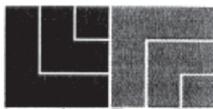
"Your false statements appear to be based on your reading of an eighteen year old Leprino patent, and a factually baseless leap to the conclusion that Leprino must practice every facet of any patent ever granted to it," Boynton's letter steamed.

Boynton implicitly threatened legal action by Leprino if *The Milkweed* did not act in a manner considered appropriate to Leprino Foods.

Boynton's letter did not acknowledge or deny prior use by Leprino Foods of polydimethylsiloxane in manufacture of its "Pizza Cheese." Based upon what further information *The Milkweed* has gleaned about polydimethylsiloxane, it is good that Leprino Foods is not presently using that chemical in its "Pizza Cheese". (See accompanying article.)

Thus, we may conclude that Pizza Hut's "Pizza Cheese" has been cleaned up.

Therefore, any consumer concerns about polydimethylsiloxane in foods should not be directed at Pizza Hut. Instead, concerns should be directed at the FDA, which has approved use of that chemical in food.



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February 17, 2006

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Re: Milkweed Articles Relating to Leprino Foods Company

Dear Mr. Hardin:

Unfortunately, and not for the first time, *The Milkweed* has made incorrect, false and misleading statements about cheese manufactured by Leprino Foods - this time in an article in its February 2006 issue.

The inaccurate, indeed, libelous implication of your article is that Leprino is selling, and its customers are using, a cheese that is somehow adulterated and therefore illegal and unsafe. This is patently false. All cheese produced by Leprino fully complies with applicable FDA regulations.

Your false statements appear to be based on your reading of an eighteen year old Leprino patent, and a factually baseless leap to the conclusion that Leprino must practice every facet of any patent ever granted to it. As you know, many practices are often claimed in patents, but not necessarily utilized commercially. In point of fact, Leprino Foods does *not* practice that portion of the patent on which you rely for your misleading, false and unfounded claims.

As a significant commercial purchaser of milk in the United States for cheese production, we care passionately about the U.S. dairy industry - dairy farmers, processors and consumers - and are keen on all of us having only the most accurate information possible about our important industry.

Since "accurate information" is something in which your article is sorely lacking, your "call to action" is irresponsible in the extreme, and is based upon demonstrably false information. You might want to reconsider your "call to action" as such irresponsibility would inevitably cause unwarranted damages to Leprino - not to mention its customers. It might be worth consulting with your attorneys about the severe ramifications of publishing statements known not to be true.

Based on your future conduct, we will determine what, if any, further action may be warranted on our part.

Sincerely,

Robert D. Boynton

FDA Approved Polydimethylsiloxane in Foods in 1998

Chemical forms formaldehyde (a carcinogen) under heat

by Pete Hardin

An administrative decision by the federal Food and Drug Administration, published in the *Federal Register* on December 24, 1998, approved use of polydimethylsiloxane in human foods (except milk). The FDA decision was approved five years after a request by Dow Corning—a manufacturer of polydimethylsiloxane—had formally sought approval.

Polydimethylsiloxane—when subjected to higher temperatures—degrades into compounds that include Formaldehyde, which is a widely recognized cancer-causing substance.

Ironically, that same December 24, 1998 FDA decision on allowing use of polydimethylsiloxane in human foods, allows direct use of Formaldehyde (at a concentration not exceeding one percent of the weight of the polydimethylsiloxane) as a "preservative agent in defoaming agents containing dimethylpolysiloxane..." In other words, FDA rules allow use of a known cancer-causing agent (Formaldehyde) to "preserve" polydimethylsiloxane, which itself breaks down into Formaldehyde!

Despite the fact that FDA administratively approved use of that silicone-based chemical in foods, polydimethylsiloxane is NOT listed as an approved substance for inclusion in foods under FDA's "Generally Recognized As Safe" (GRAS) food guidelines.

Polydimethylsiloxane is apparently used in processing a wide variety of human foods.

FDA's permitting use of polydimethylsiloxane in human foods limits the presence to 10 parts per million. Here's the exact FDA language from the December 24, 1998 decision:

"Limitations

"10 parts per million in food or at such level in a concentrated food that when prepared as directed on the labels, the food in its ready-for-consumption state will have not more than 10 parts per million except as following: Zero in milk; 110 parts per million in dry gelatin dessert mixes labeled for use whereby no more than 16 parts per million is present in the ready-to-serve dessert; 250 parts per million in salt labeled for cooking purposes, whereby no more than 10 parts per million is present in the cooked food."

FDA's decision was published under Title 21, Section 173.340 (Defoaming agents) of the agency's food safety codes. The FDA decision specifies that use of polydimethylsiloxane must include:

"(1) Substances generally recognized by qualified experts as safe in food or covered by prior sanctions for the use prescribed by this section."

That language from FDA literally flips the determination on safety to the user.

Under heat, degrades into Formaldehyde

GE Silicones of Waterford, New York produced a September 1999 paper titled, "Regarding the Evolution of Formaldehyde from Polydimethylsiloxanes." The paper noted that the federal Occupational Health and Safety Administration has set regulations for formaldehyde "and materials capable of releasing formaldehyde into the air, under reasonably foreseeable conditions of use, at concentrations reaching or exceeding 0.1 parts per million."

GE Silicones' paper analyses data showing that formaldehyde is released from polydimethylsiloxanes in increasing quantities, as temperatures increase. The paper concludes: "One can conclude that there is very little formaldehyde evolved until about 200 de-

grees C (392 degrees F)." An accompanying chart details how dramatically larger amounts of Formaldehyde are released from Polydimethylsiloxane at temperatures at and above 250 degrees Centigrade (482 degrees Fahrenheit).

The GE Silicones paper advised that the firm cannot give assurances that release of Formaldehyde (from polydimethylsiloxanes) will comply with OSHA guidelines. GE Silicone's policy encourages monitoring by a trained environmental health specialist if there is a concern.

A "Material Safety Data Sheet" (G-9030) produced by NuSil Technology (Carpinteria, California) warns firefighters of "unusual fire and explosion hazards" regarding polydimethylsiloxane, "... which can generate formaldehyde as a byproduct of oxidative thermal decomposition at temperatures greater than 150 degrees C (300 degrees F).

NuSil's "Material Safety Data Sheet" notes: "Formaldehyde is a potential carcinogen."

Green Media Toolshed details Formaldehyde

"Scorecard"—described as "The Pollution Information Site"—details the following information about Formaldehyde.

Formaldehyde is listed as a carcinogen. Formaldehyde is also listed as a suspected: gastrointestinal or liver toxicant, immunotoxicant, neurotoxicant, reproductive toxicant, respiratory toxicant, skin or sense organ toxicant

Formaldehyde, that Web site notes, is "Ranked as one of the most hazardous compounds (worst 10%) to ecosystems and human health."