

PART 189—SUBSTANCES PROHIBITED FROM USE IN HUMAN FOOD

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Subpart C—Substances Generally Prohibited From Direct Addition or Use as Human Food

189.110 Calamus and its derivatives.
 189.113 Cinnamyl anthranilate.
 189.120 Cobaltous salts and its derivatives.
 189.130 Coumarin.
 189.135 Cyclamate and its derivatives.
 189.140 Diethylpyrocarbonate (DEPC).
 189.145 Dulcin.
 189.155 Monochloroacetic acid.
 189.165 Nordihydroguaiaretic acid (NDGA).
 189.175 P-4000.
 189.180 Safrole.
 189.190 Thiourea.
 189.191 Chlorofluorocarbon propellants.

Subpart D—Substances Prohibited From Indirect Addition to Human Food Through Food-Contact Surfaces

189.220 Flectol H.
 189.240 Lead solders.
 189.250 Mercaptoimidazoline and 2-mercaptoimidazoline.
 189.280 4,4'-Methylenebis(2-chloroaniline).
 189.300 Hydrogenated 4,4'-isopropylidene-diphenolphosphite ester resins.
 189.301 Tin-coated lead foil capsules for wine bottles.

AUTHORITY: 21 U.S.C. 321, 342, 348, 371, 381.

SOURCE: 42 FR 14659, Mar. 15, 1977, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 189 appear at 61 FR 14482, Apr. 2, 1996, 66 FR 56035, Nov. 6, 2001, 70 FR 40880, July 15, 2005, and 70 FR 67651, Nov. 8, 2005.

Subpart A—General Provisions

§ 189.1 Substances prohibited from use in human food.

(a) The food ingredients listed in this section have been prohibited from use in human food by the Food and Drug Administration because of a determination that they present a potential risk to the public health or have not

been shown by adequate scientific data to be safe for use in human food. Use of any of these substances in violation of this section causes the food involved to be adulterated in violation of the act.

(b) This section includes only a partial list of substances prohibited from use in human food, for easy reference purposes, and is not a complete list of substances that may not lawfully be used in human food. No substance may be used in human food unless it meets all applicable requirements of the act.

(c) The Commissioner of Food and Drugs, either on his own initiative or on behalf of any interested person who has submitted a petition, may publish a proposal to establish, amend, or repeal a regulation under this section on the basis of new scientific evaluation or information. Any such petition shall include an adequate scientific basis to support the petition, pursuant to part 10 of this chapter, and will be published for comment if it contains reasonable grounds.

[42 FR 14659, Mar. 15, 1977, as amended at 54 FR 24899, June 12, 1989]

Subpart B—Prohibited Cattle Materials

§ 189.5 Prohibited cattle materials.

(a) *Definitions.* The definitions and interpretations of terms contained in section 201 of the Federal Food, Drug, and Cosmetic Act (the act) apply to such terms when used in this part. The following definitions also apply:

(1) Prohibited cattle materials means specified risk materials, small intestine of all cattle except as provided in paragraph (b)(2) of this section, material from nonambulatory disabled cattle, material from cattle not inspected and passed, or mechanically separated (MS) (Beef). Prohibited cattle materials do not include the following:

(i) Tallow that contains no more than 0.15 percent insoluble impurities, tallow derivatives, hides and hide-derived products, and milk and milk products, and

(ii) Cattle materials inspected and passed from a country designated under paragraph (e) of this section.

(2) *Inspected and passed* means that the product has been inspected and