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### FDA COMPLIANCE CERTIFICATE

Re.: FDA Status of CP-TH-01 Resin for Use in food service packaging

#### **To Whom It May Concern:**

By the present, we do hereby certify that our resin Cereplast CP-TH-01 intended for use in food service packaging used in quick service restaurants for holding and serving food is under the laws and regulations administered by the Food and Drug Administration (FDA) in full compliance with the Federal Food, Drug and Cosmetic Act and all applicable additive regulations.

Cereplast required the legal opinion of Keller & Heckman, Llp. to review the formulation of all components entering into the fabrication as well as the fabrication process used to manufacture the resin. Their opinion is integrated by reference into this certificate.

In addition, Cereplast does certify that CP-TH-01 is formulated per FDA guidelines and is produced following FDA GMP (Good Manufacturing Practices) guidelines

Done this 2<sup>nd</sup> Day of October 2006

By  
Frederic Scheer  
President

Attachment: 1

KELLER AND HECKMAN LLP

February 8, 2006

Writer's Direct Access  
**George G. Misko**  
(202) 434-4170  
misko@khlaw.com

**Via Facsimile and Mail**

Mr. Frederic Scheer  
President  
CEREPLAST, Inc.  
3421-3433 West El Segunda Boulevard  
Hawthorne, CA 90250

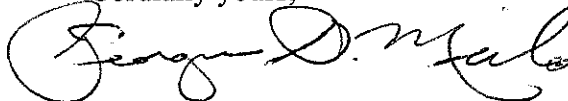
**Re: FDA Status of CP-TH-01 and CP-INJ-01 Biobased Resins Used for Injection Molding and Thermoforming; Our File No. BI12873**

Dear Mr. Scheer:

The purpose of this letter is to respond to your request for our opinion regarding the status, under the laws and regulations administered by the Food and Drug Administration (FDA), of Cereplast's CP-TH-01 and CP-INJ-01 resins when intended for use in containers and utensils intended to contact food. Based on the information you have provided, we have no hesitation in advising that Cereplast's resins may be used in injection molding and thermoforming to make containers and utensils intended to contact all types of food<sup>1</sup> under Conditions of Use D ("Hot filled or pasteurized below 150° F") – G ("Frozen storage (no thermal treatment in the container)"),<sup>2</sup> and that such uses may properly be said to comply fully with the Federal Food, Drug and Cosmetic Act and all applicable food additive regulations.

We trust that this letter fully responds to your request for our opinion on the FDA status of your CP-TH-01 and CP-INJ-01 resins. Should you have any questions, or if we may be of assistance in any other way, please do not hesitate to contact us.

Cordially yours,



George G. Misko

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<sup>1</sup> See Table 1 of 21 C.F.R. § 176.170(c).

<sup>2</sup> See Table 2 of 21 C.F.R. § 176.170(c).