



30 June 2023

(23-4459)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

Addendum

The following communication, received on 30 June 2023, is being circulated at the request of the Delegation of the United States of America.

Filing of Color Additive Petition From Environmental Defense Fund, et al.; Request To Revoke Color Additive Listing for Use of Titanium Dioxide in Food; Extension of Comment Period

The Food and Drug Administration (FDA or we) is extending the comment period for the color additive petition for which we published a notice of filing in the Federal Register on 3 May 2023. In the notice, FDA requested comments on a filed color additive petition submitted by Environmental Defense Fund, et al., proposing that FDA repeal the color additive regulation providing for the use of titanium dioxide in foods. We are taking this action in response to requests for an extension to allow interested persons additional time to submit comments.

<https://www.govinfo.gov/content/pkg/FR-2023-06-28/pdf/2023-13773.pdf>
https://members.wto.org/crnattachments/2023/SPS/USA/23_10663_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): 1 September 2023 FDA is extending the comment period on the color additive petition for which a notice of filing was published in the Federal Register of 3 May 2023 (88 FR 27818). Either electronic or written comments must be submitted by 1 September 2023.

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:

You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of 1 September 2023. Comments received by mail/hand

delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- Mail/Hand Delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions".

Instructions: All submissions received must include the Docket No. FDA- 2023-C-1487 for "Filing of Color Additive Petition From Environmental Defense Fund, et al.; Request To Revoke Color Additive Listing for Use of Titanium Dioxide in Food". Received comments, those filed in a timely manner (see ADDRESSES), will be placed in the docket and, except for those submitted as "Confidential Submissions", publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, +(240) 402 7500.

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. 88, No. 123, Page 41870 or on the internet at: <https://www.govinfo.gov/content/pkg/FR-2023-06-28/pdf/2023-13773.pdf>
