WORLD TRADE ORGANIZATION

G/SPS/N/USA/3473/Add.2

25 March 2026

(26-2393)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

Addendum

The following communication, received on 25 March 2026, is being circulated at the request of the Delegation of the United States of America.

Listing of Color Additive Exempt From Certification; Spirulina Extract; Delay of Effective Date

The Food and Drug Administration (FDA or we) is announcing a delay of the effective date of our 6 February 2026, final order to amend the color additive regulations to provide for the expanded safe use of spirulina (*Arthrospira platensis*) extract as a color additive in human foods generally (except for infant formula, certain foods subject to regulation by the US Department of Agriculture (USDA), and foods for which standards of identity have been issued under section 401 of the Federal Food, Drug, and Cosmetic Act (FD&C Act), unless the use of the added color is authorized by such standards) at levels consistent with good manufacturing practice (GMP); to lower the heavy metal specifications for lead, arsenic, and mercury; and to add a specification for cadmium. The delay of the effective date is required by law following the filing of timely objections and a request for a hearing on the final order. This announcement does not reflect a change in our determination that there is a reasonable certainty of no harm from the use of this color additive under the conditions of its intended use. In addition, this announcement does not constitute a determination that all of the issues raised in the submission constitute objections or that a hearing is justified on any objections or requests for a hearing that have been filed.

As of 20 March 2026, the effective date of the final order published 6 February 2026 (91 FR 5291) is delayed indefinitely. The Food and Drug Administration will publish a document in the Federal Register announcing a new effective date or other administrative action on the order.

https://www.federalregister.gov/d/2026-05733
https://members.wto.org/crnattachments/2026/SPS/USA/26_01668_00_e.pdf

This addendum concerns a:

[ ] Modification of final date for comments
[ ] Notification of adoption, publication or entry into force of regulation
[ ] Modification of content and/or scope of previously notified draft regulation
[ ] Withdrawal of proposed regulation
[**X**] Change in proposed date of adoption, publication or date of entry into force
[ ] Other:

Comment period: ***(If the addendum extends the scope of the previously notified measure in terms of products and/or potentially affected Members, a new deadline for receipt of comments should be provided, normally of at least 60 calendar days. Under other circumstances, such as extension of originally announced final date for comments, the comment period provided in the addendum may vary.)***

[ ] Sixty days from the date of circulation of the addendum to the notification and/or *(dd/mm/yy)*: Not applicable

Agency or authority designated to handle comments: [ ] National Notification Authority, [ ] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

For access to the docket to read the objections received, go to https://www.regulations.gov and insert the docket number FDA–2024–C–3384 into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Text(s) available from: [] National Notification Authority, [ ] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

Text can be found in the Federal Register, Vol. 91, No. 56, page 13966 or on the Internet at: https://www.federalregister.gov/d/2026-05733.