

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 8]

COLOR ADDITIVES

Paprika; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive paprika for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal, within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.307 Paprika.

(a) *Identity.* (1) The color additive paprika is the ground dried pod of mild capsicum (*Capsicum annuum* L.). The definition of paprika in this paragraph is for the purpose of identity as a color additive only and shall not be construed as setting forth an official standard for paprika.

(2) Color additive mixtures made with paprika may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* Paprika shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(c) *Uses and restrictions.* Paprika may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part

¹Section 8.110 referred to in this document was published in the FEDERAL REGISTER of Apr. 24, 1965 (30 F.R. 5797), in proposed regulations for general specifications for color additives.

for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5206; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Paprika Oleoresin; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive paprika oleoresin for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.308 Paprika oleoresin.

(a) *Identity.* (1) The color additive paprika oleoresin is the combination of flavor and color principles obtained from paprika (*Capsicum annuum* L.) by extraction, using any one or a combination of the following solvents:

Acetone.
Ethyl alcohol.
Ethylene dichloride.
Hexane.
Isopropyl alcohol.
Methyl alcohol.
Methylene chloride.
Trichloroethylene.

The definition of paprika oleoresin in this paragraph is for the purpose of identity as a color additive only, and shall not be construed as setting forth an official standard for paprika oleoresin under section 401 of the act.

(2) Color additive mixtures made with paprika oleoresin may contain as dilu-

ents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* (1) Paprika oleoresin shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(2) Paprika oleoresin shall contain no more residue of the solvents listed in paragraph (a) (1) of this section than is permitted of the corresponding solvents in spice oleoresins under applicable food additive regulations in Part 121 of this chapter.

(c) *Uses and restrictions.* Paprika oleoresin may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5207; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Turmeric; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive turmeric for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare,

330 Independence Avenue SW., Washington, D.C., 20201.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.309 Turmeric.

(a) *Identity.* (1) The color additive turmeric is the ground rhizome of *Curcuma longa* L. The definition of turmeric in this paragraph is for the purpose of identity as a color additive only, and shall not be construed as setting forth an official standard for turmeric.

(2) Color additive mixtures made with turmeric may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* Turmeric shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on foods.

(c) *Uses and restrictions.* Turmeric may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5209; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Turmeric Oleoresin; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive turmeric oleoresin for use in coloring foods. All interested persons are hereby invited to present written

¹ Section 8.110 referred to in this document was published in the FEDERAL REGISTER of Apr. 24, 1965 (30 F.R. 5797), in proposed regulations for general specifications for color additives.

views, comments, or objections regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8, by adding to Subpart D the following new section:

§ 8.310 Turmeric oleoresin.

(a) *Identity.* (1) The color additive turmeric oleoresin is the combination of flavor and color principles obtained from turmeric (*Curcuma longa* L.) by extraction using any one or a combination of the following solvents:

Acetone.
Ethyl alcohol.
Ethylene dichloride.
Hexane.
Isopropyl alcohol.
Methyl alcohol.
Methylene chloride.
Trichloroethylene.

The definition of turmeric oleoresin in this paragraph is for the purpose of identity as a color additive only, and shall not be construed as setting forth an official standard for turmeric oleoresin under section 401 of the act.

(2) Color additive mixtures made with turmeric oleoresin may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* (1) Turmeric oleoresin shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(2) Turmeric oleoresin shall contain no more residue of the solvents listed under paragraph (a) (1) of this section than is permitted for the corresponding solvents in spice oleoresins under applicable food additive regulations in Part 121 of this chapter.

(c) *Uses and restrictions.* Turmeric oleoresin may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5210; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Saffron; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive saffron for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.311 Saffron.

(a) *Identity.* (1) The color additive saffron is the dried stigma of *Crocus sativus* L. The definition of saffron in this paragraph is for the purpose of identity as a color additive only, and shall not be construed as setting forth an official standard for saffron.

(2) Color additive mixtures made with saffron may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* Saffron shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(c) *Uses and restrictions.* Saffron may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5208; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Fruit Juice; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive fruit juice for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal, within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.313 Fruit juice.

(a) *Identity.* (1) The color additive fruit juice is the concentrated or unconcentrated liquid expressed from mature varieties of fresh, edible fruits, or is a water infusion of the dried fruit. The definition of fruit juice in this paragraph is for the purpose of identity as a color additive only and shall not be construed as a standard of identity under section 401 of the act. However, where a standard of identity for a particular fruit juice has been promulgated under section 401 of the act, it shall conform to such standard.

(2) Color additive mixtures made with fruit juice may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* Fruit juice shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(c) *Uses and restrictions.* Fruit juice may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not

necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5205; Filed, May 17, 1965;
8:47 a.m.]

[21 CFR Part 8]

COLOR ADDITIVES

Vegetable Juice; Notice of Proposal To List for Food Use and Exempt From Certification¹

Notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b) (1), (c) (2), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b) (1), (c) (2), (d)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes the listing and exemption from certification of the color additive vegetable juice for use in coloring foods. All interested persons are hereby invited to present written views, comments, or objections regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington 25, D.C.

It is proposed to amend Part 8 by adding to Subpart D the following new section:

§ 8.314 Vegetable juice.

(a) *Identity.* (1) The color additive vegetable juice is the concentrated or unconcentrated liquid expressed from mature varieties of fresh, edible vegetables. The definition of vegetable juice in this paragraph is for the purpose of identity as a color additive only, and shall not be construed as a standard of identity under section 401 of the act. However, where a standard of identity for a particular vegetable juice has been promulgated under section 401 of the act, it shall conform to such standard.

(2) Color additive mixtures made with vegetable juice may contain as diluents only those substances listed in this Subpart D as safe and suitable in color additive mixtures for coloring foods.

(b) *Specifications.* Vegetable juice shall conform to the general specifications set forth in § 8.110 for color additives to be used in or on food.

(c) *Uses and restrictions.* Vegetable juice may be safely used for the coloring of foods generally, in amounts consistent with good manufacturing practice, except that it may not be used to color foods for which standards of identity have been promulgated under section 401 of the act, unless the use of added color is authorized by such standards.

(d) *Labeling.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom

shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Dated: May 10, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5211; Filed, May 17, 1965;
8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-EA-26]

FEDERAL AIRWAYS

Proposed Alterations and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airways Nos. 20, 143, 156, 157, 222, 258 and designate a VOR Federal airway from Moorefield, W. Va., to Nottingham, Md.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency is considering the airspace actions hereinafter set forth.

1. The V-20 north alternate segment from South Boston, Va., via Flat Rock, Va., to Richmond, Va., would be revoked. The latest FAA peak day airway traffic survey shows a maximum of four aircraft movements on this north alternate segment of V-20. Therefore, retention of this airway segment is unjustified as a continued assignment of airspace.

2. The V-143 segment from Montebello, Va., to Nottingham, Md., would be revoked. The latest FAA IFR peak day traffic survey shows a maximum of two aircraft movements for the segment of V-143 between Montebello and Casanova. Therefore, retention of this air-

¹ Section 8.110 referred to in this document was published in the FEDERAL REGISTER of Apr. 24, 1965 (30 F.R. 5797), in proposed regulations for general specifications for color additives.