

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 73**

[Docket No. 97C-0415]

**Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA) is confirming the effective date of September 8, 2000, for the final rule that appeared in the **Federal Register** of August 8, 2000 (65 FR 48375). The final rule amended the color additive regulations to provide for the safe use of luminescent zinc sulfide as a color additive in certain externally applied cosmetics.

**DATES:** Effective date confirmed: September 8, 2000.

**FOR FURTHER INFORMATION CONTACT:** Aydin Orstan, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3076.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of August 8, 2000 (65 FR 48375), FDA amended the color additive regulations to add § 73.2995 *Luminescent zinc sulfide* (21 CFR 73.2995) to provide for the safe use of luminescent zinc sulfide as a color additive in certain externally applied cosmetics.

FDA gave interested persons until September 7, 2000, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA finds that the effective date of the final rule that published in the **Federal Register** of August 8, 2000, should be confirmed.

**List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the August 8, 2000, final rule. Accordingly, the amendments issued thereby became effective September 8, 2000.

Dated: September 29, 2000.

Margaret M. Dotzel,

*Associate Commissioner for Policy.*

[FR Doc. 00-25697 Filed 10-5-00; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 73**

[Docket No. 97C-0466]

**Listing of Color Additives Exempt From Certification; Phaffia Yeast; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA) is confirming the effective date of August 8, 2000, for the final rule that appeared in the **Federal Register** of July 6, 2000 (65 FR 41584), and that amended the color additive regulations to provide for the safe use of phaffia yeast as a color additive in the feed of salmonid fish to enhance the color of their flesh.

**DATES:** Effective date confirmed: August 8, 2000.

**FOR FURTHER INFORMATION CONTACT:** Aydin Orstan, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3076.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of July 6, 2000 (65 FR 41584), FDA amended the color additive regulations to add new § 73.355 *Phaffia yeast* (21 CFR 73.355) to provide for the safe use of phaffia yeast as a color additive in the feed of salmonid fish to enhance the color of their flesh.

FDA gave interested persons until August 7, 2000, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA finds that the effective date of the final rule that published in the **Federal Register** of July 6, 2000, should be confirmed.

**List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given

that no objections or requests for a hearing were filed in response to the July 6, 2000, final rule. Accordingly, the amendments issued thereby became effective August 8, 2000.

Dated: September 29, 2000.

Margret M. Dotzel,

*Associate Commissioner for Policy.*

[FR Doc. 00-25704 Filed 10-5-00; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 73**

[Docket No. 98C-0212]

**Listing of Color Additives Exempt From Certification; Haematococcus Algae Meal; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA) is confirming the effective date of August 8, 2000, for the final rule that appeared in the **Federal Register** of July 6, 2000 (65 FR 41581), and that amended the color additive regulations to provide for the safe use of haematococcus algae meal as a color additive in the feed of salmonid fish to enhance the color of their flesh.

**DATES:** Effective date confirmed: August 8, 2000.

**FOR FURTHER INFORMATION CONTACT:** Aydin Orstan, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3076.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of July 6, 2000 (65 FR 41581), FDA amended the color additive regulations to add § 73.185 *Haematococcus algae meal* (21 CFR 73.185) to provide for the safe use of haematococcus algae meal as a color additive in the feed of salmonid fish to enhance the color of their flesh.

FDA gave interested persons until August 7, 2000, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA finds that the effective date of the final rule that published in the **Federal Register** of July 6, 2000, should be confirmed.

**List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the July 6, 2000, final rule. Accordingly, the amendments issued thereby became effective August 8, 2000.

Dated: September 29, 2000.

**Margaret M. Dotzel,**

*Associate Commissioner for Policy.*

[FR Doc. 00-25703 Filed 10-5-00; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 601

[Docket No. 97N-0165]

#### Regulations Requiring Manufacturers to Assess the Safety and Effectiveness of New Drugs and Biological Products in Pediatric Patients; Technical Amendment

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the biologics regulations to reincorporate a regulation that was inadvertently omitted. This action is being taken to improve the accuracy of the regulations.

**DATES:** This rule is effective October 6, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Stephen M. Ripley, Center for Biologics Evaluation and Research (HFM-17), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852-1448, 301-827-6210.

**SUPPLEMENTARY INFORMATION:** FDA has discovered that an error has caused an omission in the agency's codified regulations for part 601 (21 CFR part 601). In the **Federal Register** of May 17, 1999 (64 FR 26657), FDA published a final rule that inadvertently omitted § 601.37 when subpart D was revised. Accordingly, § 601.37, which was added in the **Federal Register** of December 2, 1998 (63 FR 66672), is being reincorporated into the regulations and redesignated as § 601.28. In addition,

FDA is removing subpart B and reorganizing subpart C in part 601. Accordingly, current § 601.28 is redesignated as § 601.15. This document corrects those errors. Publication of this document constitutes final action under the Administrative Procedure Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment is nonsubstantive.

#### List of Subjects in 21 CFR Part 601

Administrative practice and procedure, Biologics, Confidential business information.

Therefore, under the Federal Food, Drug, and Cosmetic Act, and the Public Health Service Act, and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 601 is amended as follows:

#### PART 601—LICENSING

1. The authority citation for 21 CFR part 601 continues to read as follows:

**Authority:** 15 U.S.C. 1451-1561; 21 U.S.C. 321, 351, 352, 353, 355, 360, 360c-360f, 360h-360j, 371, 374, 379e, 381; 42 U.S.C. 216, 241, 262, 263; sec. 122, Pub. L. 105-115, 111 Stat. 2322 (21 U.S.C. 355 note).

#### § 601.12 [Redesignated to subpart C]

2. Section 601.12 *Changes to an approved application* is redesignated from subpart B to subpart C.

#### Subpart B [Removed and Reserved]

3. Subpart B is removed and reserved.

#### Subpart C—Biologics Licensing

4. The heading for subpart C is revised to read as set forth above.

#### § 601.28 [Redesignated as § 601.15]

5. Section 601.28 is redesignated as § 601.15 in subpart C, and a new § 601.28 is added to subpart C to read as follows:

#### § 601.28 Annual reports of postmarketing pediatric studies.

Sponsors of licensed biological products shall submit the following information each year within 60 days of the anniversary date of approval of the license to the Director, Center for Biologics Evaluation and Research:

(a) *Summary.* A brief summary stating whether labeling supplements for pediatric use have been submitted and whether new studies in the pediatric population to support appropriate labeling for the pediatric population have been initiated. Where possible, an estimate of patient exposure to the drug product, with special reference to the

pediatric population (neonates, infants, children, and adolescents) shall be provided, including dosage form.

(b) *Clinical data.* Analysis of available safety and efficacy data in the pediatric population and changes proposed in the labeling based on this information. An assessment of data needed to ensure appropriate labeling for the pediatric population shall be included.

(c) *Status reports.* A statement on the current status of any postmarketing studies in the pediatric population performed by, or on behalf of, the applicant. The statement shall include whether postmarketing clinical studies in pediatric populations were required or agreed to, and if so, the status of these studies, e.g., to be initiated, ongoing (with projected completion date), completed (including date), completed and results submitted to the biologics license application (including date).

Dated: September 29, 2000.

**William K. Hubbard,**

*Senior Associate Commissioner for Policy, Planning, and Legislation.*

[FR Doc. 00-25705 Filed 10-5-00; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 4

[T.D. ATF-431; Ref: Notice Nos. 890 and 895]

RIN: 1512-AB86

#### Labeling of Flavored Wine Products (98R-317P)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule, Treasury decision.

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is amending the regulations to prohibit the use of any varietal designation, type designation of varietal significance, semi-generic geographic type designation, or geographic distinctive designation in statements of composition for flavored wines and other wine specialty products. The regulations are also being amended to provide that references on labels to such designations in the brand name, product name, or fanciful name are limited to standard grape wines. ATF believes that the final regulations will ensure that consumers are not misled as to the identity of the products they purchase.