

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 4

#### Commodity Pool Operators and Commodity Trading Advisors; Exemption From Requirement To Register for CPOs of Certain Pools and CTAs Advising Such Pools

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Extension of comment period.

**SUMMARY:** The Commodity Futures Trading Commission (Commission) is extending the comment period for the advance notice of proposed rulemaking (ANPR) with respect to providing additional exemptions from registration as a commodity pool operator (CPO) or commodity trading advisor (CTA). The new deadline for submitting public comments is January 23, 2003.

**DATES:** Written comments must be received on or before January 23, 2003.

**ADDRESSES:** Comments on the advance notice of proposed rulemaking should be sent to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581. Comments may be sent by facsimile transmission to (202) 418-5528, or by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "Advance Notice of Proposed Rulemaking on CPO and CTA Registration Exemptions."

#### FOR FURTHER INFORMATION CONTACT:

Barbara S. Gold, Associate Director, Division of Clearing and Intermediary Oversight, or Christopher W. Cummings, Special Counsel, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, telephone number: (202) 418-5450 or (202) 418-5445, respectively; facsimile number: (202) 418-5536, or (202) 418-5547, respectively; and electronic mail: [bgold@cftc.gov](mailto:bgold@cftc.gov) or [ccummings@cftc.gov](mailto:ccummings@cftc.gov), respectively.

**SUPPLEMENTARY INFORMATION:** On November 13, 2002, the Commission published the ANPR,<sup>1</sup> which sought comment on two specific proposals that the Commission had received to provide additional exemption from registration as a CPO, and on a proposal that would provide additional exemption from registration as a CTA. The ANPR also provided temporary CPO and CTA registration no-action relief, provided certain specified criteria were met. The ANPR established a 60-day period for submitting public comment, ending January 13, 2003.

By letter dated January 9, 2003, a membership organization for futures and securities investment professionals requested an extension of the ANPR's comment period until January 23, 2003, so that additional parties who could not meet the original January 13 deadline could submit comment letters. The request claims that granting the extension would provide the Commission with additional public comments with which to proceed with the contemplated rulemaking. This, in turn, would facilitate a comprehensive treatment of related issues.

In response to this request and in order to ensure that an adequate opportunity is provided for submission of meaningful comments, the Commission has determined to extend the comment period for the ANPR for an additional ten days to January 23, 2003.

Issued in Washington, DC, on January 10, 2003, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 03-894 Filed 1-15-03; 8:45 am]

**BILLING CODE 6351-01-M**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 201

[Docket No. 80N-0280]

RIN 0910-AA01

#### Over-the-Counter Vaginal Contraceptive Drug Products Containing Nonoxynol 9; Required Labeling

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

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is proposing new labeling warning statements for all over-the-counter (OTC) vaginal contraceptive drug products containing nonoxynol 9. These warning statements will advise consumers that vaginal contraceptives containing nonoxynol 9 do not protect against infection from the human immunodeficiency virus (HIV), the virus that causes acquired immunodeficiency syndrome (AIDS), or against getting other sexually transmitted diseases (STDs). The warnings will also advise consumers that frequent use of vaginal contraceptives containing nonoxynol 9 can increase vaginal irritation. Increased vaginal irritation from use of nonoxynol 9 may increase the possibility of transmission of the AIDS virus (HIV) and STDs from infected partners. The agency is requesting public comment on the proposed labeling statements and how such information could best be presented in labeling. This proposal is part of FDA's ongoing review of OTC drug products.

**DATES:** Submit written or electronic comments by April 16, 2003. Submit written or electronic comments on the agency's economic impact determination by April 16, 2003. Please see section IX of this document for the effective date of any final rule that may publish based on this proposal.

**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>.

**FOR FURTHER INFORMATION CONTACT:** Arlene Solbeck, Center for Drug

<sup>1</sup> 67 FR 68785.