



7 August 2026

(26-5605)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

Addendum

The following communication, received on 6 August 2026, is being circulated at the request of the Delegation of the United States of America.

Micro-Tracers, Inc.; Response to Objections and Requests for a Public Hearing; Notification; Response to Objections and Denial of Public Hearing Requests; Removal of Administrative Stay

The Food and Drug Administration (FDA or we) received objections and requests for a public hearing submitted by Buchanan Ingersoll & Rooney PC, on behalf of Micro-Tracers, Inc. (Micro-Tracers or objector), on the order granting a color additive petition (3C0323) requesting that we repeal specified regulations to no longer provide for the safe use of FD&C Red No. 3 in food (including dietary supplements) and ingested drugs. After reviewing the objections, we have concluded that the objections do not raise issues of material fact that justify a hearing. We are also providing notice that the administrative stay of the effective date for the repeal and delisting of the color additive regulations is now lifted.

This order that published in the Federal Register of 16 January 2025 (90 FR 4628) with effective dates of 15 January 2027, and 18 January 2028, was administratively stayed by the filing of objections under section 701(e)(2) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 371(e)(2)) as of 18 February 2025. FDA lifts the administrative stay as of 5 August 2026. The effective dates of 15 January 2027, and 18 January 2028, for amendatory instruction 4, for the order published on 16 January 2025 (90 FR 4628), are confirmed.

<https://www.federalregister.gov/d/2026-15920>

https://members.wto.org/crnattachments/2026/SPS/USA/26_04117_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
- ☐ 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 background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule 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. 149, Page 50475 or on the Internet at: <https://www.federalregister.gov/d/2026-15920>
