

1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
tel. 202.434.4100
fax 202.434.4646

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

March 2, 2007

Via Electronic and U.S. Mail

Mr. Tom Inglis
General Manager
Bi-Ax International, Inc.
P.O. Box 848
Wingham, Ontario N0G 2W0
Canada

**Re: FDA Status of Bi-Ax's Films when Used in Food Contact Applications; Our
File No. BI13632**

Dear Mr. Inglis:

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 U.S. Food and Drug Administration (FDA), of Bi-Ax International, Inc.'s (Bi-Ax) multi-layer films for use in food-contact applications. Specifically, you asked us to evaluate your plain film, heat seal film, and sheet, each having a slightly different composition and thickness.

Based on the information that you have provided regarding the structure and composition of the films, we have no hesitation in providing our opinion that Bi-Ax's plain film, heat seal film, and sheet may be used as intended in contact with food in compliance with the U.S. Federal Food, Drug, and Cosmetic Act and all applicable food additive regulations, provided that (1) the plain film is used only under Conditions of Use B ("Boiling water sterilized") through H ("Frozen or refrigerated storage: Ready-prepared foods intended to be reheated in the container at time of use"), (2) the heat seal film is used only under Conditions of Use C ("Hot filled or pasteurized above 150°F") through G ("Frozen storage (no thermal treatment in the container)"), and (3) the sheet is used only in accordance with the let down ratio of 1 to 100 for the 9200D Bluetone component and only under Conditions of Use B through H.¹

We trust that you will find this letter fully responsive to your request for our opinion.

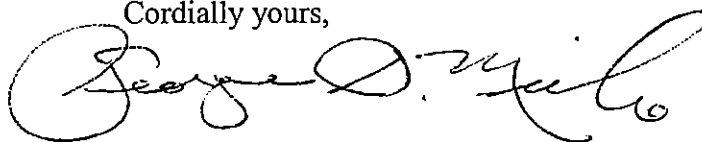
¹ FDA's Conditions of Use are set forth at 21 C.F.R. § 176.170(c), Table 2.

KELLER AND HECKMAN LLP

Mr. Tom Inglis
March 2, 2007
Page 2

Should you have any questions regarding this matter, or if we may be of assistance in any other way, please do not hesitate to contact us.

Cordially yours,

A handwritten signature in cursive script, appearing to read "George G. Misko". The signature is fluid and somewhat stylized, with a large initial "G" and a long, sweeping tail.

George G. Misko