

**Parts Closed to the Public**

1. Discussion of litigation.
2. Discussion of personnel matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
Thomas J. Trabucco, Director, Office of  
External Affairs, (202) 942-1640.

Dated: December 4, 2002.

**David L. Hutner,**

*Secretary to the Board, Federal Retirement  
Thrift Investment Board.*

[FR Doc. 02-31117 Filed 12-4-02; 4:28 pm]

**BILLING CODE 6760-01-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 02P-0462]

#### **Food Labeling: Nutrient Content Claims; Implied Nutrient Content Claim in the Brand Name CARBOLITE; Availability of Petition**

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug  
Administration (FDA) is announcing the  
availability for comment of a petition  
submitted by Carbolite Foods, Inc. (the  
petitioner), for the use of an implied  
nutrient content claim in their brand  
name CARBOLITE.

**DATES:** Submit written or electronic  
comments on the petition by January 8,  
2003.

**ADDRESSES:** Submit written comments  
to the Dockets Management Branch  
(HFA-305), Food and Drug  
Administration, 5630 Fishers Lane, rm.  
1061, Rockville, MD 20852. Submit  
electronic comments to <http://www.fda.gov/dockets/ecomments>. The  
petition is available for review at the  
Dockets Management Branch or  
electronically on the agency's Web site  
at <http://www.fda.gov/ohrms/dockets>.  
You also may request a copy of the  
petition from the Dockets Management  
Branch.

**FOR FURTHER INFORMATION CONTACT:**  
Constance Henry, Office of Nutritional  
Products, Labeling and Dietary  
Supplements, Center for Food Safety  
and Applied Nutrition (HFS-830), Food  
and Drug Administration, 5100 Paint  
Branch Pkwy., College Park, MD,  
20740-3835, 301-436-1450.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 403(r)(4)(A)(iii) of the Federal  
Food, Drug and Cosmetic Act (the act)  
(21 U.S.C. 343(r)(4)(A)(iii)), provides

that any person may petition the  
Secretary of Health and Human Services  
(and by delegation FDA) for permission  
to use an implied claim characterizing  
the level of a nutrient (nutrient content  
claim) in a brand name. Under  
§ 101.69(o)(3) (21 CFR 101.69(o)(3)),  
FDA will publish a notice of the petition  
in the **Federal Register** announcing its  
availability to the public and seeking  
comment on the petition. Within 100  
days of the date of receipt of a petition  
accepted for review, FDA will notify the  
petitioner by letter of its decision to: (1)  
Grant the petitioner permission to use  
the proposed brand name, if such use is  
not misleading, specifying any  
conditions or limitations on such use, or  
(2) deny the petition, stating the reasons  
for the denial.

FDA must grant the petition if it finds  
that the petitioned claim is not  
misleading and is consistent with terms  
defined by regulation under section  
403(r)(2)(A)(i) of the act. If FDA fails to  
notify the petitioner of its decision to  
grant or deny the petition within the  
100-day period, the petition shall be  
considered to be granted. We have  
determined this 100-day deadline to be  
January 15, 2003.

##### **II. Nutrient Content Claim in a Brand Name Petition**

Carbolite Foods, Inc., submitted a  
petition to FDA on October 7, 2002,  
under section 403(r)(4)(A)(iii) of the act  
(§ 101.69(o)) seeking permission to use  
its brand name CARBOLITE as an  
implied nutrient content claim in a  
brand name.

In accordance with § 101.69(o),  
Carbolite's petition for a nutrient  
content claim in a brand name must  
identify the implied nutrient content  
claim for CARBOLITE, the nutrient the  
claim is intended to characterize (sugar),  
the corresponding term for  
characterizing the level of such nutrient  
as defined by a regulation under section  
403(r)(2)(A)(i) of the act ("zero sugar"  
(also referred to as "sugar free" and  
defined in 21 CFR 101.60(c)(1)) and  
"reduced sugar" (defined in 21 CFR  
101.60(c)(5))), and the brand name of  
which the implied claim is intended to  
be a part—CARBOLITE. The petition  
states that the petitioner seeks  
permission "to use the company brand  
name 'CARBOLITE' for its line of 'zero  
sugar' and 'reduced sugar' food  
products."

##### **III. Comments**

You may submit written or electronic  
comments to the Dockets Management  
Branch (see **ADDRESSES**). Groups or  
organizations must submit two copies of  
any mailed comments. Individuals may

submit one copy of their comments.  
Submit only one copy of your comment  
if submitting an electronic comment.  
Identify your written or electronic  
comments with the docket number  
found in brackets in the heading of this  
document. The petition and received  
comments may be seen in the Dockets  
Management Branch between 9 a.m. and  
4 p.m., Monday through Friday.

Dated: December 3, 2002.

**Margaret M. Dotzel,**

*Assistant Commissioner for Policy.*

[FR Doc. 02-31067 Filed 12-4-02; 3:17 pm]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### **National Institute of Nursing Research; Notice of Closed Meeting**

Pursuant to section 10(d) of the  
Federal Advisory Committee Act, as  
amended (5 U.S.C. Appendix 2), notice  
is hereby given of the following  
meeting.

The meeting will be closed to the  
public in accordance with the  
provisions set forth in sections  
552b(c)(4) and 552b(c)(6), Title 5 U.S.C.,  
as amended. The grant applications and  
the discussions could disclose  
confidential trade secrets or commercial  
property such as patentable material,  
and personal information concerning  
individuals associated with the grant  
applications, the disclosure of which  
would constitute a clearly unwarranted  
invasion of personal privacy.

*Name of Committee:* National Institute of  
Nursing Research Special Emphasis Panel,  
NRSA Individual Predoctoral Fellowship and  
Career Development Award Applications.

*Date:* December 3, 2002.

*Time:* 10:30 a.m. to 11:30 a.m.

*Agenda:* To review and evaluate grant  
applications.

*Place:* 1 Democracy Plaza, Democracy 1,  
6701 Democracy, 710, Bethesda, MD 20892-  
4870, (Telephone Conference Call).

*Contact Person:* John E. Richters, PhD,  
Scientific Review Administrator, Office of  
Review, Division of Extramural Activities,  
National Institute of Nursing Research,  
National Institutes of Health, 6701  
Democracy Blvd., Room 715, Bethesda, MD  
20817, (301) 594-5971, [jrichters@nih.gov](mailto:jrichters@nih.gov).

This notice is being published less than 15  
days prior to the meeting due to the timing  
limitations imposed by the review and  
funding cycle.

(Catalogue of Federal Domestic Assistance  
Program Nos. 93.361, Nursing Research,  
National Institutes of Health, HHS)

Dated: November 29, 2002.

**LaVerne Y. Stringfield,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 02-30955 Filed 12-6-02; 8:45 am]

BILLING CODE 4140-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552(b)(3)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute on Drug Abuse Special Emphasis Panel, Program Project.

*Date:* December 17, 2002.

*Time:* 9 a.m. to 5 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* Ritz-Carlton Hotel at Pentagon City, 1250 South Hayes Street, Arlington, VA 22202.

*Contact Person:* Mark R. Green, PhD, Chief, CEASRB, Office of Extramural Affairs, National Institute on Drug Abuse, National Institutes of Health, DHHS, Room 3158, MSC 9547, 6001 Executive Boulevard, Bethesda, MD 20892-9547, (301) 435-1431.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse Research Programs, National Institutes of Health, HHS)

Dated: November 29, 2002.

**LaVerne Y. Stringfield,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 02-30957 Filed 12-6-02; 8:45 am]

BILLING CODE 4140-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provision is set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, Organ Transplantation in Animals and Man.

*Date:* December 18, 2002.

*Time:* 8 a.m. to 1:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

*Contact Person:* Lakshmanan Sankaran, PhD, Scientific Review Administrator, Review Branch, DEA, NIDDK, Room 754, 6707 Democracy Boulevard, National Institutes of Health, Bethesda, MD 20892-6600, (301) 594-7799, [Is38z@nih.gov](mailto:Is38z@nih.gov).

*Name of Committee:* National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, Islet Transplantation Tolerance.

*Date:* December 20, 2002.

*Time:* 8 a.m. to 1 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.

*Contact Person:* Lakshmanan Sankaran, PhD, Scientific Review Administrator, Review Branch, DEA, NIDDK, Room 754, 6707 Democracy Boulevard, National Institutes of Health, Bethesda, MD 20892-6600, (301) 594-7799, [Is38z@nih.gov](mailto:Is38z@nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS).

Dated: November 29, 2002.

**LaVerne Y. Stringfield,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 02-30958 Filed 12-6-02; 8:45 am]

BILLING CODE 4140-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel, Parkinson's Disease and Stem Cells.

*Date:* December 4, 2002.

*Time:* 10:30 a.m. to 11:30 a.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892. (Telephone conference call.)

*Contact Person:* Sherry L. Stuesse, PhD, Scientific Review Administrator, Division of Clinical and Population-Based Studies, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5188, MSC 7846, Bethesda, MD 20892. 301-435-1785. [stuesses@csr.nih.gov](mailto:stuesses@csr.nih.gov).

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel, Basic and Clinical Studies of Anterior Eye Diseases.

*Date:* December 11, 2002.

*Time:* 1 p.m. to 3 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892. (Telephone conference call.)

*Contact Person:* Mary Custer, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5102, MSC 7850, Bethesda, MD 20892. (301) 435-1164. [custer@csr.nih.gov](mailto:custer@csr.nih.gov).

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel, Structure and Function of Developmental Regulators in the Nervous System.

*Date:* December 19, 2002.

*Time:* 10 a.m. to 11:30 a.m.