

therefrom and intended solely or in part for coloring purposes shall conform to the requirements of § 70.25 of this chapter.

(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 721(c) of the act.

#### § 73.90 $\beta$ -Apo-8'-carotenal.

(a) *Identity.* (1) The color additive is  $\beta$ -apo-8'-carotenal.

(2) Color additive mixtures for food use made with  $\beta$ -apo-8'-carotenal may contain only diluents that are suitable and that are listed in this subpart as safe in color additive mixtures for coloring foods.

(b) *Specifications.*  $\beta$ -Apo-8'-carotenal shall conform to the following specifications:

Physical state, solid.  
1 percent solution in chloroform, clear.  
Melting point (decomposition), 136 °C.–140 °C. (corrected).  
Loss of weight on drying, not more than 0.2 percent.  
Residue on ignition, not more than 0.2 percent.  
Lead (as Pb), not more than 10 parts per million.  
Arsenic (as As), not more than 1 part per million.  
Assay (spectrophotometric), 96–101 percent.

(c) *Uses and restrictions.* The color additive  $\beta$ -apo-8'-carotenal may be safely used for coloring foods generally, subject to the following restrictions:

(1) The quantity of  $\beta$ -apo-8'-carotenal does not exceed 15 milligrams per pound of solid or semisolid food or 15 milligrams per pint of liquid food.

(2) It may not be used to color foods for which standards of identity have been promulgated under section 401 of the act unless added color is authorized by such standards.

(d) *Labeling.* The label of the color additive and any mixtures prepared therefrom and intended solely or in part for coloring purposes shall conform to the requirements of § 70.25 of this chapter.

(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 721(c) of the act.

#### § 73.95 $\beta$ -Carotene.

(a) *Identity.* (1) The color additive is  $\beta$ -carotene prepared synthetically or obtained from natural sources.

(2) Color additive mixtures for food use made with  $\beta$ -carotene may contain only diluents that are suitable and that are listed in this subpart as safe in color additive mixtures for coloring foods.

(b) *Specifications.*  $\beta$ -carotene shall conform to the following specifications:

Physical state, solid.  
1 percent solution in chloroform, clear.  
Loss of weight on drying, not more than 0.2 percent.  
Residue on ignition, not more than 0.2 percent.  
Lead (as Pb), not more than 10 parts per million.  
Arsenic (as As), not more than 3 parts per million.  
Assay (spectrophotometric), 96–101 percent.

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

(d) *Labeling.* The label of the color additive and any mixtures prepared therefrom and intended solely or in part for coloring purposes shall conform to the requirements of § 70.25 of this chapter.

(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 721(c) of the act.

#### § 73.100 Cochineal extract; carmine.

(a) *Identity.* (1) The color additive cochineal extract is the concentrated solution obtained after removing the alcohol from an aqueous-alcoholic extract of cochineal (*Dactylopius coccus costa* (*Coccus cacti* L.)). The coloring principle is chiefly carminic acid.