

This document corrects some errors published in T.D. 96-48.

Several errors involved the Background discussion under the **SUPPLEMENTARY INFORMATION** portion of the document. In the discussion of the effective date of the final regulations in relation to previously-published final regulations regarding country of origin rules for textile products, reference was inadvertently made to July 1, 1996, thus creating some confusion since the **EFFECTIVE DATE** portion of T.D. 96-48 specified August 5, 1996. In addition, four Harmonized Tariff Schedule of the United States (HTSUS) heading or subheading references were inadvertently omitted from the list of conforming changes made to the regulatory texts to reflect the 1996 version of the HTSUS.

Two errors also appeared in the final regulatory texts in the table under § 102.20 which sets forth the specific rules by tariff classification. First, in the second tariff shift rule for subheading 2836.99, the words "other than to bismuth carbonate" were omitted, with the result that the rule as published overlaps with the first tariff shift rule for that subheading and thus does not properly reflect the changes made in the 1996 HTSUS. Second, the final regulatory texts inadvertently failed to implement a proposal, set forth in a document published in the Federal Register on May 5, 1995 (60 FR 22312), to remove the Note to Section XVI which, as stated in that May 5, 1995, document, would no longer be necessary in view of a proposed change to § 102.17(e) that was adopted in the final regulatory texts.

#### Corrections of Publication

Accordingly, the document published in the Federal Register as T.D. 96-48 on June 6, 1996 (61 FR 28932) is corrected as set forth below.

#### Corrections to the Background Section

1. On page 28934, in the first column in the second full paragraph, in the second sentence, the words "will take effect on July 1, 1996, when" are corrected to read "will not take effect before".

2. On page 28934, in the third column under the heading "Changes to Conform to 1996 HTSUS", after the colon in the third sentence, the reference "1517.90," is added after "0901.90,".

3. On page 28935, in the first column, the references "8545.11, 8547.90, 8548," are added at the end of the first line after "8543.40-8543.89,".

#### Corrections to the Final Regulations

4. On page 28961, in the "Tariff shift and/or other requirements" column opposite the "HTSUS" column listing for 2836.99, in the second tariff shift rule, the words "other than to bismuth carbonate" are added after the words "A change to subheading 2836.99".

5. On page 28971, the Note to Section XVI is removed.

Dated: June 26, 1996.

Stuart P. Seidel,

*Assistant Commissioner, Office of Regulations and Rulings.*

[FR Doc. 96-16743 Filed 6-28-96; 8:45 am]

BILLING CODE 4820-02-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 178

[Docket No. 96F-0052]

#### 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 additional safe use of dimethyldibenzylidene sorbitol as a clarifying agent for propylene homopolymers and high-propylene copolymer articles intended for contact with food. This action is in response to a petition filed by Milliken & Co.

**DATES:** Effective July 1, 1996; written objections and requests for a hearing by July 31, 1996.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3081.

**SUPPLEMENTARY INFORMATION:** In a notice published in the Federal Register of February 26, 1996 (61 FR 7111), FDA announced that a food additive petition (FAP 6B4495) had been filed by Milliken & Co., c/o Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001. The petition proposed to amend the food additive regulations in § 178.3295 *Clarifying agents for polymers* (21 CFR 178.3295)

to provide for the additional safe use of dimethyldibenzylidene sorbitol as a clarifying agent for olefin polymers complying with § 177.1520 (21 CFR 177.1520), items 1.1, 3.1, and 3.2, for contact with food under condition of use A, described in Table 2 of § 176.170(c) of this chapter.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of the additive is safe, that the additive will have the intended technical effect, and that the regulations in § 178.3295 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.

Any person who will be adversely affected by this regulation may at any time on or before July 31, 1996, file with the Dockets Management Branch (address above) written objections thereto. 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

shall be submitted and shall 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 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: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.3295 is amended in the table by revising the entry for "Dimethyldibenzylidene sorbitol" to read as follows:

#### **§ 178.3295 Clarifying agents for polymers.**

Substances			Limitations		
*	*	*	*	*	*
Dimethyldibenzylidene sorbitol (CAS Reg. No 135861-56-2).			For use only as a clarifying agent at a level not to exceed 0.4 percent by weight of olefin polymers complying with § 177.1520(c) of this chapter, items 1.1, 3.1, and 3.2, where the copolymers complying with items 3.1 and 3.2 contain not less than 85 weight percent of polymer units derived from polypropylene. The finished polymers shall be used in contact with food under conditions of use A through H described in Table 2 of § 176.170(c) of this chapter.		
*	*	*	*	*	*

Dated: June 12, 1996.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 96-16662 Filed 6-28-96; 8:45 am]

BILLING CODE 4160-01-F

## **DEPARTMENT OF LABOR**

### **Pension and Welfare Benefits Administration**

#### **29 CFR Parts 2509, 2520 and 2550**

RIN 1210-AA51

#### **Removal of Interpretive Bulletins and Regulations Relating to ERISA**

**AGENCY:** Pension and Welfare Benefits Administration, DOL.

**ACTION:** Final rule.

**SUMMARY:** This rule removes from the Code of Federal Regulations certain interpretive bulletins and regulations (or portions thereof) under the Employee Retirement Income Security Act of 1974 (ERISA), that the Department of Labor (the Department) believes are obsolete (collectively, the obsolete regulations). The obsolete regulations generally provided transitional relief for plan sponsors, plan administrators, and others subject to the requirements of title I of ERISA, in coming into compliance with ERISA's requirements in the first several years following ERISA's enactment in 1974. Because the election periods or dates of applicability under these rules have expired, the Department believes that the regulations are no longer needed. In other instances, the obsolete regulations are unnecessary because they merely provide notice of a rescission or withdrawal of prior guidance or regulations, or were rendered ineffective by a subsequent Supreme Court decision.

**EFFECTIVE DATE:** July 1, 1996.

#### **FOR FURTHER INFORMATION CONTACT:**

Katherine D. Lewis, Office of Regulations and Interpretations, Pension and Welfare Benefits Administration, U.S. Department of Labor, Rm. N-5669, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (telephone (202) 219-7461), or Vicki Shteir-Dunn, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor, Rm. N-4611, 200 Constitution Ave., N.W., Washington, D.C. 20210 telephone (202) 219-8610).

**SUPPLEMENTARY INFORMATION:** In accordance with the President's Executive Order No. 12866 of September 1993, "Regulatory Planning and Review," and the President's directive of March 4, 1995, "Regulatory Reinvention Initiative," the Department has undertaken to identify and eliminate regulations which are no longer needed. Pursuant to a review of regulations under the Employee Retirement Income Security Act of 1974 (ERISA), the Department identified 28

interpretive bulletins and regulations (or portions thereof) which it believes to be obsolete. Nearly all of these interpretive bulletins and regulations were issued over fifteen years ago. This rule removes these interpretive bulletins, regulations and paragraphs of regulations from the Code of Federal Regulations, and makes conforming amendments where necessary to accommodate the removal of identified provisions. In order to ensure that members of the public had the opportunity to comment, the Department initially published this rule in the Federal Register (61 FR 14690, April 3, 1996) as a notice of proposed rulemaking. The Department received one public comment, which was fully supportive of the proposal.

The rule removes the obsolete regulations prospectively, as of the date of publication of this final rule, and has no effect on their legal effectiveness prior to that date. Following is a brief description of each of the obsolete interpretive bulletins and regulations (or portions thereof) removed by the Department. All of these items were in title 29 of the Code of Federal Regulations.

#### **I. Part 2509—Interpretive Bulletins Relating to the Employee Retirement Income Security Act of 1974**

This rule removes interpretive bulletins 75-1, 75-7, 76-2 and 76-3 from subchapter A, part 2509 of the Code of Federal Regulations (29 CFR §§ 2509.75-1, 2509.75-7, 2509.76-2 and 2509.76-3). In addition, the rule removes paragraph (b) of interpretive bulletin 75-2 (29 CFR 2509.75-2).

Interpretive bulletin 75-1 outlined and clarified section 414(c)(4) of ERISA, which provided that sections 406 and 407(a) of ERISA (relating to prohibited transactions) are not applicable to the provision of certain services between a plan and a party in interest before June 30, 1977, if certain conditions described in that section are met. Interpretive bulletin 75-7 supplemented interpretive bulletin 75-1 and provided examples of its application. Interpretive bulletins 76-2 and 76-3 merely gave notice of the rescission or withdrawal of earlier guidance relating to the definition of "seasonal industries," a matter now under the jurisdiction of the Internal Revenue Service pursuant to Reorganization Plan No. 4 of 1978. Paragraph (b) of interpretive bulletin 75-2 took the position that consideration paid for a contract or policy of insurance issued to a plan would not be considered plan assets if placed in the general account of the issuing insurance company, and therefore could not give rise to