

section 5(a) of the FCPIAA. The Commission is also making conforming amendments to include its Recycled Oil Rule, which was inadvertently omitted from the previous adjustment. *See* 16 CFR 1.98(l), as amended; 16 CFR 311.6 (prohibited acts under test procedures and labeling standards for recycled oil).

Thus, the civil penalty amount for violations of Clayton Act section 7A and of rules and orders enforced under or by reference to the FTC Act will increase from \$11,000 to \$12,000. *See* amended Rule 1.98(a), (c)–(e), (m). Civil penalty amounts prescribed by Webb-Pomerence Act section 5, Wool Products Labeling Act section 6(b), Fur Products Labeling Act sections 3(e) and 8(d)(2), and Energy Policy and Conservation Act sections 333(a) (Appliance Labeling Rule) will increase from \$110 to \$120. *See* amended Rule 1.98(g)–(k). Civil penalty amounts prescribed by Clayton Act section 11(l), FTC Act section 10, and Energy Policy and Conservation Act section 525(a) and (b) (Recycled Oil Rule) will reflect comparable percentage increases. *See* amended Rule 1.98(b), (f), (l). These inflation adjustments will become effective November 20, 2000, and will apply to violations occurring after that date, pursuant to section 7 of the FCPIAA.

Because the Commission has no discretion in determining the relevant amounts of these mandatory adjustments, the Commission finds it unnecessary to seek public comment on them. *See* 5 U.S.C. 553(b)(B). The requirements of the Regulatory Flexibility Act also do not apply. *See* 5 U.S.C. 603, 604.

#### List of Subjects

##### 16 CFR Part 1

Administrative practice and procedure, Penalties, Trade practices.

##### 16 CFR Part 311

Energy conservation, Labeling, Recycled oil, Trade practices.

For the reasons set forth in the preamble, the Federal Trade Commission amends Title 16, chapter I, subchapters A, Part 1, and C, Part 311, of the Code of Federal Regulations as follows:

#### SUBCHAPTER A—ORGANIZATION, PROCEDURES AND RULES OF PRACTICE

##### PART 1—GENERAL PROCEDURES

##### Subpart L—Civil Penalty Adjustments Under the Federal Civil Penalties Inflation Adjustment Act of 1990, as Amended by the Debt Collection Improvement Act of 1996

1. Revise the authority for subpart L to read as follows:

**Authority:** 28 U.S.C. 2461 note.

2. Revise the heading of subpart L to read as set forth above.

(3) Revise § 1.98 to read as follows:

##### § 1.98 Adjustment of civil monetary penalty amounts.

This section makes inflation adjustments in the dollar amounts of civil monetary penalties provided by law within the Commission's jurisdiction. The following civil penalty amounts apply to violations occurring after November 20, 2000:

- (a) Section 7A(g)(1) of the Clayton Act, 15 U.S.C. 18a(g)(1)—\$12,000;
- (b) Section 11(l) of the Clayton Act, 15 U.S.C. 21(l)—\$6,500;
- (c) Section 5(l) of the FTC Act, 15 U.S.C. 45(l)—\$12,000;
- (d) Section 5(m)(1)(A) of the FTC Act, 15 U.S.C. 45(m)(1)(A)—\$12,000;
- (e) Section 5(m)(1)(B) of the FTC Act, 15 U.S.C. 45(m)(1)(B)—\$12,000;
- (f) Section 10 of the FTC Act, 15 U.S.C. 50—\$120;
- (g) Section 5 of the Webb-Pomerene (Export Trade) Act, 15 U.S.C. 65—\$120;
- (h) Section 6(b) of the Wool Products Labeling Act, 15 U.S.C. 68d(b)—\$120;
- (i) Section 3(e) of the Fur Products Labeling Act, 15 U.S.C. 69a(e)—\$120;
- (j) Section 8(d)(2) of the Fur Products Labeling Act, 15 U.S.C. 69f(d)(2)—\$120;
- (k) Section 333(a) of the Energy Policy and Conservation Act, 42 U.S.C. 6303(a)—\$120;

(l) Sections 525(a) and (b) of the Energy Policy and Conservation Act, 42 U.S.C. 6395(a) and (b)—\$6,500 and \$12,000, respectively; and

(m) Civil monetary penalties authorized by reference to the Federal Trade Commission Act under any other provision of law within the jurisdiction of the Commission—refer to the amounts set forth in paragraphs (c), (d), (e) and (f) of this section, as applicable.

#### SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

##### PART 311—TEST PROCEDURES AND LABELING STANDARDS FOR RECYCLED OIL

4. The authority for part 311 continues to read as follows:

**Authority:** 42 U.S.C. 6363(d).

5. Amend § 311.6 by revising the last sentence to read as follows:

##### § 311.6 Prohibited acts.

\* \* \* Violations will be subject to enforcement through civil penalties (as adjusted for inflation pursuant to § 1.98 of this chapter), imprisonment, and/or injunctive relief in accordance with the enforcement provisions of Section 525 of the Energy Policy and Conservation Act (42 U.S.C. 6395).

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 00–26303 Filed 10–12–00; 8:45 am]

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#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Food and Drug Administration

##### 21 CFR Part 172

[Docket No. 99F–3087]

##### Food Additives Permitted for Direct Addition to Food for Human Consumption; Sodium Stearoyl Lactylate

**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 sodium stearoyl lactylate as an emulsifier, stabilizer, and texturizer in cream liqueur drinks. This action is in response to a petition filed by the American Ingredients Co.

**DATES:** This rule is effective October 13, 2000. Submit written objections and requests for a hearing by November 13, 2000.

**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:** Mary E. LaVecchia, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3047.

##### SUPPLEMENTARY INFORMATION:

##### I. Introduction

In a notice published in the **Federal Register** on September, 13, 1999 (64 FR 49495), FDA announced that a food additive petition (FAP 9A4684) had

been filed by the American Ingredients Co., 3947 Broadway, Kansas City, MO 64111. The petition proposed to amend the food additive regulations in § 172.846 *Sodium stearoyl lactylate* (21 CFR 172.846) to provide for the safe use of sodium stearoyl lactylate as an emulsifier, stabilizer, and texturizer in cream liqueur drinks.

## II. Conclusions

FDA has evaluated the data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of sodium stearoyl lactylate is safe, that the additive will achieve its intended technical effect, and, therefore, that the regulation in § 172.846 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.

## III. Environmental Impact

The agency has previously considered the environmental effects of this rule as announced in the notice of filing for FAP 9A4684. No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required.

## IV. Paperwork Reduction Act of 1995

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

## V. Objections

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 November 13, 2000. 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 and are to be identified 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 172

Food additives, Reporting and recordkeeping requirements.

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 172 is amended as follows:

### PART 172—FOOD ADDITIVES PERMITTED FOR DIRECT ADDITION TO FOOD FOR HUMAN CONSUMPTION

1. The authority citation for 21 CFR part 172 continues to read as follows:

**Authority:** 21 U.S.C. 321, 341, 342, 348, 371, 379e.

2. Section 172.846 is amended by adding paragraph (c)(9) to read as follows:

#### § 172.846 Sodium stearoyl lactylate

\* \* \* \* \*

(c) \* \* \*

(9) As an emulsifier, stabilizer, or texturizer in cream liqueur drinks, at a level not to exceed 0.5 percent by weight of the finished product.

Dated: October 2, 2000.

**L. Robert Lake,**

*Director of Regulations and Policy, Center for Food Safety and Applied Nutrition.*

[FR Doc. 00-26251 Filed 10-12-00; 8:45 am]

**BILLING CODE 4160-01-F**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4022 and 4044

#### Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans prescribe interest assumptions for valuing and paying benefits under terminating single-employer plans. This final rule amends the regulations to adopt interest assumptions for plans with valuation dates in November 2000. Interest assumptions are also published on the PBGC's web site ([www.pb.gc.gov](http://www.pb.gc.gov)).

**EFFECTIVE DATE:** November 1, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024. (For TTY/TDD users, call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** The PBGC's regulations prescribe actuarial assumptions—including interest assumptions—for valuing and paying plan benefits of terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Three sets of interest assumptions are prescribed: (1) a set for the valuation of benefits for allocation purposes under section 4044 (found in Appendix B to Part 4044), (2) a set for the PBGC to use to determine whether a benefit is payable as a lump sum and to determine lump-sum amounts to be paid by the PBGC (found in Appendix B to Part 4022), and (3) a set for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology (found in Appendix C to Part 4022). (See the PBGC's two final rules published March 17, 2000, in the *Federal Register* (at 65 FR 14752 and 14753). Effective May 1, 2000, these rules changed how the interest