NOTIFICATION

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| **1.** | **Notifying Member:** UNITED STATES OF AMERICA**If applicable, name of local government involved:**  |
| **2.** | **Agency responsible:** Food and Drug Administration (FDA) |
| **3.** | **Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):** Food preparations, n.e.s. (HS code(s): 2106); Food technology (ICS code(s): 67) |
| **4.** | **Regions or countries likely to be affected, to the extent relevant or practicable:****[****X]** **All trading partners** **[****]** **Specific regions or countries:**  |
| **5.** | **Title of the notified document:** Kerry Ingredients and Flavours Ltd.; Filing of Food Additive Petition; Notification of Petition.**Language(s):** English. **Number of pages:** 2[https://www.govinfo.gov/content/pkg/FR-2023-10-13/pdf/2023-22613.pdf](https://www.govinfo.gov/content/pkg/FR-2023-10-13/pdf/2023-22613.pdf%22%20%5Ct%20%22_blank)<https://members.wto.org/crnattachments/2023/SPS/USA/23_14518_00_e.pdf> |
| **6.** | **Description of content:** The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by Kerry Ingredients and Flavours Ltd., proposing that the food additive regulations be amended to provide for the safe use of vitamin D3 as a nutrient supplement in powdered drink mixes added to water or carbonated water, excluding drinks or drink mixes that are specially formulated or processed for infants. |
| **7.** | **Objective and rationale: [****X]****food safety, [****]****animal health, [****]****plant protection, [****]****protect humans from animal/plant pest or disease, [****]****protect territory from other damage from pests.**  |
| **8.** | **Is there a relevant international standard? If so, identify the standard:****[****]** **Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*:** **[****]** **World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:** **[****]** **International Plant Protection Convention *(e.g. ISPM number)*:** **[****X]** **None****Does this proposed regulation conform to the relevant international standard?** **[****]** **Yes [****]** **No****If no, describe, whenever possible, how and why it deviates from the international standard:**  |
| **9.** | **Other relevant documents and language(s) in which these are available:**   |
| **10.** | **Proposed date of adoption *(dd/mm/yy)*:** Not applicable.**Proposed date of publication *(dd/mm/yy)*:** Not applicable. |
| **11.** | **Proposed date of entry into force: [****]****Six months from date of publication**, **and/or** ***(dd/mm/yy)*:** Not applicable.**[****X]** **Trade facilitating measure**  |
| **12.** | **Final date for comments: [****]****Sixty days from the date of circulation of the notification and/or *(dd/mm/yy)*:** Not applicable.**Agency or authority designated to handle comments: [****]****National Notification Authority, [****]****National Enquiry Point.** **Address, fax number and e‑mail address (if available) of other body:** 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: Lane A. Highbarger, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1204.  |
| **13.** | **Text(s) available from: [****]****National Notification Authority, [****]****National Enquiry Point.** **Address, fax number and e‑mail address (if available) of other body:** Text can be found in the Federal Register, Vol. 88, No. 197, Page 70918 or on the internet at: <https://www.govinfo.gov/content/pkg/FR-2023-10-13/pdf/2023-22613.pdf> |