

nontoxicogenic bacterium *Lactobacillus intermedius* (*fermentum*).

(b) The ingredient meets the specifications of the "Food Chemicals Codex," 3d Ed. (1981), pp. 188–190, which is incorporated by reference. Copies may be obtained from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, 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.

(c) The ingredient is used as an anticaking agent and free-flow agent as defined in §170.3(o)(1) of this chapter, formulation aid as defined in §170.3(o)(14) of this chapter, firming agent as defined in §170.3(o)(10) of this chapter, flavoring agent and adjuvant as defined in §170.3(o)(12) of this chapter, lubricant and release agent as defined in §170.3(o)(18) of this chapter, nutritive sweetener as defined in §170.3(o)(21) of this chapter, processing aid as defined in §170.3(o)(24) of this chapter, stabilizer and thickener as defined in §170.3(o)(28) of this chapter, surface-finishing agent as defined in §170.3(o)(30) of this chapter, and texturizer as defined in §170.3(o)(32) of this chapter.

(d) The ingredient is used in food at levels not to exceed 98 percent in pressed mints and 5 percent in all other hard candy and cough drops as defined in §170.3(n)(25) of this chapter, 31 percent in chewing gum as defined in §170.3(n)(6) of this chapter, 40 percent in soft candy as defined in §170.3(n)(38) of this chapter, 8 percent in confections and frostings as defined in §170.3(n)(9) of this chapter, 15 percent in non-standardized jams and jellies, commercial, as defined in §170.3(n)(28) of this chapter, and at levels less than 2.5 percent in all other foods.

(e) The label and labeling of food whose reasonably foreseeable consumption may result in a daily ingestion of 20 grams of mannitol shall bear the statement "Excess consumption may have a laxative effect".

(f) In accordance with §180.1, adequate and appropriate feeding studies have been undertaken for this sub-

stance. Continued uses of this ingredient are contingent upon timely and adequate progress reports of such tests, and no indication of increased risk to public health during the test period.

(g) Prior sanctions for this ingredient different from the uses established in this regulation do not exist or have been waived.

[42 FR 14636, Mar. 15, 1977, as amended at 49 FR 5610, Feb. 14, 1984; 61 FR 7991, Mar. 1, 1996; 69 FR 65542, Nov. 15, 2004]

§ 180.30 Brominated vegetable oil.

The food additive brominated vegetable oil may be safely used in accordance with the following prescribed conditions:

(a) The additive complies with specifications prescribed in the "Food Chemicals Codex," 3d Ed. (1981), pp. 40–41, which is incorporated by reference, except that free fatty acids (as oleic) shall not exceed 2.5 percent and iodine value shall not exceed 16. Copies of the material incorporated by reference may be obtained from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, 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) The additive is used on an interim basis as a stabilizer for flavoring oils used in fruit-flavored beverages, for which any applicable standards of identity do not preclude such use, in an amount not to exceed 15 parts per million in the finished beverage, pending the outcome of additional toxicological studies on which periodic reports at 6-month intervals are to be furnished and final results submitted to the Food and Drug Administration promptly after completion of the studies.

[42 FR 14636, Mar. 15, 1977, as amended at 49 FR 5610, Feb. 14, 1984]

§ 180.37 Saccharin, ammonium saccharin, calcium saccharin, and sodium saccharin.

The food additives saccharin, ammonium saccharin, calcium saccharin, and sodium saccharin may be safely used as