

to Peiperl, Division of Petition Review, March 8, 2002.

3. Memorandum from Bleiberg, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, November 4, 1993.

4. Memorandum from Young, Division of Food Contact Substance Notification Review, to Peiperl, Division of Petition Review, July 18, 2002.

5. Memorandum from Young, Division of Food Contact Substance Notification Review, to Peiperl, Division of Petition Review, June 3, 2003.

VII. Objections

Any person who will be adversely affected by this regulation may at any time file with the Division of Dockets Management (*see ADDRESSES*) written or electronic objections. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include

such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents are to be submitted and are to be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 172

Food additives, Incorporation by reference, Reporting and recordkeeping requirements.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 172 is amended as follows:

PART 172—FOOD ADDITIVES PERMITTED FOR DIRECT ADDITION TO FOOD FOR HUMAN CONSUMPTION

■ 1. The authority citation for 21 CFR part 172 continues to read as follows:

Authority: 21 U.S.C. 321, 341, 342, 348, 371, 379e.

■ 2. Section 172.869 is added to subpart I to read as follows:

§ 172.869 Sucrose oligoesters.

Sucrose oligoesters, as identified in this section, may be safely used in accordance with the following conditions:

(a) Sucrose oligoesters consist of mixtures of sucrose fatty acid esters with an average degree of esterification ranging from four to seven. It is produced by interesterification of sucrose with methyl esters of fatty acids derived from edible fats and oils (including hydrogenated fats and oils). The only solvents which may be used in the preparation of sucrose oligoesters are dimethyl sulfoxide, isobutyl alcohol, and those solvents generally recognized as safe in food.

(b) Sucrose oligoesters meet the specifications in the methods listed in the table in this paragraph. The methods cited for determining compliance with each specification are incorporated by reference, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the methods may be examined at the Center for Food Safety and Applied Nutrition's Library, room 1C-100, 5100 Paint Branch Pkwy., College Park, MD 20740, or at the Office of the **Federal Register**, 800 North Capitol St. NW., suite 700, Washington, DC. Copies of the methods are available from the sources listed in the table in this paragraph:

Specification	Limit	Method Cited	Source for Obtaining Method
(1) Sucrose esters	Not less than 90%	"Method for Analyzing the Purity of Sucrose Fatty Acid Esters," issued by Mitsubishi Chemical Corp., June 17, 1998.	Office of Food Additive Safety, Center for Food Safety and Applied Nutrition (HFS-200), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740.
(2) Mono-, di-, and tri-esters	Not more than 45%	"Method for Measuring the Ester Distribution of Sucrose Oligoesters," issued by Mitsubishi Chemical Corp., June 17, 1998.	Do.
(3) Tetra-, penta-, hexa-, and hepta-esters.	Not less than 50%	Do.	Do.
(4) Octa-esters	Not more than 40%	Do.	Do.
(5) Free Sucrose	Not more than 0.5%	"Free Sucrose Method," issued by Mitsubishi Chemical Corp., June 17, 1998.	Do.
(6) Acid Value	Not more than 4.0	"Acid Value," Appendix VII, Method I (Commercial Fatty Acids), in the <i>Food Chemicals Codex</i> , 4th ed. (1996), p. 820.	National Academy Press, 2101 Constitution Ave. NW, Washington, DC 20418 (Internet: http://www.nap.edu).
(7) Residue on Ignition	Not more than 0.7%	"Residue on Ignition, Appendix IIC, Method I, in the <i>Food Chemicals Codex</i> , 4th ed. (1996), pp. 751-752, (using a 1-gram sample).	Do.