

**DEPARTMENT OF AGRICULTURE****Agricultural Marketing Service****7 CFR Part 1205**

[AMS-CN-17-0041]

**Cotton Research and Promotion Program: Procedures for Conduct of Sign-Up Period****AGENCY:** Agricultural Marketing Service, USDA.**ACTION:** Correcting amendments.

**SUMMARY:** The Agricultural Marketing Service (AMS) is making corrections to the Code of Federal Regulations (CFR) by revising the authority citation for its regulation, Cotton Research and Promotion. In a final rule published in the **Federal Register** on June 24, 2015, changes were inadvertently made to remove a legal citation from the authority citation and to erroneously include an unnecessary authority citation after a section in AMS regulations. This document corrects those errors.

**DATES:** Effective August 16, 2017.

**FOR FURTHER INFORMATION CONTACT:** Shethir M. Riva, Director, Research and Promotion Staff, Cotton and Tobacco Program, Agricultural Marketing Service, USDA, 100 Riverside Parkway, Suite 101, Fredericksburg, Virginia 22406, telephone (540) 361-2726, facsimile (540) 361-1199, or email at [Shethir.Riva@ams.usda.gov](mailto:Shethir.Riva@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** This document provides correcting amendments to the Cotton Research and Promotion Order (Order), found at 7 CFR part 1205, so that complete and appropriate authority is stated in the Order. In a final rule published in the **Federal Register** on June 24, 2015 (80 FR 36231), the rules and regulations regarding the procedures for the conduct of a sign-up period for eligible cotton producers and importers to request a continuance referendum on the 1991 amendments to the Order were revised. In that final rule, changes were inadvertently made to remove “7 U.S.C. 7401” from the authority citation. In addition, AMS discovered that an irrelevant authority citation “Authority: 7 U.S.C. 2101–2118” occurs after § 1205.29(c) in the CFR. This document corrects those errors by reinserting “7 U.S.C. 7401” into the authority citation that was removed from Title 7 of the CFR, part 1205, and by removing the unnecessary authority citation placed after § 1205.29(c) of the Order.

**List of Subjects in 7 CFR Part 1205**

Advertising, Agricultural research, Cotton, Marketing agreements, Reporting and recordkeeping requirements.

Accordingly, 7 CFR part 1205 is amended as follows:

**PART 1205—COTTON RESEARCH AND PROMOTION**

■ 1. The authority citation for part 1205 is revised to read as follows:

**Authority:** 7 U.S.C. 2101–2118; 7 U.S.C. 7401.

**§ 1205.29 [Amended]**

■ 2. In § 1205.29, remove the following language “(Authority: 7 U.S.C. 2101–2118.)” from the end of the section.

Dated: August 9, 2017.

**Bruce Summers,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2017-17143 Filed 8-14-17; 8:45 am]

**BILLING CODE 3410-02-P****DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 573**

[Docket No. FDA-2012-F-0949]

**Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Oil****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA or we or the Agency) is amending the regulations for food additives permitted in feed and drinking water of animals to provide for the safe use of oil from a variety of bioengineered safflower as a source of omega-6 fatty acids in complete dry adult maintenance dog food. This action is in response to a food additive petition filed by Arcadia Biosciences, Inc.

**DATES:** This rule is effective August 15, 2017. Submit either written or electronic objections and requests for a hearing by September 14, 2017. See the **ADDRESSES** section, and **SUPPLEMENTARY INFORMATION** section V of this document, for further information on the filing of objections.

**ADDRESSES:** You may submit objections and requests for a hearing as follows. Please note that late, untimely filed objections will not be considered.

Electronic objections must be submitted on or before September 14, 2017. The <https://www.regulations.gov> electronic filing system will accept objections until midnight Eastern Time at the end of September 14, 2017. Objections received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

**Electronic Submissions**

Submit electronic objections in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting objections. Objections submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your objection will be made public, you are solely responsible for ensuring that your objection does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your objection, that information will be posted on <https://www.regulations.gov>.

- If you want to submit an objection with confidential information that you do not wish to be made available to the public, submit the objection as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

**Written/Paper Submissions**

Submit written/paper submissions as follows:

- **Mail/Hand delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper objections submitted to the Dockets Management Staff, FDA will post your objection, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

**Instructions:** All submissions received must include the Docket No. FDA-2012-F-0949 for “Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Oil.” Received objections, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as

“Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit an objection with confidential information that you do not wish to be made publicly available, submit your objections only as a written/paper submission. You should submit two copies in total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of objections. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your objections and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

*Docket:* For access to the docket to read background documents or the electronic and written/paper objections received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Chelsea Trull, Center for Veterinary Medicine, Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-402-6729, [chelsea.trull@fda.hhs.gov](mailto:chelsea.trull@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In a notice published in the **Federal Register** of September 12, 2012 (77 FR 56175), FDA announced that we had filed a food additive petition (animal use) (FAP 2275) submitted by Arcadia Biosciences, Inc., 202 Cousteau Pl.,

Suite 200, Davis, CA 95618. The petition proposed that the regulations for food additives permitted in feed and drinking water of animals be amended to provide for the safe use of oil from a variety of bioengineered safflower (*Carthamus tinctorius* L.) in complete dry adult maintenance dog food. The safflower variety has been bioengineered to contain a gene from the water mold *Saprolegnia diclina* responsible for production of gamma-linolenic acid (GLA) in the seed oil. This GLA-enriched safflower oil will be used as a source of omega-6 fatty acids in dry food for adult dogs. The notice of petition provided for a 30-day comment period on the petitioner’s request for categorical exclusion from preparing an environmental assessment or environmental impact statement.

**II. Conclusion**

FDA concludes that the data establish the safety and utility of GLA safflower oil as a source of omega-6 fatty acids in complete dry adult maintenance dog food and that the food additive regulations should be amended as set forth in this document. This is not a significant regulatory action subject to Executive Order 12866.

**III. Public Disclosure**

In accordance with § 571.1(h) (21 CFR 571.1(h)), the petition and documents we considered and relied upon in reaching our decision to approve the petition will be made available for public disclosure (see **FOR FURTHER INFORMATION CONTACT**). As provided in § 571.1(h), we will delete from the documents any materials that are not available for public disclosure.

**IV. Environmental Impact**

The Agency has determined under 21 CFR 25.32(r) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment, nor an environmental impact statement is required.

**V. Objections and Hearing Requests**

Any person who will be adversely affected by this regulation may file with the Dockets Management Staff (see **ADDRESSES**) either electronic or written objections. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provision 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.

Any objections received in response to the regulation may be seen in the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at <https://www.regulations.gov>.

**List of Subjects in 21 CFR Part 573**

Animal feeds, Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 573 is amended as follows:

**PART 573—FOOD ADDITIVES PERMITTED IN FEED AND DRINKING WATER OF ANIMALS**

■ 1. The authority citation for part 573 continues to read as follows:

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

■ 2. Add § 573.492 to read as follows:

**§ 573.492 Gamma-linolenic acid safflower oil.**

The food additive gamma-linolenic acid (all-*cis*-6,9,12-octadecatrienoic acid) (GLA) safflower oil contains an omega-6 fatty acid that may be safely used in animal food in accordance with the following conditions:

(a) The additive GLA safflower oil is produced in the oil obtained from whole seeds or partially dehulled seeds or both obtained from a *Carthamus tinctorius* L. safflower Centennial variety genetically engineered to express the delta-6-desaturase gene from *Saprolegnia diclina* Humphrey. The 453 amino acid, delta-6-desaturase enzyme converts the fatty acid linoleic acid to GLA during seed development. This GLA safflower oil may be safely used in complete dry adult maintenance dog food as a source of GLA and other omega-6 fatty acids in accordance with the following prescribed conditions:

(1) The GLA safflower oil obtained from the seeds of the genetically engineered safflower Centennial variety may be blended with oil obtained from seeds of non-engineered oleic acid safflower varieties in order to meet the specifications required for the additive

or the blend in paragraph (a)(2) of this section.

(2) The additive or a safflower oil blend containing the additive for use in animal food meets the following specifications:

(i) Crude fat content of the GLA safflower oil or its blend is not less than 99.5 percent.

(ii) GLA content is between 400 and 450 milligrams (mg) GLA per gram of the GLA safflower oil or its blend.

(iii) Total content of stearidonic acid and *cis*, *cis*-6,9-octadecadienoic acid in the GLA safflower oil or its blend must not exceed a total of 0.3 percent.

(3) Addition of GLA safflower oil, or its blend, to complete dry adult maintenance dog food must meet the following:

(i) Addition of the oil or its blend cannot provide more than 36 mg GLA per kilogram body weight of the dog per day in more than 86 mg of the GLA safflower oil or its blend. This maximum addition rate of the GLA safflower oil, or its blend, is 0.3 percent of a complete dry adult maintenance dog food containing 3,600 kilocalories of metabolizable energy per kilogram of food as-fed.

(ii) Adjustments must be made for dog food formulas of different caloric density and/or that are fed to specific weights, breeds, or dogs of different activity levels to meet the requirements of this paragraph.

(b) To assure safe use of the additive, in addition to other information required by the Federal Food, Drug, and Cosmetic Act, the label and labeling of the additive shall bear the following:

(1) The name, gamma-linolenic acid (GLA) safflower oil.

(2) A guarantee for the minimum content of gamma-linolenic acid.

(3) Adequate directions for use such that the finished animal food complies with the provisions of paragraph (a)(3) of this section.

Dated: August 4, 2017.

**Anna K. Abram,**

*Deputy Commissioner for Policy, Planning, Legislation, and Analysis.*

[FR Doc. 2017-17214 Filed 8-14-17; 8:45 am]

**BILLING CODE 4164-01-P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Part 4022

#### Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Pension Benefit Guaranty Corporation's regulation on Benefits Payable in Terminated Single-Employer Plans to prescribe interest assumptions under the regulation for valuation dates in September 2017. The interest assumptions are used for paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

**DATES:** Effective September 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Deborah C. Murphy (*Murphy.Deborah@pbgc.gov*), Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005, 202-326-4400 ext. 3451. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4400, ext. 3451.)

**SUPPLEMENTARY INFORMATION:** PBGC's regulation on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) prescribes actuarial assumptions—including interest assumptions—for paying plan benefits under terminated single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions in the regulation are also published on PBGC's Web site (<http://www.pbgc.gov>).

PBGC uses the interest assumptions in Appendix B to part 4022 to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Appendix C to part 4022 contains interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using PBGC's historical methodology. Currently, the rates in Appendices B and C of the benefit payment regulation are the same.

The interest assumptions are intended to reflect current conditions in the financial and annuity markets. Assumptions under the benefit payments regulation are updated monthly. This final rule updates the

benefit payments interest assumptions for September 2017.<sup>1</sup>

The September 2017 interest assumptions under the benefit payments regulation will be 1.00 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. In comparison with the interest assumptions in effect for August 2017, these assumptions represent an increase of 0.25 percent in the immediate rate and are otherwise unchanged.

PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect current market conditions as accurately as possible.

Because of the need to provide immediate guidance for the payment of benefits under plans with valuation dates during September 2017, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

PBGC has determined that this action is not a "significant regulatory action" under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

#### List of Subjects in 29 CFR Part 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR part 4022 is amended as follows:

#### PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS

■ 1. The authority citation for part 4022 continues to read as follows:

**Authority:** 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In Appendix B to part 4022, Rate Set 287, as set forth below, is added to the table.

#### Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments

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<sup>1</sup> Appendix B to PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) prescribes interest assumptions for valuing benefits under terminating covered single-employer plans for purposes of allocation of assets under ERISA section 4044. Those assumptions are updated quarterly.