

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration  
21 CFR Part 73

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Control	<i>Joelle</i>

[Docket No. 1998C-0790] (formerly 98C-0790)

**Listing of Color Additives Exempt From Certification; Mica-Based  
Pearlescent Pigments; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

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**SUMMARY:** The Food and Drug Administration (FDA) is confirming the effective date of July 5, 2006, for the final rule that appeared in the **Federal Register** of June 2, 2006 (71 FR 31927). The final rule amended the color additive regulations to provide for the safe use of titanium dioxide coated mica-based pearlescent pigments as color additives in the following foods: Cereals, confections and frostings, gelatin desserts, hard and soft candies (including lozenges), nutritional supplement tablets and gelatin capsules, and chewing gum.

**DATES:** Effective date confirmed: July 5, 2006.

**FOR FURTHER INFORMATION CONTACT:** Paul C. DeLeo, Center for Food Safety and Applied Nutrition (HFS-265), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740-3835, 301-436-1302.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of June 2, 2006 (71 FR 31927), FDA amended the color additive regulations to add § 73.350 *Mica-based pearlescent pigments* (21 CFR 73.350) to provide for the safe use safe use of titanium dioxide coated mica-based pearlescent pigments as color

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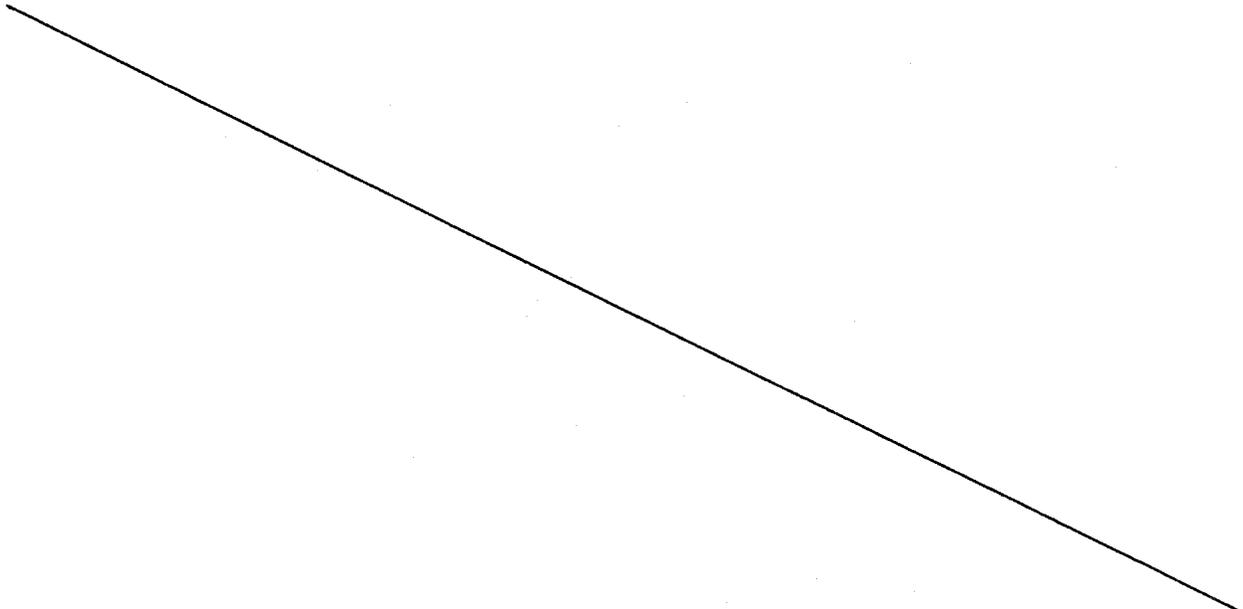
additives in the following foods: Cereals, confections and frostings, gelatin desserts, hard and soft candies (including lozenges), nutritional supplement tablets and gelatin capsules, and chewing gum.

FDA gave interested persons until July 3, 2006, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA finds that the effective date of the final rule that published in the **Federal Register** of June 2, 2006, should be confirmed.

### **List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Medical devices.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, and redelegated to the Director, Office of Food Additive Safety, notice is given that no objections or requests for a hearing were filed in response to the June 2, 2006, final rule. Accordingly, the amendments issued thereby became effective July 5, 2006.



Dated: 9.8.06  
September 8, 2006.

*Laura M. Tarantino*

Laura M. Tarantino,  
Director,  
Office of Food Additive Safety,  
Center for Food Safety and Applied Nutrition.

[FR Doc. 06-????? Filed ??-??-06; 8:45 am]

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