

(d) After May 7, 1991, any such OTC drug product that contains hemicellulase initially introduced or initially delivered for introduction into interstate commerce that is not in compliance with this section is subject to regulatory action.

(e) After October 24, 1995, any such OTC drug product that contains pancreatin or pancrelipase initially introduced or initially delivered for introduction into interstate commerce that is not in compliance with this section is subject to regulatory action.

[60 FR 20165, Apr. 24, 1995]

**§ 310.544 Drug products containing active ingredients offered over-the-counter (OTC) for use as a smoking deterrent.**

(a) Any product that bears labeling claims that it “helps stop or reduce the cigarette urge,” “helps break the cigarette habit,” “helps stop or reduce smoking,” or similar claims is a smoking deterrent drug product. Cloves, coriander, eucalyptus oil, ginger (Jamaica), lemon oil (terpeneless), licorice root extract, lobeline (in the form of lobeline sulfate or natural lobelia alkaloids or *Lobelia inflata* herb), menthol, methyl salicylate, povidone-silver nitrate, quinine ascorbate, silver acetate, silver nitrate, and thymol have been present as ingredients in such drug products. There is a lack of adequate data to establish general recognition of the safety and effectiveness of these or any other ingredients for OTC use as a smoking deterrent. Based on evidence currently available, any OTC drug product containing ingredients offered for use as a smoking deterrent cannot be generally recognized as safe and effective.

(b) Any OTC drug product that is labeled, represented, or promoted as a smoking deterrent is regarded as a new drug within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act (the act), for which an approved application or abbreviated application under section 505 of the act and part 314 of this chapter is required for marketing. In the absence of an approved new drug application or abbreviated new drug application, such product is also misbranded under section 502 of the act.

(c) Clinical investigations designed to obtain evidence that any drug product labeled, represented, or promoted for OTC use as a smoking deterrent is safe and effective for the purpose intended must comply with the requirements and procedures governing the use of investigational new drugs set forth in part 312 of this chapter.

(d) After May 7, 1991, any such OTC drug product containing cloves, coriander, eucalyptus oil, ginger (Jamaica), lemon oil (terpeneless), licorice root extract, menthol, methyl salicylate, quinine ascorbate, silver nitrate, and/or thymol initially introduced or initially delivered for introduction into interstate commerce that is not in compliance with this section is subject to regulatory action. After December 1, 1993, any such OTC drug product containing lobeline (in the form of lobeline sulfate or natural lobelia alkaloids or *Lobelia inflata* herb), povidone-silver nitrate, silver acetate, or any other ingredients initially introduced or initially delivered for introduction into interstate commerce that is not in compliance with this section is subject to regulatory action.

[58 FR 31241, June 1, 1993]

**§ 310.545 Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses.**

(a) A number of active ingredients have been present in OTC drug products for various uses, as described below. However, based on evidence currently available, there are inadequate data to establish general recognition of the safety and effectiveness of these ingredients for the specified uses:

(1) *Topical acne drug products.*

Alcloxa  
Alkyl isoquinolinium bromide  
Aluminum chlorohydrate  
Aluminum hydroxide  
Benzocaine  
Benzoic acid  
Boric acid  
Calcium polysulfide  
Calcium thiosulfate  
Camphor  
Chloroxylenol  
Cloxyquin  
Coal tar  
Dibenzothiophene  
Estrone

§ 310.545

21 CFR Ch. I (4–1–07 Edition)

Magnesium aluminum silicate  
Magnesium sulfate  
Phenol  
Phenolate sodium  
Phenyl salicylate  
Povidone-iodine  
Pyrilamine maleate  
Resorcinol (as single ingredient)  
Resorcinol monoacetate (as single ingredient)  
Salicylic acid (over 2 up to 5 percent)  
Sodium borate  
Sodium thiosulfate  
Tetracaine hydrochloride  
Thymol  
Vitamin E  
Zinc oxide  
Zinc stearate  
Zinc sulfide

(2) *Anticaries drug products—(i) Approved as of May 7, 1991.*

Hydrogen fluoride  
Sodium carbonate  
Sodium monofluorophosphate (6 percent rinse)  
Sodium phosphate

(ii) *Approved as of October 7, 1996.*

Calcium sucrose phosphate  
Dicalcium phosphate dihydrate  
Disodium hydrogen phosphate<sup>1</sup>  
Phosphoric acid<sup>1</sup>  
Sodium dihydrogen phosphate  
Sodium dihydrogen phosphate monohydrate  
Sodium phosphate, dibasic anhydrous reagent<sup>1</sup>

(3) *Antidiarrheal drug products—(i) Approved as of May 7, 1991.*

Aluminum hydroxide  
Atropine sulfate  
Calcium carbonate  
Carboxymethylcellulose sodium  
Glycine  
Homatropine methylbromide  
Hyoscyamine sulfate  
Lactobacillus acidophilus  
Lactobacillus bulgaricus  
Opium, powdered  
Opium tincture  
Paregoric  
Phenyl salicylate  
Scopolamine hydrobromide  
Zinc phenolsulfonate

(ii) *Approved as of April 19, 2004; April 18, 2005, for products with annual sales less than \$25,000.*

Attapulgate, activated

<sup>1</sup>These ingredients are nonmonograph except when used to prepare acidulated phosphate fluoride treatment rinses identified in § 355.10(a)(3) of this chapter.

Bismuth subnitrate  
Calcium hydroxide  
Calcium polycarbophil  
Charcoal (activated)  
Pectin  
Polycarbophil  
Potassium carbonate  
Rhubarb fluidextract

(4) *Antiperspirant drug products—(i) Ingredients—Approved as of May 7, 1991.*

Alum, potassium  
Aluminum bromohydrate  
Aluminum chloride (alcoholic solutions)  
Aluminum chloride (aqueous solution) (aerosol only)  
Aluminum sulfate  
Aluminum sulfate, buffered (aerosol only)  
Sodium aluminum chlorohydroxy lactate

(ii) *Approved as of December 9, 2004; June 9, 2005, for products with annual sales less than \$25,000.*

Aluminum sulfate buffered with sodium aluminum lactate

(5) [Reserved]

(6) *Cold, cough, allergy, bronchodilator, and antiasthmatic drug products—(i) Antihistamine drug products—(A) Ingredients.*

Methapyrilene hydrochloride  
Methapyrilene fumarate  
Thenyldiamine hydrochloride

(B) *Ingredients.*

Phenyltoloxamine dihydrogen citrate  
Methapyrilene hydrochloride  
Methapyrilene fumarate  
Thenyldiamine hydrochloride

(ii) *Nasal decongestant drug products—(A) Approved as of May 7, 1991.*

Allyl isothiocyanate  
Camphor (lozenge)  
Creosote, beechwood (oral)  
Eucalyptol (lozenge)  
Eucalyptol (mouthwash)  
Eucalyptus oil (lozenge)  
Eucalyptus oil (mouthwash)  
Menthol (mouthwash)  
Peppermint oil (mouthwash)  
Thenyldiamine hydrochloride  
Thymol  
Thymol (lozenge)  
Thymol (mouthwash)  
Turpentine oil

(B) *Approved as of August 23, 1995.*

Bornyl acetate (topical)  
Cedar leaf oil (topical)  
Creosote, beechwood (topical)  
Ephedrine (oral)  
Ephedrine hydrochloride (oral)

**Food and Drug Administration, HHS**

**§ 310.545**

Ephedrine sulfate (oral)  
Racephedrine hydrochloride (oral/topical)

(iii) *Expectorant drug products.*

Ammonium chloride  
Antimony potassium tartrate  
Beechwood creosote  
Benzoin preparations (compound tincture of benzoin, tincture of benzoin)  
Camphor  
Chloroform  
Eucalyptol/eucalyptus oil  
Horehound  
Iodides (calcium iodide anhydrous, hydriodic acid syrup, iodized lime, potassium iodide)  
Ipecac  
Ipecac fluidextract  
Ipecac syrup  
Menthol/peppermint oil  
Pine tar preparations (extract white pine compound, pine tar, syrup of pine tar, compound white pine syrup, white pine)  
Potassium guaiacolsulfonate  
Sodium citrate  
Squill preparations (squill, squill extract)  
Terpin hydrate preparations (terpin hydrate, terpin hydrate elixir)  
Tolu preparations (tolu, tolu balsam, tolu balsam tincture)  
Turpentine oil (spirits of turpentine)

(iv) *Bronchodilator drug products—(A)*  
*Approved as of October 2, 1987.*

Aminophylline  
Belladonna alkaloids  
Euphorbia pilulifera  
Metaproterenol sulfate  
Methoxyphenamine hydrochloride  
Pseudoephedrine hydrochloride  
Pseudoephedrine sulfate  
Theophylline, anhydrous  
Theophylline calcium salicylate  
Theophylline sodium glycinate

(B) Approved as of January 29, 1996. Any combination drug product containing theophylline (e.g., theophylline and ephedrine, or theophylline and ephedrine and phenobarbital).

(C) Approved as of June 19, 1996. Any ingredient(s) in a pressurized metered-dose inhaler container.

(D) Approved as of October 29, 2001. Any oral bronchodilator active ingredient (e.g., ephedrine, ephedrine hydrochloride, ephedrine sulfate, racephedrine hydrochloride, or any other ephedrine salt) in combination with any analgesic(s) or analgesic-antipyretic(s), anticholinergic, antihistamine, oral antitussive, or stimulant active ingredient.

(7) *Dandruff/seborrheic dermatitis/psoriasis drug products.*

Alkyl isoquinolinium bromide  
Allantoin  
Benzalkonium chloride  
Benzethonium chloride  
Boric acid  
Calcium undecylenate  
Captan  
Chloroxylenol  
Colloidal oatmeal  
Cresol, saponated  
Ethohexadiol  
Eucalyptol  
Juniper tar  
Lauryl isoquinolinium bromide  
Menthol  
Mercury oleate  
Methylbenzethonium chloride  
Methyl salicylate  
Phenol  
Phenolate sodium  
Pine tar  
Povidone-iodine  
Resorcinol  
Sodium borate  
Sodium salicylate  
Thymol  
Undecylenic acid

(8) *Digestive aid drug products—(i)*  
*Approved as of May 7, 1991.*

Bismuth sodium tartrate  
Calcium carbonate  
Cellulase  
Dehydrocholic acid  
Dihydroxyaluminum sodium carbonate  
Duodenal substance  
Garlic, dehydrated  
Glutamic acid hydrochloride  
Hemicellulase  
Homatropine methylbromide  
Magnesium hydroxide  
Magnesium trisilicate  
Ox bile extract  
Pancreatin  
Pancrelipase  
Papain  
Peppermint oil  
Pepsin  
Sodium bicarbonate  
Sodium citrate  
Sorbitol

(ii) *Approved as of November 10, 1993.*

Alcohol  
Aluminum hydroxide  
Amylase  
Anise seed  
Aromatic powder  
Asafetida  
Aspergillus oryza enzymes (except lactase enzyme derived from *Aspergillus oryzae*)  
Bacillus acidophilus  
Bean

**§ 310.545**

Belladonna alkaloids  
 Belladonna leaves, powdered extract  
 Betaine hydrochloride  
 Bismuth subcarbonate  
 Bismuth subgallate  
 Black radish powder  
 Blessed thistle (*cnicus benedictus*)  
 Buckthorn  
 Calcium gluconate  
 Capsicum  
 Capsicum, fluid extract of  
 Carbon  
 Cascara sagrada extract  
 Catechu, tincture  
 Catnip  
 Chamomile flowers  
 Charcoal, wood  
 Chloroform  
 Cinnamon oil  
 Cinnamon tincture  
 Citrus pectin  
 Diastase  
 Diastase malt  
 Dog grass  
 Elecampane  
 Ether  
 Fennel acid  
 Galega  
 Ginger  
 Glycine  
 Hydrastis canadensis (golden seal)  
 Hectorite  
 Horsetail  
 Huckleberry  
 Hydrastis fluid extract  
 Hydrochloric acid  
 Iodine  
 Iron ox bile  
 Johnswort  
 Juniper  
 Kaolin, colloidal  
 Knotgrass  
 Lactic acid  
 Lactose  
 Lavender compound, tincture of  
 Linden  
 Lipase  
 Lysine hydrochloride  
 Mannitol  
 Mycozyme  
 Myrrh, fluid extract of  
 Nettle  
 Nickel-pectin  
 Nux vomica extract  
 Orthophosphoric acid  
 Papaya, natural  
 Pectin  
 Peppermint  
 Peppermint spirit  
 Phenacetin  
 Potassium bicarbonate  
 Potassium carbonate  
 Protease  
 Prolase  
 Rhubarb fluid extract  
 Senna  
 Sodium chloride

**21 CFR Ch. I (4–1–07 Edition)**

Sodium salicylate  
 Stem bromelain  
 Strawberry  
 Strychnine  
 Tannic acid  
 Trillium  
 Woodruff  
 (iii) Charcoal, activated  
 (9) [Reserved]  
 (10) *External analgesic drug products—*  
 (i) *Analgesic and anesthetic drug products.*  
 Aspirin  
 Chloral hydrate  
 Chlorobutanol  
 Cyclomethycaine sulfate  
 Eugenol  
 Hexylresorcinol  
 Methapyrilene hydrochloride  
 Salicylamide  
 Thymol  
 (ii) *Counterirritant drug products.*  
 Chloral hydrate  
 Eucalyptus oil  
 (iii) *Male genital desensitizer drug products.*  
 Benzyl alcohol  
 Camphorated metacresol  
 Ephedrine hydrochloride  
 (iv) *Diaper rash drug products.* Any ingredient(s) labeled with claims or directions for use in the treatment and/or prevention of diaper rash.  
 (v) *Fever blister and cold sore treatment drug products.*  
 Allyl isothiocyanate  
 Aspirin  
 Bismuth sodium tartrate  
 Camphor (exceeding 3 percent)  
 Capsaicin  
 Capsicum  
 Capsicum oleoresin  
 Chloral hydrate  
 Chlorobutanol  
 Cyclomethycaine sulfate  
 Eucalyptus oil  
 Eugenol  
 Glycol salicylate  
 Hexylresorcinol  
 Histamine dihydrochloride  
 Menthol (exceeding 1 percent)  
 Methapyrilene hydrochloride  
 Methyl nicotinate  
 Methyl salicylate  
 Pectin  
 Salicylamide  
 Strong ammonia solution  
 Tannic acid  
 Thymol  
 Tripeleminamine hydrochloride  
 Trolamine salicylate

Food and Drug Administration, HHS

§ 310.545

Turpentine oil  
Zinc sulfate

(vi) *Insect bite and sting drug products.*

Alcohol  
Alcohol, ethoxylated alkyl  
Benzalkonium chloride  
Calamine  
Ergot fluidextract  
Ferric chloride  
Panthenol  
Peppermint oil  
Pyrilamine maleate  
Sodium borate  
Trolamine salicylate  
Turpentine oil  
Zinc oxide  
Zirconium oxide

(vii) *Poison ivy, poison oak, and poison sumac drug products.*

Alcohol  
Aspirin  
Benzethonium chloride  
Benzocaine (0.5 to 1.25 percent)  
Bithionol  
Calamine  
Cetalkonium chloride  
Chloral hydrate  
Chlorobutanol  
Chlorpheniramine maleate  
Creosote, beechwood  
Cyclomethycaine sulfate  
Dexpantenol  
Diperodon hydrochloride  
Eucalyptus oil  
Eugenol  
Glycerin  
Glycol salicylate  
Hectorite  
Hexylresorcinol  
Hydrogen peroxide  
Impatiens biflora tincture  
Iron oxide  
Isopropyl alcohol  
Lanolin  
Lead acetate  
Merbromin  
Mercuric chloride  
Methapyrilene hydrochloride  
Panthenol  
Parethoxycaine hydrochloride  
Phenyltoloxamine dihydrogen citrate  
Povidone-vinylacetate copolymers  
Pyrilamine maleate  
Salicylamide  
Salicylic acid  
Simethicone  
Sulfur  
Tannic acid  
Thymol  
Trolamine salicylate  
Turpentine oil  
Zirconium oxide  
Zyloxin

(11) [Reserved]

(12) *Laxative drug products*—(i) *Bulk laxatives.*

Agar  
Carrageenan (degraded)  
Carrageenan (native)  
Guar gum

(ii) *Saline laxative.*

Tartaric acid

(iii) *Stool softener.*

Poloxamer 188

(iv)(A) *Stimulant laxatives—Approved as of May 7, 1991.*

Aloin  
Bile salts/acids  
Calcium pantothenate  
Calomel  
Colocynth  
Elaterin resin  
Frangula  
Gamboge  
Ipomea  
Jalap  
Ox bile  
Podophyllum resin  
Prune concentrate dehydrate  
Prune powder  
Rhubarb, Chinese  
Sodium Oleate

(iv)(B) *Stimulant laxatives—Approved as of January 29, 1999.*

Danthron  
Phenolphthalein

(C) *Stimulant laxatives—Approved as of November 5, 2002.*

Aloe ingredients (aloe, aloe extract, aloe flower extract)  
Cascara sagrada ingredients (casanthranol, cascara fluidextract aromatic, cascara sagrada bark, cascara sagrada extract, cascara sagrada fluidextract).

(13) [Reserved]

(14) *Oral health care drug products (nonantimicrobial).*

Antipyrine  
Camphor  
Cresol  
Dibucaine  
Dibucaine hydrochloride  
Eucalyptol  
Lidocaine  
Lidocaine hydrochloride  
Methyl salicylate  
Myrrh tincture  
Pyrilamine maleate  
Sorbitol  
Sugars  
Tetracaine  
Tetracaine hydrochloride

§ 310.545

21 CFR Ch. I (4–1–07 Edition)

Thymol

(15) *Topical otic drug products*—(i) *For the prevention of swimmer’s ear and for the drying of water-clogged ears, approved as of May 7, 1991.*

Acetic acid

(ii) *For the prevention of swimmer’s ear, approved as of August 15, 1995.*

Glycerin and anhydrous glycerin  
Isopropyl alcohol

(16) *Poison treatment drug products.*

Ipecac fluidextract  
Ipecac tincture  
Zinc sulfate

(17) *Skin bleaching drug products.*

Mercury, ammoniated

(18) *Skin protectant drug products*—  
(i)(A) *Ingredients—Approved as of May 7, 1991.*

Allantoin (wound healing claims only)  
Sulfur  
Tannic acid  
Zinc acetate (wound healing claims only)

(B) *Ingredients—Approved as of June 4, 2004; June 6, 2005, for products with annual sales less than \$25,000.*

Beeswax  
Bismuth subnitrate  
Boric acid  
Cetyl alcohol  
Glyceryl stearate  
Isopropyl palmitate  
Live yeast cell derivative  
Shark liver oil  
Stearyl alcohol

(ii) *Astringent drug products.*

Acetone  
Alcohol  
Alum, ammonium  
Alum, potassium  
Aluminum chlorhydroxy complex  
Aromatics  
Benzalkonium chloride  
Benzethonium chloride  
Benzocaine  
Benzoic acid  
Boric acid  
Calcium acetate  
Camphor gum  
Clove oil  
Colloidal oatmeal  
Cresol  
Cupric sulfate  
Eucalyptus oil  
Eugenol  
Ferric subsulfate (Monsel’s Solution)  
Honey

Isopropyl alcohol  
Menthol  
Methyl salicylate  
Oxyquinoline sulfate  
P-t-butyl-m-cresol  
Peppermint oil  
Phenol  
Polyoxyethylene laurate  
Potassium ferrocyanide  
Sage oil  
Silver nitrate  
Sodium borate  
Sodium diacetate  
Talc  
Tannic acid glycerite  
Thymol  
Topical starch  
Zinc chloride  
Zinc oxide  
Zinc phenolsulfonate  
Zinc stearate  
Zinc sulfate

(iii) *Diaper rash drug products.*

Aluminum hydroxide  
Cocoa butter  
Cysteine hydrochloride  
Glycerin  
Protein hydrolysate  
Racemethionine  
Sulfur  
Tannic acid  
Zinc acetate  
Zinc carbonate

(iv) *Fever blister and cold sore treatment drug products.*

Bismuth subnitrate  
Boric acid  
Pyridoxine hydrochloride  
Sulfur  
Tannic acid  
Topical starch  
Trolamine  
Zinc sulfate

(v) *Insect bite and sting drug products*—  
(A) *Ingredients—Approved as of November 10, 1993.*

Alcohol  
Alcohol, ethoxylated alkyl  
Ammonia solution, strong  
Ammonium hydroxide  
Benzalkonium chloride  
Camphor  
Ergot fluid extract  
Ferric chloride  
Menthol  
Peppermint oil  
Phenol  
Pyrilamine maleate  
Sodium borate  
Trolamine  
Turpentine oil  
Zirconium oxide

**Food and Drug Administration, HHS**

**§ 310.545**

(B) *Ingredients—Approved as of June 4, 2004; June 6, 2005, for products with annual sales less than \$25,000.*

Beeswax  
Bismuth subnitrate  
Boric acid  
Cetyl alcohol  
Glyceryl stearate  
Isopropyl palmitate  
Live yeast cell derivative  
Shark liver oil  
Stearyl alcohol

(vi) *Poison ivy, poison oak, and poison sumac drug products—(A) Ingredients—Approved as of November 10, 1993.*

Alcohol  
Anion and cation exchange resins buffered  
Benzethonium chloride  
Benzocaine  
Benzyl alcohol  
Bismuth subnitrate  
Bithionol  
Boric acid  
Camphor  
Cetalkonium chloride  
Chloral hydrate  
Chlorpheniramine maleate  
Creosote  
Diperodon hydrochloride  
Diphenhydramine hydrochloride  
Eucalyptus oil  
Ferric chloride  
Glycerin  
Hectorite  
Hydrogen peroxide  
Impatiens biflora tincture  
Iron oxide  
Isopropyl alcohol  
Lanolin  
Lead acetate  
Lidocaine  
Menthol  
Merbromin  
Mercuric chloride  
Panthenol  
Parethoxycaine hydrochloride  
Phenol  
Phenyltoloxamine dihydrogen citrate  
Povidone-vinylacetate copolymers  
Salicylic acid  
Simethicone  
Tannic acid  
Topical starch  
Trolamine  
Turpentine oil  
Zirconium oxide  
Zyloxin

(B) *Ingredients—Approved as of June 4, 2004; June 6, 2005, for products with annual sales less than \$25,000.*

Beeswax  
Bismuth subnitrate  
Boric acid

Cetyl alcohol  
Glyceryl stearate  
Isopropyl palmitate  
Live yeast cell derivative  
Shark liver oil  
Stearyl alcohol

(19) [Reserved]

(20) *Weight control drug products.*

Alcohol  
Alfalfa  
Alginate acid  
Anise oil  
Arginine  
Ascorbic acid  
Bearberry  
Biotin  
Bone marrow, red  
Buchu  
Buchu, potassium extract  
Caffeine  
Caffeine citrate  
Calcium  
Calcium carbonate  
Calcium caseinate  
Calcium lactate  
Calcium pantothenate  
Carboxymethylcellulose sodium  
Carrageenan  
Cholecalciferol  
Choline  
Chondrus  
Citric acid  
Cnicus benedictus  
Copper  
Copper gluconate  
Corn oil  
Corn syrup  
Corn silk, potassium extract  
Cupric sulfate  
Cyanocobalamin (vitamin B<sub>12</sub>)  
Cystine  
Dextrose  
Docusate sodium  
Ergocalciferol  
Ferric ammonium citrate  
Ferric pyrophosphate  
Ferrous fumarate  
Ferrous gluconate  
Ferrous sulfate (iron)  
Flax seed  
Folic acid  
Fructose  
Guar gum  
Histidine  
Hydrastis canadensis  
Inositol  
Iodine  
Isoleucine  
Juniper, potassium extract  
Karaya gum  
Kelp  
Lactose  
Lecithin  
Leucine  
Liver concentrate

**§ 310.545****21 CFR Ch. I (4–1–07 Edition)**

Lysine  
 Lysine hydrochloride  
 Magnesium  
 Magnesium oxide  
 Malt  
 Maltodextrin  
 Manganese citrate  
 Mannitol  
 Methionine  
 Methylcellulose  
 Mono- and di-glycerides  
 Niacinamide  
 Organic vegetables  
 Pancreatin  
 Pantothenic acid  
 Papain  
 Papaya enzymes  
 Pepsin  
 Phenacetin  
 Phenylalanine  
 Phosphorus  
 Phytolacca  
 Pineapple enzymes  
 Plantago seed  
 Potassium citrate  
 Pyridoxine hydrochloride (vitamin B<sub>6</sub>)  
 Riboflavin  
 Rice polishings  
 Saccharin  
 Sea minerals  
 Sesame seed  
 Sodium  
 Sodium bicarbonate  
 Sodium caseinate  
 Sodium chloride (salt)  
 Soybean protein  
 Soy meal  
 Sucrose  
 Thiamine hydrochloride (vitamin B<sub>1</sub>)  
 Thiamine mononitrate (vitamin B<sub>1</sub> mono-nitrate)  
 Threonine  
 Tricalcium phosphate  
 Tryptophan  
 Tyrosine  
 Uva ursi, potassium extract  
 Valine  
 Vegetable  
 Vitamin A  
 Vitamin A acetate  
 Vitamin A palmitate  
 Vitamin E  
 Wheat germ  
 Xanthan gum  
 Yeast

(21) *Ophthalmic drug products.* (i) *Ophthalmic anesthetic drug products.*

Antipyrine  
 Piperocaine hydrochloride

(ii) *Ophthalmic anti-infective drug products.*

Boric acid  
 Mild silver protein  
 Yellow mercuric oxide

(iii) *Ophthalmic astringent drug products.*

Infusion of rose petals

(iv) *Ophthalmic demulcent drug products.*

Polyethylene glycol 6000

(v) *Ophthalmic vasoconstrictor drug products.*

Phenylephrine hydrochloride (less than 0.08 percent)

(22) *Topical antifungal drug products.*

(i) *Diaper rash drug products.* Any ingredient(s) labeled with claims or directions for use in the treatment and/or prevention of diaper rash.

(ii) *Ingredients.*

Alcloxa  
 Alum, potassium  
 Aluminum sulfate  
 Amyltri cresols, secondary  
 Basic fuchsin  
 Benzethonium chloride  
 Benzoic acid  
 Benzoxiquine  
 Boric acid  
 Camphor  
 Candicidin  
 Chlorothymol  
 Coal tar  
 Dichlorophen  
 Menthol  
 Methylparaben  
 Oxyquinoline  
 Oxyquinoline sulfate  
 Phenol  
 Phenolate sodium  
 Phenyl salicylate  
 Propionic acid  
 Propylparaben  
 Resorcinol  
 Salicylic acid  
 Sodium borate  
 Sodium caprylate  
 Sodium propionate  
 Sulfur  
 Tannic acid  
 Thymol  
 Tolindate  
 Triacetin  
 Zinc caprylate  
 Zinc propionate

(iii) Any ingredient(s) labeled with claims or directions for use on the scalp or on the nails.

(iv) *Ingredients.*

Camphorated metacresol  
 Chloroxylenol  
 m-cresol  
 Nystatin

Food and Drug Administration, HHS

§ 310.545

(23) *Internal analgesic drug products—*  
(i) *Approved as of November 10, 1993.*

Aminobenzoic acid  
Antipyrine  
Aspirin, aluminum  
Calcium salicylate  
Codeine  
Codeine phosphate  
Codeine sulfate  
Iodoantipyrine  
Lysine aspirin  
Methapyrilene fumarate  
Phenacetin  
Pheniramine maleate  
Pyrilamine maleate  
Quinine  
Salsalate  
Sodium aminobenzoate

(ii) *Approved as of February 22, 1999.*

Any atropine ingredient  
Any ephedrine ingredient

(24) *Orally administered menstrual drug products—*(i) *Approved as of November 10, 1993.*

Alcohol  
Alfalfa leaves  
Aloes  
Asclepias tuberosa  
Asparagus  
Barosma  
Bearberry (extract of uva ursi)  
Bearberry fluidextract (extract of bearberry)  
Blessed thistle (cnicus benedictus)  
Buchu powdered extract (extract of buchu)  
Calcium lactate  
Calcium pantothenate  
Capsicum oleoresin  
Cascara fluidextract, aromatic (extract of cascara)  
Chlorprophenpyridamine maleate  
Cimicifuga racemosa  
Codeine  
Collinsonia (extract stone root)  
Corn silk  
Couch grass  
Dog grass extract  
Ethyl nitrite  
Ferric chloride  
Ferrous sulfate  
Gentiana lutea (gentian)  
Glycyrrhiza (licorice)  
Homatropine methylbromide  
Hydrangea, powdered extract (extract of hydrangea)  
Hydrastis canadensis (golden seal)  
Hyoscyamine sulfate  
Juniper oil (oil of juniper)  
Magnesium sulfate  
Methapyrilene hydrochloride  
Methenamine  
Methylene blue  
Natural estrogenic hormone  
Niacinamide

Nutmeg oil (oil of nutmeg)  
Oil of erigeron  
Parsley  
Peppermint spirit  
Pepsin, essence  
Phenacetin  
Phenindamine tartrate  
Phenyl salicylate  
Piscidia erythrina  
Pipsissewa  
Potassium acetate  
Potassium nitrate  
Riboflavin  
Saw palmetto  
Senecio aureus  
Sodium benzoate  
Sodium nitrate  
Sucrose  
Sulferated oils of turpentine  
Taraxacum officinale  
Theobromine sodium salicylate  
Theophylline  
Thiamine hydrochloride  
Triticum  
Turpentine, venice (venice turpentine)  
Urea

(ii) *Approved as of February 22, 1999.*

Any atropine ingredient  
Any ephedrine ingredient

(25) *Pediculicide drug products—*(i) *Approved as of November 10, 1993.*

Benzocaine  
Benzyl alcohol  
Benzyl benzoate  
Chlorophenothane (dichlorodiphenyl trichloroethane)  
Coconut oil soap, aqueous  
Copper oleate  
Docusate sodium  
Formic acid  
Isobornyl thiocyanacetate  
Picrotoxin  
Propylene glycol  
Sabadilla alkaloids  
Sulfur, sublimed  
Thiocyanacetate

(ii) *Approved as of June 14, 1994.* The combination of pyrethrum extract (formerly named pyrethrins) and piperonyl butoxide in an aerosol dosage formulation.

(26) *Anorectal drug products—*(i) *Anticholinergic drug products.*

Atropine  
Belladonna extract

(ii) *Antiseptic drug products.*

Boric acid  
Boroglycerin  
Hydrastis  
Phenol  
Resorcinol

§ 310.545

21 CFR Ch. I (4-1-07 Edition)

Sodium salicylic acid phenolate

(iii) *Astringent drug products.*

Tannic acid

(iv) *Counterirritant drug products.*

Camphor (greater than 3 to 11 percent)

Hydrastis

Menthol (1.25 to 16 percent)

Turpentine oil (rectified) (6 to 50 percent)

(v) *Keratolytic drug products.*

Precipitated sulfur

Sublimed sulfur

(vi) *Local anesthetic drug products.*

Diperodon

Phenacaine hydrochloride

(vii) *Other drug products.*

Collinsonia extract

Escherichia coli vaccines

Lappa extract

Leptandra extract

Live yeast cell derivative

Mullein

(viii) *Protectant drug products.*

Bismuth oxide

Bismuth subcarbonate

Bismuth subgallate

Bismuth subnitrate

Lanolin alcohols

(ix) *Vasoconstrictor drug products.*

Epinephrine undecylenate

(x) *Wound healing drug products.*

Cholecalciferol

Cod liver oil

Live yeast cell derivative

Peruvian balsam

Shark liver oil

Vitamin A

(xi) *Combination drug products.* Any combination drug product containing hydrocortisone and pramoxine hydrochloride.

(27) *Topical antimicrobial drug products*—(i) *First aid antiseptic drug products.*

Ammoniated mercury

Calomel (mercurous chloride)

Merbromin (mercurochrome)

Mercufenol chloride (ortho-

chloromercuriphenol, ortho-

hydroxyphenylmercuric chloride)

Mercuric chloride (bichloride of mercury,

mercury chloride)

Mercuric oxide, yellow

Mercuric salicylate

Mercuric sulfide, red

Mercury

Mercury oleate

Mercury sulfide

Nitromersol

Para-chloromercuriphenol

Phenylmercuric nitrate

Thimerosal

Vitromersol

Zyloxin

(ii) *Diaper rash drug products.*

Para-chloromercuriphenol

Any other ingredient containing mercury

(28) *Vaginal contraceptive drug products*—(i) *Approved as of October 22, 1998.*

Dodecaethylene glycol monolaurate (polyethylene glycol 600 monolaurate)

Laureth 10S

Methoxypolyoxyethyleneglycol 550 laurate

Phenylmercuric acetate

Phenylmercuric nitrate

Any other ingredient containing mercury

(ii) *Approved as of November 5, 2002.*

Octoxynol 9

(29) *Sunscreen drug products.*

Diethanolamine methoxycinnamate

Digalloyl trioleate

Ethyl 4-[bis(hydroxypropyl)] aminobenzoate

Glyceryl aminobenzoate

Lawsonia with dihydroxyacetone

Red petrolatum

(30) [Reserved]

(b) Any OTC drug product that is labeled, represented, or promoted for the uses specified and containing any active ingredient(s) as specified in paragraph (a) of this section is regarded as a new drug within the meaning of section 210(p) of the Federal Food, Drug, and Cosmetic Act (the Act), for which an approved new drug application under section 505 of the Act and part 314 of this chapter is required for marketing. In the absence of an approved new drug application, such product is also misbranded under section 502 of the Act.

(c) Clinical investigations designed to obtain evidence that any drug product labeled, represented, or promoted for the OTC uses and containing any active ingredient(s) as specified in paragraph (a) of this section is safe and effective for the purpose intended must comply with the requirements and procedures governing the use of investigational new drugs set forth in part 312 of this chapter.

(d) Any OTC drug product that is not in compliance with this section is subject to regulatory action if initially introduced or initially delivered for introduction into interstate commerce after the dates specified in paragraphs (d)(1) through (d)(37) of this section.

(1) May 7, 1991, for products subject to paragraphs (a)(1) through (a)(2)(i), (a)(3)(i), (a)(4)(i), (a)(6)(i)(A), (a)(6)(ii)(A), (a)(7) (except as covered by paragraph (d)(3) of this section), (a)(8)(i), (a)(10)(i) through (a)(10)(iii), (a)(12)(i) through (a)(12)(iv)(A), (a)(14) through (a)(15)(i), (a)(16) through (a)(18)(i)(A), (a)(18)(ii) (except as covered by paragraph (d)(22) of this section), (a)(18)(iii), (a)(18)(iv), (a)(18)(v)(A), and (a)(18)(vi)(A) of this section.

(2) February 10, 1992, for products subject to paragraph (a)(20) of this section.

(3) December 4, 1992, for products subject to paragraph (a)(7) of this section that contain menthol as an anti-pruritic in combination with the anti-dandruff ingredient coal tar identified in § 358.710(a)(1) of this chapter.

(4) February 28, 1990, for products subject to paragraph (a)(6)(iii) of this section, except those that contain ipecac.

(5) September 14, 1993, for products subject to paragraph (a)(6)(iii) of this section that contain ipecac.

(6) December 9, 1993, for products subject to paragraph (a)(6)(i)(B) of this section.

(7) March 6, 1989, for products subject to paragraph (a)(21) of this section, except those that contain ophthalmic anti-infective ingredients listed in paragraph (a)(21)(ii).

(8) June 18, 1993, for products subject to paragraph (a)(21) of this section that contain ophthalmic anti-infective ingredients.

(9) June 18, 1993, for products subject to paragraph (a)(10)(iv) of this section.

(10) June 18, 1993, for products subject to paragraph (a)(22)(i) of this section.

(11) November 10, 1993, for products subject to paragraphs (a)(8)(ii), (a)(10)(v) through (a)(10)(vii), (a)(18)(ii) (except products that contain ferric subsulfate as covered by paragraph (d)(22) of this section) through (a)(18)(v)(A), (a)(18)(vi)(A), (a)(22)(ii),

(a)(23)(i), (a)(24)(i), and (a)(25) of this section.

(12) March 2, 1994, for products subject to paragraph (a)(22)(iii) of this section.

(13) August 5, 1991, for products subject to paragraph (a)(26) of this section, except for those that contain live yeast cell derivative and a combination of hydrocortisone and pramoxine hydrochloride.

(14) September 2, 1994, for products subject to paragraph (a)(26)(vii) and (a)(26)(x) of this section that contain live yeast cell derivative.

(15) September 23, 1994, for products subject to paragraph (a)(22)(iv) of this section.

(16) June 14, 1994, for products subject to paragraph (a)(25)(ii) of this section.

(17) April 19, 2004, for products subject to paragraph (a)(3)(ii) of this section. April 18, 2005, for products with annual sales less than \$25,000.

(18) August 15, 1995, for products subject to paragraph (a)(15)(ii) of this section.

(19) October 2, 1987, for products subject to paragraph (a)(6)(iv)(A) of this section.

(20) January 29, 1996, for products subject to paragraph (a)(6)(iv)(B) of this section.

(21) April 21, 1994, for products subject to paragraph (a)(8)(iii) of this section.

(22) April 21, 1993, for products subject to paragraph (a)(18)(ii) of this section that contain ferric subsulfate.

(23) August 23, 1995, for products subject to paragraph (a)(6)(ii)(B) of this section.

(24) October 7, 1996, for products subject to paragraph (a)(2)(ii) of this section.

(25) June 19, 1996, for products subject to paragraph (a)(6)(iv)(C) of this section.

(26) February 22, 1999, for products subject to paragraphs (a)(23)(ii) and (a)(24)(ii) of this section.

(27) [Reserved]

(28) October 22, 1998, for products subject to paragraphs (a)(27) and (a)(28)(i) of this section.

(29) January 29, 1999, for products subject to paragraph (a)(12)(iv)(B) of this section.

**Pt. 310, § 310.545, Nt.**

**21 CFR Ch. I (4–1–07 Edition)**

(30) November 5, 2002, for products subject to paragraph (a)(12)(iv)(C) of this section.

(31) December 31, 2002, for products subject to paragraph (a)(29) of this section.

(32) June 4, 2004, for products subject to paragraphs (a)(18)(i)(B), (a)(18)(v)(B), and (a)(18)(vi)(B) of this section. June 6, 2005, for products with annual sales less than \$25,000.

(33) October 29, 2001, for products subject to paragraph (a)(6)(iv)(D) of this section.

(34) December 9, 2004, for products subject to paragraph (a)(4)(ii) of this section. June 9, 2005, for products with annual sales less than \$25,000.

(35) [Reserved]

(36) November 5, 2002, for products subject to paragraph (a)(28)(ii) of this section.

(37) September 25, 2003, for products subject to paragraph (a)(26)(xi) of this section.

[55 FR 46919, Nov. 7, 1990]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 310.545, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTES: 1. At 61 FR 9571, Mar. 8, 1996, in § 310.545 in paragraph (a)(6)(ii)(B), the entry for “1-desoxyephedrine (topical)” was stayed until further notice.

2. At 70 FR 58977, Oct. 11, 2005, § 310.545 was amended by adding paragraph (a)(6)(ii)(C), effective Apr. 11, 2007. For the convenience of the user, the added text is set forth as follows:

**§ 310.545 Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses.**

- (a) \* \* \*
- (6) \* \* \*
- (ii) \* \* \*

(C) Approved as of April 11, 2007; October 11, 2007, for products with annual sales less than \$25,000. Any ingredient(s) labeled with claims or directions for use for sinusitis or for relief of nasal congestion associated with sinusitis.

\* \* \* \* \*

3. At 72 FR 9852, Mar. 6, 2007, § 310.545 (d)(3) was revised, effective Apr. 5, 2007. For the convenience of the user, the revised text is set forth as follows:

**§ 310.545 Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses.**

\* \* \* \* \*

(d) \* \* \*

(3) December 4, 1992, for products subject to paragraph (a)(7) of this section that contain menthol as an antipruritic in combination with the antidandruff ingredient coal tar identified in § 358.710(a)(1) of this chapter. This section does not apply to products allowed by § 358.720(b) of this chapter after April 5, 2007.

\* \* \* \* \*

4. At 72 FR 14674, Mar. 29, 2007, § 310.545 was amended by redesignating paragraph (a)(12)(i) as paragraph (a)(12)(i)(A), by adding paragraph (a)(12)(i)(B), by revising paragraph (d) introductory text and paragraph (d)(1), and by adding paragraph (d)(38), effective Oct. 1, 2007. For the convenience of the user, the added and revised text is set forth as follows:

**§ 310.545 Drug products containing active ingredients offered over-the-counter (OTC) for certain uses.**

- (a) \* \* \*
- (12) \* \* \*

(i)(B) *Bulk laxatives*—Approved as of March 29, 2007. Granular dosage forms containing psyllium (hemicellulose), psyllium hydrophilic mucilloid, psyllium seed, psyllium seed (blond), psyllium seed husks, plantago husks, or plantago seed including, but not limited to, any granules that are:

- (1) Swallowed dry prior to drinking liquid,
- (2) Dispersed, suspended, or partially dissolved in liquid prior to swallowing,
- (3) Chewed, partially chewed, or unchewed, and then washed down (or swallowed) with liquid, or
- (4) Sprinkled over food.

\* \* \* \* \*

(d) Any OTC drug product that is not in compliance with this section is subject to regulatory action if initially introduced or initially delivered for introduction into interstate commerce after the dates specified in paragraphs (d)(1) through (d)(38) of this section.

(1) May 7, 1991, for products subject to paragraphs (a)(1) through (a)(2)(i), (a)(3)(i), (a)(4)(i), (a)(6)(i)(A), (a)(6)(ii)(A), (a)(7) (except as covered by paragraph (d)(3) of this section), (a)(8)(i), (a)(10)(i) through (a)(10)(iii), (a)(12)(i)(A), (a)(12)(ii) through (a)(12)(iv)(A), (a)(14) through (a)(15)(i), (a)(16) through (a)(18)(i)(A), (a)(18)(ii) (except as covered by paragraph (d)(22) of this section),