

467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201, 262, 263b, 264.

#### § 14.20 [Amended]

9. Section 14.20 *Notice of hearing before an advisory committee* is amended by removing paragraph (e).

### PART 16—REGULATORY HEARING BEFORE THE FOOD AND DRUG ADMINISTRATION

10. The authority citation for 21 CFR part 16 continues to read as follows:

**Authority:** 15 U.S.C. 1451–1461; 21 U.S.C. 141–149, 321–394, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201–262, 263b, 364.

#### § 16.60 [Amended]

11. Section 16.60 *Hearing procedure* is amended by removing paragraph (a)(3).

Dated: January 5, 2001.

**Ann M. Witt,**

*Acting Associate Commissioner for Policy.*  
[FR Doc. 01–1566 Filed 1–19–01; 8:45 am]

**BILLING CODE 4160–01–F**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 178

[Docket No. 99F–2336]

#### Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

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

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of manganese ammonium pyrophosphate (C.I. Pigment Violet 16) as a colorant for all polymers intended for use in contact with food. This action is in response to a petition filed by Holliday Pigments, Ltd.

**DATES:** This rule is effective January 22, 2001. Submit written objections and requests for a hearing by February 21, 2001.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

#### FOR FURTHER INFORMATION CONTACT:

Mark A. Hepp, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3098.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of July 21, 1999 (64 FR 39146), FDA announced that a food additive petition (FAP 9B4670) had been filed by Holliday Pigments, Ltd., Morley St., Kingston upon Hull, HU8 8DN ENGLAND. The petition proposed to amend the food additive regulations in § 178.3297 *Colorants for polymers* (21 CFR 178.3297) to provide for the safe use of manganese ammonium pyrophosphate (C.I. Pigment Violet 16) as a colorant for all polymers intended for use in contact with food.

FDA has evaluated the data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of the additive is safe, that the additive will achieve its intended technical effect, and therefore, that the regulations in § 178.3297 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time file with the Dockets Management Branch (address above) written objections by February 21, 2001. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents are to be submitted with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

#### List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

### PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

**Authority:** 21 U.S.C. 321, 342, 348, 379e.

2. Section 178.3297 is amended in the table in paragraph (e) by alphabetically adding an entry under the headings “Substances” and “Limitations” to read as follows:

#### § 178.3297 Colorants for polymers.

\* \* \* \* \*

(e) \* \* \*

Substances	Limitations
<p>* * *</p> <p>Manganese Violet (manganese ammonium pyrophosphate; CAS Reg. No. 10101-66-3).</p> <p>* * *</p>	<p>* * *</p> <p>For use at levels not to exceed 2 percent by weight of polymers. The finished articles are to contact food only under conditions of use A through H as described in table 2 of § 176.170(c) of this chapter.</p> <p>* * *</p>

Dated: December 27, 2000.  
**Janice F. Oliver,**  
*Deputy Director, Center for Food Safety and Applied Nutrition.*  
[FR Doc. 01-1565 Filed 1-19-01; 8:45 am]  
**BILLING CODE 4160-01-F**

DEPARTMENT OF JUSTICE

28 CFR PART 16  
[AAG/A Order No. 212-2001]

Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.  
**ACTION:** Final Rule.

**SUMMARY:** The Department of Justice is further exempting the United States Marshals Service (USMS) Internal Affairs System, JUSTICE/USM-002, from subsections (e)(1) and (e)(5) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2), (k)(2) and (k)(5). This system is currently exempt from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(8), (f) and (g) pursuant to subsections (j)(2) and (k)(5). In addition to records compiled during the course of investigations of allegations of misconduct or criminal violations by USMS personnel, this system also contains records compiled for law enforcement investigations related to actual or potential civil and regulatory violations. The additional exemptions are necessary to avoid interference with such law enforcement investigations and to protect the privacy of third party individuals.

**EFFECTIVE DATE:** This rule will be effective January 22, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mary E. Cahill on (202) 307-1823.

**SUPPLEMENTARY INFORMATION:** A proposed rule with invitation to comment was published in the **Federal Register** on November 8, 1999 (64 FR 60753). The public was given 30 days in which to comment. No public comments were received.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is

hereby stated that the order will not have a "significant economic impact on a substantial number of small entities."

List of Subjects in 28 CFR Part 16

Administrative Practice and Procedure, Courts, Freedom of Information Act, Government in the Sunshine Act, and Privacy.

Dated: January 8, 2001.  
**Stephen R. Colgate,**  
*Assistant Attorney General for Administration.*

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, 28 CFR Part 16 is amended as follows:

1. The authority for Part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. 28 CFR 16.101 is amended by revising paragraphs (e), introductory text, (e)(1), (f)(1), and (f)(3); by redesignating paragraphs (f)(7), (f)(8) and (f)(9) as paragraphs (f)(8), (f)(9) and (f)(10) and adding new paragraph (f)(7) as follows:

§ 16.101 Exemption of U.S. Marshals Service (USMS) Systems—limited access, as indicated.

(e) The following system of records is exempt from 5 U.S.C. 552a(c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5), (e)(8), (f) and (g).

(1) Internal Affairs System (JUSTICE/USM-002)—Limited access. These exemptions apply only to the extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a(j)(2), (k)(2) or (k)(5). Where compliance would not interfere with or adversely affect the law enforcement process, the USMS may waive the exemptions, either partially or totally.

(f) \* \* \*

(1) From subsections (c)(3) and (d) to the extent that release of the disclosure accounting may impede or interfere with civil or criminal law enforcement efforts, reveal a source who furnished information to the Government in confidence, and/or result in an

unwarranted invasion of the personal privacy of collateral record subjects or other third party individuals.

\* \* \*

(3) From subsection (e)(1) to the extent that it is necessary to retain all information in order not to impede, compromise, or interfere with civil or criminal law enforcement efforts, e.g., where the significance of the information may not be readily determined and/or where such information may provide leads or assistance to Federal and other law agencies in discharging their law enforcement responsibilities.

(4) \* \* \*

(5) \* \* \*

(6) \* \* \*

(7) From subsection (e)(5) because in the collection of information for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance and the accuracy of such information can only be determined in a court of law. The restrictions imposed by subsection (e)(5) would restrict the ability to collect information for law enforcement purposes and interfere with the preparation of a complete investigative report or otherwise impede effective law enforcement.

\* \* \*

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DEPARTMENT OF JUSTICE

28 CFR Part 25  
[AG Order No. 2354-2001]; [FBI 105F]  
RIN 1110-AA02

National Instant Criminal Background Check System Regulation

**AGENCY:** Federal Bureau of Investigation, Department of Justice.  
**ACTION:** Final rule.

**SUMMARY:** The United States Department of Justice ("DOJ" or "the Department") is publishing a final rule amending the