

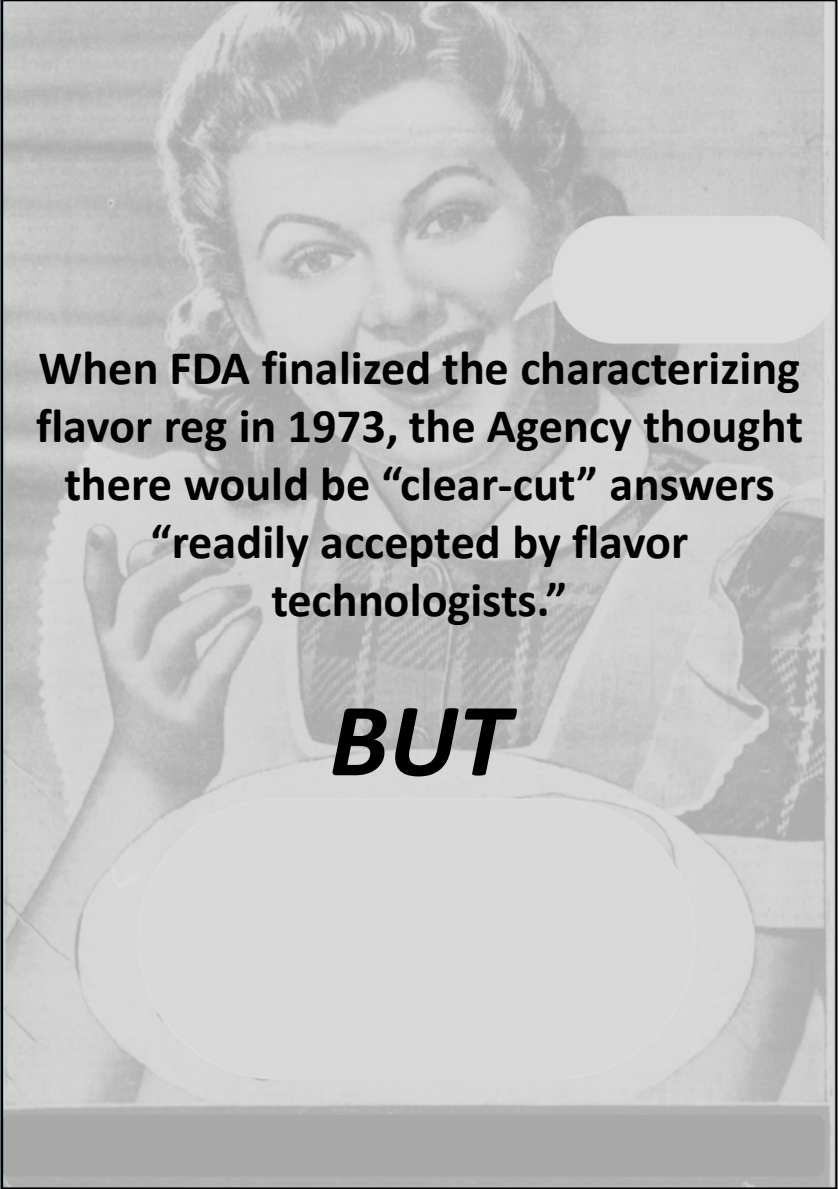
Applying the Characterizing Flavor Reg in **COLOR**

FDA saw this
going
differently



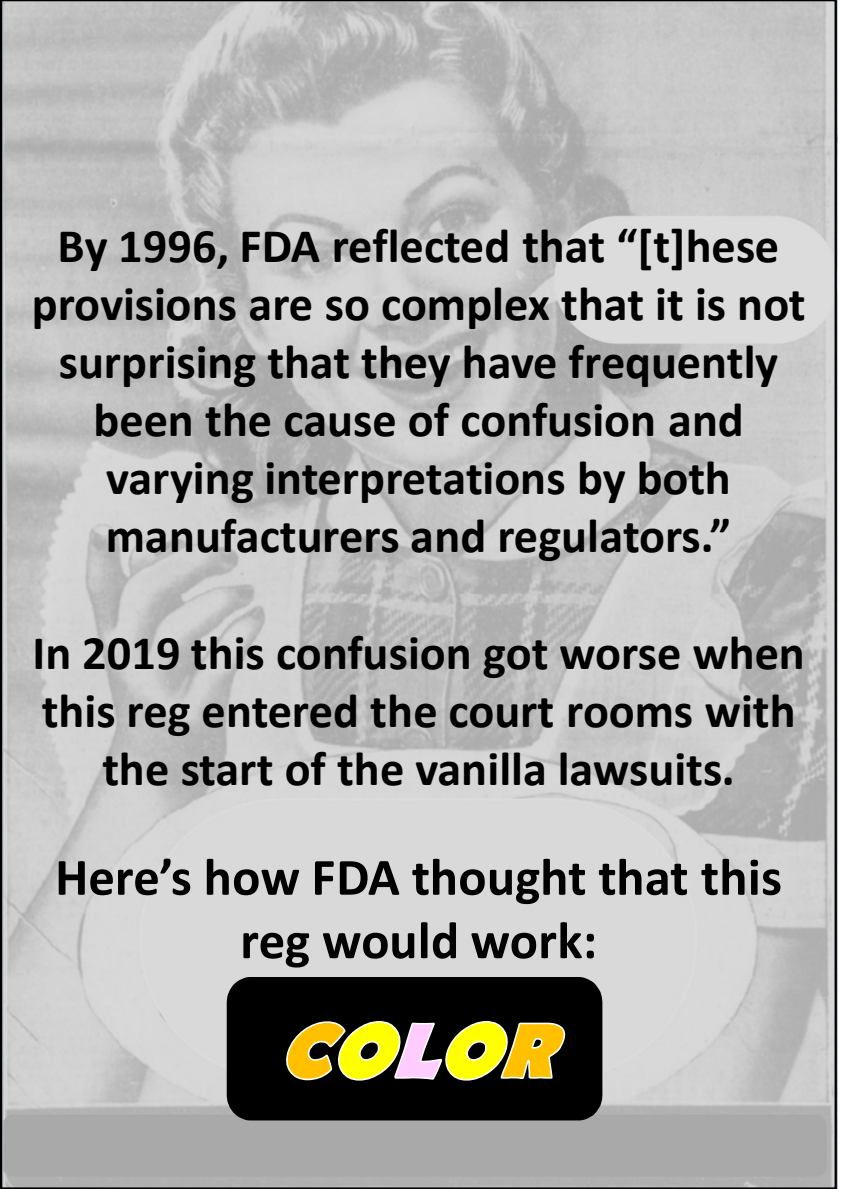
Happy 50th

21 CFR 101.22(i)



When FDA finalized the characterizing flavor reg in 1973, the Agency thought there would be “clear-cut” answers “readily accepted by flavor technologists.”

BUT

A woman with a confused expression, looking at a document. The background is a faded image of her holding a document.

By 1996, FDA reflected that “[t]hese provisions are so complex that it is not surprising that they have frequently been the cause of confusion and varying interpretations by both manufacturers and regulators.”

In 2019 this confusion got worse when this reg entered the court rooms with the start of the vanilla lawsuits.

Here’s how FDA thought that this reg would work:

COLOR

For this Lemon Pudding

Which qualifier
is needed?





None needed

Jell-well
PIE FILLING
and PUDDING
LEMON FLAVOR

The flavoring is from lemons

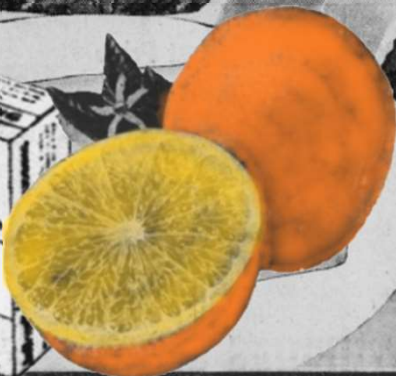
**With Other
Natural
Flavors**

Jell-well
PIE FILLING and PUDDING
Jell-well
PIE FILLING
and PUDDING
LEMON FLAVOR

Flavoring is from lemons & oranges

It's artificial

Jell-well
PIE FILLING and PUDDING
Jell-well
PIE FILLING
and PUDDING
LEMON FLAVOR



The flavoring is from oranges

In written form:

The majority of foods with such flavor designations will be in three categories:

**Products with their own natural flavor:
example – “lemon pudding”;**

**Products with their own natural flavor
plus added natural flavor such as
lemon flavoring made from lemons and
oranges: example- “lemon pudding,
with other natural flavor”;**

**Products with only added natural flavor
other than the flavor of the produced
simulated or any synthetic flavor:
example – “lemon pudding, artificially
flavored.”**

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