

(1) The presence or absence of a characterizing ingredient or component shall be declared by the words "containing (or contains) \_\_\_\_\_" or "containing (or contains) \_\_\_\_\_" or "no \_\_\_\_\_" or "does not contain \_\_\_\_\_", with the blank being filled in with the common or usual name of the ingredient or component.

(2) The need for the user of a food to add any characterizing ingredient(s) or component(s) shall be declared by an appropriate informative statement.

(3) The statement(s) required under paragraph (c) (1) and/or (2) of this section shall appear following or directly below the part of the common or usual name of the food required by paragraphs (a) and (b) of this section, in easily legible boldface print or type in distinct contrast to other printed or graphic matter, and in a height not less than the larger of the alternatives established under paragraph (b)(2) (i) and (ii) of this section.

(d) A common or usual name of a food may be established by common usage or by establishment of a regulation in this part, in a standard of identity, or in other regulations in this chapter.

[41 FR 38627, Sept. 10, 1976. Redesignated at 42 FR 14091, Mar. 15, 1977]

#### § 502.19 Petitions.

(a) 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 issue, amend, or revoke, under this part, a regulation prescribing a common or usual name for a food, pursuant to part 10 of this chapter.

(b) If the principal display panel of a food for which a common or usual name regulation is established is too small to accommodate all mandatory requirements, the Commissioner may establish by regulation an acceptable alternative, e.g., a smaller type size. A petition requesting such a regulation, which would amend the applicable regulation, shall be submitted pursuant to part 10 of this chapter.

[42 FR 4716, Jan. 25, 1977; 42 FR 10980, Feb. 25, 1977. Redesignated at 42 FR 14091, Mar. 15, 1977, and amended at 42 FR 15675, Mar. 22, 1977; 42 FR 24254, May 13, 1977]

## PART 509—UNAVOIDABLE CONTAMINANTS IN ANIMAL FOOD AND FOOD-PACKAGING MATERIAL

### Subpart A—General Provisions

Sec.

509.3 Definitions and interpretations.

509.4 Establishment of tolerances, regulatory limits, and action levels.

509.5 Petitions.

509.6 Added poisonous or deleterious substances.

509.7 Unavoidability.

509.15 Use of polychlorinated biphenyls (PCB's) in establishments manufacturing food-packaging materials.

### Subpart B—Tolerances for Unavoidable Poisonous or Deleterious Substances

509.30 Temporary tolerances for polychlorinated biphenyls (PCB's).

### Subpart C—Regulatory Limits for Added Poisonous or Deleterious Substances [Reserved]

### Subpart D—Naturally Occurring Poisonous or Deleterious Substances [Reserved]

AUTHORITY: 21 U.S.C. 336, 342, 346, 346a, 348, 371.

SOURCE: 42 FR 52821, Sept. 30, 1977, unless otherwise noted.

### Subpart A—General Provisions

#### § 509.3 Definitions and interpretations.

(a) *Act* means the Federal Food, Drug, and Cosmetic Act.

(b) The definitions of terms contained in section 201 of the act are applicable to such terms when used in this part unless modified in this section.

(c) A *naturally occurring poisonous or deleterious substance* is a poisonous or deleterious substance that is an inherent natural constituent of a food and is not the result of environmental, agricultural, industrial, or other contamination.

(d) An *added poisonous or deleterious substance* is a poisonous or deleterious substance that is not a naturally occurring poisonous or deleterious substance. When a naturally occurring poisonous or deleterious substance is increased to abnormal levels through