NOTIFICATION

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| **1.** | **Notifying Member:** United States of America  **If applicable, name of local government involved:** |
| **2.** | **Agency responsible:** Food and Drug Administration (FDA) |
| **3.** | **Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):** HS Code(s): 1104, 1516, 1704, 2001, 2009, 2105, 2202, 0401, 0402, 0403, 0404, 0405, 0406; ICS Code(s): 67 |
| **4.** | **Regions or countries likely to be affected, to the extent relevant or practicable:**  **[****X]** **All trading partners**  **[ ]****Specific regions or countries:** |
| **5.** | **Title of the notified document:** Fermentalg; Filing of Color Additive Petition.**Language(s):** English. **Number of pages:** 2  <https://www.govinfo.gov/content/pkg/FR-2021-09-09/pdf/2021-19405.pdf>  <https://members.wto.org/crnattachments/2021/SPS/USA/21_5785_00_e.pdf> |
| **6.** | **Description of content:** The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by Fermentalg, proposing that the color additive regulations be amended to provide for the safe use of blue Galdieria extract, derived from unicellular red algae (*Galdieria sulphuraria*), as a color additive in various food categories at levels consistent with good manufacturing practice.  The color additive petition was filed on 27 July 2021. |
| **7.** | **Objective and rationale: [****X]****food safety, [ ]****animal health, [ ]****plant protection, [ ]****protect humans from animal/plant pest or disease, [ ]****protect territory from other damage from pests.** |
| **8.** | **Is there a relevant international standard? If so, identify the standard:**  **[ ]****Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*:**  **[ ]****World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:**  **[ ]****International Plant Protection Convention *(e.g. ISPM number)*:**  **[****X]** **None**  **Does this proposed regulation conform to the relevant international standard?**  **[ ]****Yes [ ]****No**  **If no, describe, whenever possible, how and why it deviates from the international standard:** |
| **9.** | **Other relevant documents and language(s) in which these are available:** |
| **10.** | **Proposed date of adoption *(dd/mm/yy)*:** Not applicable  **Proposed date of publication *(dd/mm/yy)*:** Not applicable |
| **11.** | **Proposed date of entry into force: [ ]****Six months from date of publication**, **and/or** ***(dd/mm/yy)*:** Not applicable  **[****X]** **Trade facilitating measure** |
| **12.** | **Final date for comments: [ ]****Sixty days from the date of circulation of 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:**  ADDRESSES: 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 document into the "Search" box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.  FOR FURTHER INFORMATION CONTACT: Stephanie A. Hice, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, +(301) 348 1740. |
| **13.** | **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. 86, No. 172, Page 50495 or on the internet at: <https://www.govinfo.gov/content/pkg/FR-2021-09-09/pdf/2021-19405.pdf> |