

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY

DEPARTMENT OF CONSUMER PROTECTION

Concerning

SUBJECT MATTER OF REGULATION

Standards for Foods

(NEW) **Section 1.** The Regulations of Connecticut State Agencies are hereby amended by specifically reserving for future use Sections 21a-115-33 through 21a-115-39, inclusive.

(NEW) **Section 2.** The Regulations of Connecticut State Agencies are hereby amended by adding Sections 21a-115-40 through 21a-115-77 inclusive, as follows:

21a-115-40. General enforcement regulations

General enforcement regulations for food that is subject to the Connecticut Uniform Food and Drug Act shall be identical to 21 CFR 1.20 through 1.24, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-41. Enforcement Policy

Enforcement policy for food that is subject to the Connecticut Uniform Food and Drug Act shall be identical to 21 CFR 7, Subpart A and Subpart C of the Code of Federal Regulations, as amended from time to time.

21a-115-42. Color additives

Packaging and labeling requirements color additives for food shall be identical to 21 CFR 70.20 and 70.25 of the Code of Federal Regulations, as amended from time to time.

21a-115-43. Listing of color additives for foods that are exempt from certification

Listing of colors that are exempt from certification for food shall be identical to 21 CFR 73.1 through 73.615, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-44. Listing of color additives subject to certification

Listing of color additives subject to certification for food shall be identical to 21 CFR 74.101 through 74.706, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-45. General Restrictions for Provisional Color Additives for Use in Foods

General Restrictions for Provisional Color Additives for Use in Foods shall be identical to 21 CFR 81.1 through 81.32, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-46. Listing of certified provisionally listed colors and specifications

Listing of certified provisionally listed colors and specifications shall be identical to 21 CFR 82.3 through 82.706, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-47. Table Salt and Iodized Table Salt Package Labeling

Package labeling for salt and iodized salt, designated as the name of salt for human food use or table salt shall be identical to 21 CFR 100.155 of the Code of Federal Regulations, as amended from time to time.

21a-115-48. Food labeling

Food labeling shall be identical to 21 CFR 101, Subpart A through Subpart G, inclusive, of the Code of Federal Regulations, as amended from time to time, except for 21 CFR 101.69 and 21 CFR 101.108.

21a-115-49. Common or usual name for nonstandardized foods, labeling

Common or usual names for nonstandardized foods, those foods for which a standard of identity has not been established pursuant to 21a-100 of the Connecticut General Statutes, shall be identical to 21 CFR 102, Subpart A through Subpart B, inclusive, of the Code of Federal Regulations, as amended from time to time, except for 21 CFR 102.19.

21a-115-50. Nutritional quality guidelines for foods

Nutritional quality guidelines for foods shall be identical to 21 CFR 104 of the Code of Federal Regulations, as amended from time to time.

21a-115-51. Foods for special dietary use

Foods for special dietary use shall be identical to 21 CFR 105 of the Code of Federal Regulations, as amended from time to time.

21a-115-52. Infant formula quality control procedures

Infant formula quality control procedures shall be identical to 21 CFR 106, Subpart A through Subpart C, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-53. Infant formula

Infant formula shall be identical to 21 CFR 107, Subpart A through Subpart D, inclusive, of the Code of Federal Regulations, as amended from time to time.

21a-115-54. Emergency permit control

Emergency permit control shall be identical to 21 CFR 108, Subpart B of the Code of Federal Regulations, as amended from time to time.

21a-115-55. Unavoidable contaminants in food for human consumption and food-packaging materials

Unavoidable contaminants in food for human consumption and food-packaging materials shall be identical to 21 CFR 109 of the Code of Federal Regulations, as amended from time to time.

21a-115-56. Current good manufacturing practice in manufacturing, packing, or holding human food

Current good manufacturing practice in manufacturing, packing, or holding human food shall be identical to 21 CFR 110, of the Code of Federal Regulations, as amended from time to time.

21a-115-57. Current good manufacturing practice for dietary supplements

Current good manufacturing practice for dietary supplements shall be identical to 21 CFR 111 of the Code of Federal Regulations, as amended from time to time.

21a-115-58. Thermally processed low-acid foods packaged in hermetically sealed containers

Thermally processed low-acid foods packaged in hermetically sealed containers shall be identical to 21 CFR 113 of the Code of Federal Regulations, as amended from time to time.

21a-115-59. Acidified foods

Acidified foods shall be identical to 21 CFR 114 of the Code of Federal Regulations, as amended from time to time.

21a-115-60. Refrigeration of shell eggs held for retail distribution

Refrigeration requirements of shell eggs held for retail distribution shall be identical to 21 CFR 115 of the Code of Federal Regulations, as amended from time to time.

21a-115-61. Hazard Analysis and Critical Control Point (HACCP) systems

Hazard Analysis and Critical Control Point (HACCP) systems shall be identical to 21 CFR 120 of the Code of Federal Regulations, as amended from time to time.

21a-115-62. Fish and fishery products

Fish and fishery products shall be identical to 21 CFR 123 of the Code of Federal Regulations, as amended from time to time.

21a-115-63. Food additives

Food additives allowed in food shall be identical to 21 CFR 170 of the Code of Federal Regulations, as amended from time to time, except for Sections 21 CFR 170.6, 170.15, and 170.17.

21a-115-64. Food additives permitted for direct addition to food for human consumption

Food additives permitted for direct addition to food for human consumption shall be identical to 21 CFR 172 of the Code of Federal Regulations, as amended from time to time.

21a-115-65. Secondary direct food additives permitted in food for human consumption

Secondary direct food additives permitted in food for human consumption shall be identical to 21 CFR 173 of the Code of Federal Regulations, as amended from time to time.

21a-115-66. Indirect food additives, general requirements

Indirect food additives shall be identical to 21 CFR 174 of the Code of Federal Regulations, as amended from time to time.

21a-115-67. Indirect food additives, specific requirements for adhesives and components of coatings

Indirect food additives adhesives and components of coatings shall be identical to 21 CFR 175 of the Code of Federal Regulations, as amended from time to time.

21a-115-68. Indirect food additives specific requirements for paper and paperboard components

Indirect food additives: paper and paperboard components shall be identical to 21 CFR 176 of the Code of Federal Regulations, as amended from time to time.

21a-115-69. Indirect food additives specific requirements for polymers

Indirect food additives specific requirements for polymers shall be identical to 21 CFR 177 of the Code of Federal Regulations as amended from time to time.

21a-115-70. Indirect food additives specific requirements for adjuvants, production aids, and sanitizers

Indirect food additives specific requirements for adjuvants, production aids, and sanitizers shall be identical to 21 CFR 178 of the Code of Federal Regulations, as amended from time to time.

21a-115-71. Food additives permitted in food or in contact with food on an interim basis pending additional study

Food additives permitted in food or in contact with food on an interim basis pending additional study shall be identical to 21 CFR 180 of the Code of Federal Regulations, as amended from time to time.

21a-115-72. Prior-sanctioned food ingredients

Prior-sanctioned food ingredients shall be identical to 21 CFR 181 of the Code of Federal Regulations, as amended from time to time.

21a-115-73. Substances generally recognized as safe

Substances generally recognized as safe shall be identical to 21 CFR 182 of the Code of Federal Regulations, as amended from time to time.

21a-115-74. Direct food substances affirmed as generally recognized as safe

Direct food substances affirmed as generally recognized as safe shall be identical to 21 CFR 184 of the Code of Federal Regulations, as amended from time to time.

21a-115-75. Indirect food substances affirmed as generally recognized as safe

Indirect food substances affirmed as generally recognized as safe shall be identical to 21 CFR 186 of the Code of Federal Regulations, as amended from time to time.

21a-115-76. Substances prohibited from use in human food

Substances prohibited from use in human food shall be identical to 21 CFR 189 of the Code of Federal Regulations, as amended from time to time.

21a-115-77. Dietary supplements

Dietary supplements shall be identical to 21 CFR 190 of the Code of Federal Regulations, as amended from time to time.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation."

PURPOSE

The purpose of these regulations is unify Federal and State regulation of food products. The new standards are in conformance with national standards set forth in the Code of Federal Regulations ("CFR"). The Connecticut Agricultural Experiment Station is working jointly with the Department in proposing these regulations.

SUMMARY

These changes arise from the Department's participation in the "Manufactured Foods Regulatory Program Standards" ("MFRPS"), a continuous improvement effort led by Federal Food and Drug Administration ("FDA") to improve local programs that regulate food manufacturers.

LEGAL EFFECTS

The legal effect of this proposal would be to adopt new regulation Sections that incorporate definitions and rules set forth in the Code of Federal Regulations.

R-39 Rev. 03/2012
(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
- a. Connecticut General Statutes section(s) 4-168; and 21a-115.
- b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on ____;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on ____;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
- When filed with the Secretary of the State
- OR on (insert date) _____

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED Commissioner Department of Consumer Protection
------	--	--

APPROVED by the **Attorney General** as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
------	---	---------------------------------

*Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.*

(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
---	------	---

Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY
------	---------------------------------	----

(For Secretary of the State Use ONLY)

GENERAL INSTRUCTIONS

1. All regulations proposed for adoption, amendment or repeal, *except* emergency regulations, must be presented to the Attorney General for his/her determination of legal sufficiency. (See CGS Section 4-169.)
2. After approval by the Attorney General, the original and one electronic copy (in Word format) of all regulations proposed for adoption, amendment or repeal must be presented to the Legislative Regulation Review Committee for its action. (See CGS Sections 4-168 and 4-170 as amended by Public Act 11-150, Sections 18 and 19.)
3. Each proposed regulation section must include the appropriate regulation section number and a section heading. (See CGS Section 4-172.)
4. New language added to an existing regulation must be in underlining or CAPITAL LETTERS, as determined by the Regulation Review Committee. (See CGS 4-170(b).)
5. Existing language to be deleted must be enclosed in brackets []. (See CGS 4-170(b).)
6. A completely new regulation or a new section of an existing regulation must be preceded by the word "(NEW)" in capital letters. (See CGS Section 4-170(b).)
7. The proposed regulation must have a statement of its purpose following the final section of the regulation. (See CGS Section 4-170(b).)
8. The Certification Statement portion of the form must be completed, including all applicable information regarding *Connecticut Law Journal* notice publication date(s) and public hearing(s). (See more specific instructions below.)
9. Additional information regarding rules and procedures of the Legislative Regulation Review Committee can be found on the Committee's web site: <http://www.cga.ct.gov/rr/>.
10. A copy of the Legislative Commissioners' Regulations Drafting Manual is located on the LCO website at http://www.cga.ct.gov/lco/pdfs/Regulations_Drafting_Manual.pdf.

CERTIFICATION STATEMENT INSTRUCTIONS

(Numbers below correspond to the numbered sections of the statement)

1. Indicate whether the regulation is a regular or an emergency regulation adopted under the provisions of CGS Section 4-168(f).
2. a) Indicate whether the regulations contains newly adopted sections, amendments to existing sections, and/or repeals existing sections. Check all cases that apply.
b) Indicate the specific legal authority that authorizes or requires adoption, amendment or repeal of the regulation. If the relevant public act has been codified in the most current biennial edition of the *Connecticut General Statutes*, indicate the relevant statute number(s) instead of the public act number. If the public act has not yet been codified, indicate the relevant public act number.
3. Except for emergency regulations adopted under CGS 4-168(f), and technical amendments to an existing regulation adopted under CGS 4-168(g), an agency must publish notice of its intent to adopt a regulation in the *Connecticut Law Journal*. Enter the date of notice publication.
4. CGS Section 4-168(a)(7) prescribes requirements for the holding of an agency public hearing regarding proposed regulations. Enter the date(s) of the hearing(s) held under that section, if any; also enter the date(s) of any hearing(s) the agency was required to hold under the provisions of any other law.
5. As applicable, enter the effective date of the regulation here, or indicate that it is effective upon filing with the Secretary of the State. Please note the information below.

Regulations are effective upon filing with the Secretary of the State or at a later specified date. See CGS Section 4-172(b) which provides that each regulation is effective upon filing, or, if a later date is required by statute or specified in the regulation, the later date is the effective date. An effective date may not precede the effective date of the public act requiring or permitting the regulation. Emergency regulations are effective immediately upon filing with the Secretary of the State, or at a stated date less than twenty days thereafter.