

Temporary Approval Application Form

“The 4 conditions of 9 CFR 317.4(f)(1) or 381.133(f)(1) have to be met prior to receiving a temporary approval. Specify details of all conditions on application.”

9 CFR 317.4 or 381.133

(f)(1) Consistent with the requirements of this section, temporary approval for the use of a final label or other final labeling that may otherwise be deemed deficient in some particular may be granted by the Food Labeling Division. Temporary approvals may be granted for a period not to exceed 180 calendar days, under the following conditions:

- (i) The proposed labeling would not misrepresent the product;

- (ii) The use of the labeling would not present any potential health, safety, or dietary problems to the consumer;

- (iii) Denial of the request would create undue economic hardship; and

- (iv) An unfair competitive advantage would not result from the granting of the temporary approval.

EXTENSIONS

“Explain on application what new circumstance has happened since last temporary was granted. Also specify details of the 4 conditions in 9 CFR 317.4(f)(1) or 381.133(f)(1)”

(f)(2) Extensions of temporary approvals may also be granted by the Food Labeling Division provided that the applicant demonstrates that new circumstances, meeting the above criteria, have developed since the original temporary approval was granted.
