WORLD TRADE ORGANIZATION

G/SPS/N/USA/3473

30 August 2024

(24-6077)

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**Committee on Sanitary and Phytosanitary Measures**

Original: English

## NOTIFICATION

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|---|---|
| **1.** | **Notifying Member:** UNITED STATES OF AMERICA<br>**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):** Food technology (ICS code(s): 67) |
| **4.** | **Regions or countries likely to be affected, to the extent relevant or practicable:**<br>**[X] All trading partners**<br>**[ ] Specific regions or countries:** |
| **5.** | **Title of the notified document:** GNT USA, LLC; Filing of Color Additive Petition; Notification of Petition. **Language(s):** English. **Number of pages:** 2<br>https://www.govinfo.gov/content/pkg/FR-2024-08-05/pdf/2024-17090.pdf<br>https://members.wto.org/crnattachments/2024/SPS/USA/24_05744_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 GNT USA, LLC, proposing that the colour additive regulations be amended to provide for the safe use of spirulina extract in foods generally in amounts consistent with good manufacturing practice.<br>The colour additive petition was filed on 18 July 2024. |
| **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:**<br>**[ ] Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*:**<br>**[ ] World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:**<br>**[ ] International Plant Protection Convention *(e.g. ISPM number)*:**<br>**[X] None**<br>**Does this proposed regulation conform to the relevant international standard?**<br>**[ ] Yes [ ] No**<br>**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)*:** Either electronic or written comments on the petitioner's environmental assessment must be submitted by 4 October 2024.

**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 4 October 2024. 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– 2024–C–3384 for "GNT USA, LLC; Filing of Color Additive Petition". 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.

**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. 89, No. 150, Page 63330 or on the internet at: https://www.govinfo.gov/content/pkg/FR-2024-08-05/pdf/2024-17090.pdf.