4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA-2026-C-8086]

GNT USA, LLC.; Filing of Color Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification of petition.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by GNT USA, LLC., c/o Exponent, Inc., proposing that we amend our color additive regulations to provide for the safe use of safflower (*Carthamus tinctorius* L.) extract as a color additive in various foods at levels consistent with good manufacturing practices.

DATES: The color additive petition was filed on July 20, 2026.

ADDRESSES: For access to the docket to read background documents or comments received, go to https://www.regulations.gov and insert the docket number found in brackets in the heading of this document into the "Search" box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Stephen DiFranco, Office of Food Chemical Safety, Dietary Supplements, and Innovation, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2710.

SUPPLEMENTARY INFORMATION: Under section 721(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379e(d)(1)), we are giving notice that we have filed a color additive petition (CAP 5C0338), submitted by GNT USA, LLC., c/o Exponent, Inc., 1150 Connecticut Ave. N.W., Suite 1100, Washington, D.C., 20036. The petition proposes that we amend our color additive regulations in 21 CFR Part 73 (*Listing of Color Additives Exempt from Certification)* to provide for the safe use of safflower (*Carthamus tinctorius* L.) extract as a color

additive in: (1) tortilla wraps; (2) alcoholic beverages; (3) non-alcoholic beverages and beverage bases; (4) colored extruded breakfast cereals; (5) chewing gum; (6) flavored ready-to-drink tea and tea concentrates; (7) pickles, relish, pickled jalapenos, banana pepper rings, and pepperoncini; (8) sugar decorations, frostings (excluding chocolate frosting), and marshmallows; (9) salad dressings (ready-to-use); (10) frozen dairy desserts and mixes; (11) shelf stable ice pops; (12) fillings (excluding chocolate), and ready-to-eat gelatins and puddings; (13) hard candy; (14) flavored milk and milk shakes, flavored yogurt, yogurt drinks, and non-dairy yogurt; (15) soft candy and candy coated nuts; (16) ready-to-use chicken and vegetable broth; and (17) flavored syrups for beverages and desserts (excluding chocolate syrup), at levels consistent with good manufacturing practices.

The petitioner claims that this action is categorically excluded under 21 CFR 25.32(k) because granting this petition would authorize the use of a substance intended to remain in food through ingestion by consumers and is not intended to replace macronutrients in food. In addition, the petitioner states that, to their knowledge, no extraordinary circumstances exist. If FDA determines a categorical exclusion applies, neither an environmental assessment nor an environmental impact statement is required. If FDA determines a categorical exclusion does not apply, we will request an environmental assessment and make it available for public inspection.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

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