be safely used as a component of food, subject to the following restrictions:
(a) The additive is prepared with 50 percent Fischer-Tropsch process synthetic paraffin, meeting the definition and specifications of §172.615, and 50 percent of such synthetic paraffin to which is bonded succinic anhydride and succinic acid derivatives of isopropyl alcohol, polyethylene glycol, and propylene glycol. It consists of a mixture of the Fischer-Tropsch process paraffin (alkane), alkyl succinic anhydride, alkyl succinic anhydride isopropyl half ester, dialkyl succinic anhydride polyethylene glycol half ester, and dialkyl succinic anhydride polypropylene glycol half ester, where the alkane (alkyl) has a chain length of 30–70 carbon atoms and the polyethylene and polypropylene glycols have molecular weights of 600 and 260, respectively.
(b) The additive meets the following specifications: Molecular weight, 880–930; melting point, 215°–217°; acid number, 43–47; and saponification number, 75–78.
(c) It is used or intended for use as a protective coating or component of protective coatings for fresh grapefruit, lemons, limes, muskmelons, oranges, sweetpotatoes, and tangerines.
(d) It is used in an amount not to exceed that required to produce the intended effect.

§172.280 Terpene resin.
The food additive terpene resin may be safely used in accordance with the following prescribed conditions:
(a) The food additive is the beta-pinene polymer obtained by polymerizing terpene hydrocarbons derived from wood. It has a softening point of 112°C–118°C, as determined by ASTM method E28-67 (Reapproved 1982), “Standard Test Method for Softening Point By Ring-and-Ball Apparatus,” which is incorporated by reference. Copies may be obtained from the American Society for Testing Materials, 100 Barr Harbor Dr., West Conshohocken, Philadelphia, PA 19428-2959, or may be examined at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.
(b) It is used or intended for use as follows:
(1) As a moisture barrier on soft gelatin capsules in an amount not to exceed 0.07 percent of the weight of the capsule.
(2) As a moisture barrier on powders of ascorbic acid or its salts in an amount not to exceed 7 percent of the weight of the powder.
[42 FR 14491, Mar. 15, 1977, as amended at 49 FR 10104, Mar. 19, 1984]

Subpart D—Special Dietary and Nutritional Additives

§172.310 Aluminum nicotinate.
Aluminum nicotinate may be safely used as a source of niacin in foods for special dietary use. A statement of the concentration of the additive, expressed as niacin, shall appear on the label of the food additive container or on that of any intermediate premix prepared therefrom.

§172.315 Nicotinamide-ascorbic acid complex.
Nicotinamide-ascorbic acid complex may be safely used in accordance with the following prescribed conditions:
(a) The additive is the product of the controlled reaction between ascorbic acid and nicotinamide, melting in the range 141°C to 145°C.
(b) It is used as a source of ascorbic acid and nicotinamide in multivitamin preparations.

§172.320 Amino acids.
The food additive amino acids may be safely used as nutrients added to foods in accordance with the following conditions:
(a) The food additive consists of one or more of the following individual amino acids in the free, hydrated, or anhydrous form, or as the hydrochloride, sodium, or potassium salts:
(1) L-Alanine
(2) L-Arginine
(3) L-Asparagine
(4) L-Aspartic acid
(5) L-Cysteine
(6) L-Cystine
(7) L-Glutamic acid
(8) L-Asparagine
(9) Aminoaetic acid (glycine)
(10) L-Histidine
(11) L-Aspartic acid
(12) L-Leucine
(13) L-Lysine
(14) DL-Methionine (not for infant foods)
(15) L-Methionine
(16) L-Phenylalanine
(17) L-Proline
(18) L-Lysine Monohydrochloride, pages 598 and 599.
(19) L-Threonine
(20) L-Tryptophan
(21) L-Tyrosine
(22) L-Valine

(b) The food additive meets the following specifications:
(i) As found in Food Chemicals Codex:
   (i) L-Alanine, pages 28 and 29.
   (ii) L-Arginine, pages 68 and 70.
   (iii) L-Arginine Monohydrochloride, pages 70 and 71.
   (iv) L-Cystine Monohydrochloride, pages 269 and 270.
   (v) L-Cystine, pages 270 and 271.
   (vi) Aminoacetic acid (glycine), pages 457 and 458.
   (vii) L-Leucine, pages 577 and 578.
   (viii) L-Asparagine
   (ix) DL-Methionine, pages 641 and 642.
   (x) L-Aspartic acid
   (xi) L-Phenylalanine, pages 794 and 795.
   (xii) L-Proline, pages 864 and 865.
   (xiii) L-Threonine, pages 915 and 916.
   (xiv) L-Tryptophan, pages 1031 and 1032.
   (xv) L-Glutamic Acid Monohydrochloride, page 440.
   (xvi) L-Isoleucine, pages 544 and 545.
   (xvii) L-Lysine Monohydrochloride, pages 598 and 599.
   (xviii) Monopotassium L-glutamate, pages 697 and 698.
   (xix) L-Tyrosine, page 1072.

(ii) As found in “Specifications and Criteria for Biochemical Compounds,” NAS/NRC Publication, for the following:

<table>
<thead>
<tr>
<th>Amino Acid</th>
<th>Percent by weight of total protein (expressed as free amino acid)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L-Alanine</td>
<td>6.1</td>
</tr>
<tr>
<td>L-Arginine</td>
<td>6.6</td>
</tr>
<tr>
<td>L-Aspartic acid (including L-asparagine)</td>
<td>7.0</td>
</tr>
<tr>
<td>L-Cystine (including L-cystene)</td>
<td>2.3</td>
</tr>
<tr>
<td>L-Glutamic acid (including L-glutamine)</td>
<td>12.4</td>
</tr>
<tr>
<td>Aminoaetic acid (glycine)</td>
<td>2.3</td>
</tr>
<tr>
<td>L-Histidine</td>
<td>3.5</td>
</tr>
<tr>
<td>L-Valine</td>
<td>2.4</td>
</tr>
</tbody>
</table>

(2) The additive(s) results in a protein efficiency ratio (PER) of protein in the finished ready-to-eat food equivalent to casein as determined by the method specified in paragraph (d) of this section.

(3) Each amino acid (or combination of the minimum number necessary to achieve a statistically significant increase) added results in a statistically significant increase in the PER as determined by the method described in paragraph (d) of this section. The minimum amount of the amino acid(s) to achieve the desired effect must be used and the increase in PER over the primarily intact naturally occurring protein in the food must be substantiated as a statistically significant difference with at least a probability (P) value of less than 0.05.

(4) The amount of the additive added for nutritive purposes plus the amount naturally present in free and combined (as protein) form does not exceed the following levels of amino acids expressed as percent by weight of the total protein of the finished food:
(d) Compliance with the limitations concerning PER under paragraph (c) of this section shall be determined by the method described in sections 43.212–43.216, “Official Methods of Analysis of the Association of Official Analytical Chemists.” Each manufacturer or person employing the additive(s) under the provisions of this section shall keep and maintain throughout the period of his use of the additive(s) and for a minimum of 3 years thereafter, records of the tests required by this paragraph and other records required to assure effectiveness and compliance with this regulation and shall make such records available upon request at all reasonable hours by any officer or employee of the Food and Drug Administration, or any other officer or employee acting on behalf of the Secretary of Health and Human Services and shall permit such officer or employee to conduct such inventories of raw and finished materials on hand as he deems necessary and otherwise to check the correctness of such records.

(e) To assure safe use of the additive, the label and labeling of the additive and any premix thereof shall bear, in addition to the other information required by the Act, the following:

1. The name of the amino acid(s) contained therein including the specific optical and chemical form.
2. The amounts of each amino acid contained in any mixture.
3. Adequate directions for use to provide a finished food meeting the limitations prescribed by paragraph (c) of this section.
4. The food additive amino acids added as nutrients to special dietary foods that are intended for use solely under medical supervision to meet nutritional requirements in specific medical conditions and comply with the requirements of part 105 of this chapter are exempt from the limitations in paragraphs (c) and (d) of this section and may be used in such foods at levels not to exceed good manufacturing practices.

(g) The standards required in this section are incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51.Copies may be examined at the Food and Drug Administration’s Main Library, 10903 New Hampshire Ave., Bldg. 2, Third Floor, Silver Spring, MD 20993, 301–796–2039, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030 or go to: http://www.archives.gov/federal-register/cfr/ibr-locations.html.

(1) AOAC INTERNATIONAL, 481 North Frederick Ave., Suite 500, Gaithersburg, MD 20877:


(ii) [Reserved]

(2) National Academy of Sciences, available from the FDA Main Library, 10903 New Hampshire Ave., Silver Spring, MD 20993:


§ 172.340 Fish protein isolate.

(a) The food additive fish protein isolate may be safely used as a food supplement in accordance with the following prescribed conditions:

(1) The additive shall consist principally of dried fish protein prepared from the edible portions of fish after removal of the heads, fins, tails, bones, scales, viscera, and intestinal contents.

(2) The additive shall be derived only from species of bony fish that are generally recognized by qualified scientists as safe for human consumption and that can be processed as prescribed to meet the required specifications.

(3) Only wholesome fresh fish otherwise suitable for human consumption may be used. The fish shall be handled expeditiously under sanitary conditions. These conditions shall be in accordance with recognized good manufacturing practice for fish to be used as human food.

(4) The additive shall be prepared by extraction with hexane and food-grade ethanol to remove fat and moisture. Solvent residues shall be reduced by drying.

(b) The food additive meets the following specifications: (Where methods of determination are specified, they are

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(3) United States Pharmacopeial Convention, 12601 Twinbrook Pkwy., Rockville, MD 20852 (Internet address http://www.usp.org):


(ii) [Reserved]

[78 FR 71461, Nov. 29, 2013]