

## APPENDIX—REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE—Continued

16 CFR part	Topic	Year to re-view
239 .....	Guides for the Advertising of Warranties and Guarantees .....	2010
433 .....	Preservation of Consumers' Claims and Defenses Rule .....	2010
700 .....	Interpretations of Magnuson-Moss Warranty Act .....	2010
701 .....	Disclosure of Written Consumer Product Warranty Terms and Conditions .....	2010
702 .....	Pre-sale Availability of Written Warranty Terms .....	2010
703 .....	Informal Dispute Settlement Procedures .....	2010
23 .....	Guides for the Jewelry, Precious Metals, and Pewter Industries .....	2011
423 .....	Care Labeling Rule .....	2011
20 .....	Guides for the Rebuilt, Reconditioned and Other Used Automobile Parts Industry .....	2012
233 .....	Guides Against Deceptive Pricing .....	2012
238 .....	Guides Against Bait Advertising .....	2012
240 .....	Guides for Advertising Allowances and Other Merchandising Payments and Services .....	2012
251 .....	Guide Concerning Use of the word "Free" and Similar Representations .....	2012
259 .....	Guide Concerning Fuel Economy Advertising for New Automobiles .....	2012
310 .....	Telemarketing Sales Rule .....	2013
801 .....	Hart-Scott-Rodino Antitrust Improvements Act Coverage Rules .....	2013
802 .....	Hart-Scott-Rodino Antitrust Improvements Act Exemption Rules .....	2013
803 .....	Hart-Scott-Rodino Antitrust Improvements Act Transmittal Rules .....	2013

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 101**

[Docket No. 2003N-0496]

RIN 0910-AF09

**Food Labeling: Health Claims; Dietary Guidance; Extension of Comment Period****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Advance notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to February 25, 2004, the comment period for the advance notice of proposed rulemaking (ANPRM) that appeared in the **Federal Register** of November 25, 2003 (68 FR 66040). In the ANPRM, FDA requested comments on alternatives for regulating qualified health claims in the labeling of conventional human foods and dietary supplements. FDA also solicited comments on various other issues related to health claims and on the appropriateness and nature of dietary guidance statements on conventional foods and dietary supplement labels. The agency is taking this action in response to requests for an extension to allow interested persons additional time to submit comments.

**DATES:** Submit written and electronic comments by February 25, 2004.**ADDRESSES:** Submit written comments to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>.**FOR FURTHER INFORMATION CONTACT:**Nancy T. Crane, Center for Food Safety and Applied Nutrition (HFS-830), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740-3835, 301-436-1456, or e-mail: [Nancy.Crane@cfstan.fda.gov](mailto:Nancy.Crane@cfstan.fda.gov).**SUPPLEMENTARY INFORMATION:****I. Background**

In the **Federal Register** of November 25, 2003 (68 FR 66040), FDA published an ANPRM with a 60-day comment period to request comments on alternatives for regulating qualified health claims in the labeling of conventional human foods and dietary supplements. FDA also solicited comments on various other issues related to health claims and on the appropriateness and nature of dietary guidance statements on conventional foods and dietary supplement labels. Comments on the regulatory alternatives and the additional topics will inform FDA's rulemaking to establish regulations for qualified health claims, as well as any policy initiative(s) that FDA may undertake to provide information to consumers to help them make wise food choices.

The agency has received multiple requests for either a 30-day or 60-day extension of the comment period for the ANPRM. Each request conveyed concern that the current 60-day

comment period does not allow sufficient time to develop a meaningful or thoughtful response to the ANPRM. In addition, two requests noted that the current comment period occurred during a period of time that included the Thanksgiving and year-end holidays. All of the requests explained that an extension is necessary due to the complexity, implications, and/or importance of the rulemaking on health claims and dietary guidance in food and dietary supplement labeling.

FDA has considered the requests and is extending the comment period for the ANPRM for 30 days, until February 25, 2004. The agency believes that a 30-day extension allows adequate time for interested persons to submit comments without significantly delaying rulemaking on these important issues.

**II. Request for Comments**

Interested persons may, on or before February 25, 2004, submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments on this ANPRM. Submit two copies of any comments, except that individuals may submit one copy. Identify comments with the docket number found in brackets in the heading of this document. Interested persons may review received comments in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: January 22, 2004.

**Jeffrey Shuren,***Assistant Commissioner for Policy.*

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