

the Dog Are Not Associated With Target Organ Toxicity.”

10. Memorandum from Whiteside, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, January 21, 2001.

11. Memorandum of Conference from the Center for Food Safety and Applied Nutrition—Cancer Assessment Committee, August 16, 2000.

12. Position paper from The NutraSweet Co., “In the Mouse Carcinogenicity Study with Neotame Small Changes in Body Weight Gain at Some Intervals in Female Mice at 50 mg/kg bw Relative to Controls are Due to a Decrease in Food Consumption.”

13. Memorandum from Chen, Scientific Support Branch, to Anderson, Division of Product Policy, July 19, 2000.

14. Memorandum from DiNovi, Division of Product Manufacture and Use, Chemistry Review Team, to Anderson, Division of Product Policy, January 10, 2001.

15. Memorandum from Whiteside, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, January 31, 2001.

16. Memorandum from Ikeda, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, May 28, 1999.

17. Memorandum from Ikeda, Division of Health Effects Evaluation, to Biddle, Division of Health Effects Evaluation, January 31, 2001.

18. Memorandum from Ikeda, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, June 16, 2000; addendum memorandum to the June 16, 2000, memorandum from Whiteside, Division of Petition Review, to Anderson, Division of Petition Review, February 28, 2002.

19. Memorandum from Bleiberg, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, February 5, 2001.

20. Memorandum from Ikeda, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, February 5, 2001.

21. Memorandum from Shackleford, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, February 12, 2001.

22. Memorandum from Roth, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, February 28, 2001.

23. Memorandum from Park, Roth, and Klontz, Division of Health Effects Evaluation, to Anderson, Division of Product Policy, January 30, 2001.

## VIII. Objections

Any person who will be adversely affected by this regulation may at any time file with the Dockets Management Branch (see **ADDRESSES**) written objections by August 8, 2002. 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, Incorporation by reference, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 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 172.829 is added to subpart I to read as follows:

#### § 172.829 Neotame.

(a) Neotame is the chemical *N*-[*N*-(3,3-dimethylbutyl)-*L*-α-aspartyl]-*L*-phenylalanine-1-methyl ester (CAS Reg. No. 165450-17-9).

(b) Neotame meets the following specifications when it is tested according to the methods described or referenced in the document entitled “Specifications and Analytical Methods for Neotame” dated April 3, 2001, by the NutraSweet Co., 699 North Wheeling Rd., Mount Prospect, IL 60056. The Director of the Office of the Federal Register has approved the incorporation by reference of this material in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the Office of Food Additive Safety (HFS-200), Center for Food Safety and Applied Nutrition, 5100 Paint Branch Pkwy., College Park, MD 20740. Copies may be examined at the Center for Food Safety and Applied Nutrition’s Library, 5100 Paint Branch Pkwy., rm. 1C-100, College Park, MD

20740, or at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC 20001.

(1) Assay for neotame, not less than 97.0 percent and not more than 102.0 percent on a dry basis.

(2) Free dipeptide acid (*N*-[*N*-(3,3-dimethylbutyl)-*L*-α-aspartyl]-*L*-phenylalanine), not more than 1.5 percent.

(3) Other related substances, not more than 2.0 percent.

(4) Lead, not more than 2.0 milligrams per kilogram.

(5) Water, not more than 5.0 percent.

(6) Residue on ignition, not more than 0.2 percent

(7) Specific rotation, determined at 20 °C [ $\alpha$ ]<sub>D</sub>: -40.0° to 43.4° calculated on a dry basis.

(c) The food additive neotame may be safely used as a sweetening agent and flavor enhancer in foods generally, except in meat and poultry, in accordance with current good manufacturing practice, in an amount not to exceed that reasonably required to accomplish the intended technical effect, in foods for which standards of identity established under section 401 of the Federal Food, Drug, and Cosmetic Act do not preclude such use.

(d) When neotame is used as a sugar substitute tablet, *L*-leucine may be used as a lubricant in the manufacture of tablets at a level not to exceed 3.5 percent of the weight of the tablet.

(e) If the food containing the additive purports to be or is represented to be for special dietary use, it shall be labeled in compliance with part 105 of this chapter.

Dated: July 2, 2002.

**Margaret M. Dotzel,**

*Associate Commissioner for Policy.*

[FR Doc. 02-17202 Filed 7-5-02; 10:41 am]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1 and 602

[TD 8997]

**RIN 1545-BA76**

#### Carryback of Consolidated Net Operating Losses To Separate Return Years; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to temporary regulations.

**SUMMARY:** This document contains corrections to temporary regulations

that were published in the **Federal Register** on Friday, May 31, 2002 (67 FR 38000) that affect corporations filing consolidated returns.

**DATES:** This correction is effective May 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Marie Milnes-Vasquez, (202) 622-7770 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The temporary regulations that are the subject of these corrections are under sections 1502 and 172 of the Internal Revenue Code.

**Need for Correction**

As published, the temporary regulations contain errors that may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of the temporary regulations (TD 8997), that were the subject of FR Doc. 02-13576, is corrected as follows:

1. On page 38001, column 3, in the preamble under the paragraph heading "Background", third full paragraph, line 5, the language "elections are made on a year-by-basis." is corrected to read "elections are made on a year-by-year basis."

2. On page 38002, column 1, in the preamble under the paragraph heading "Special Analyses", first paragraph, lines 22 and 23, the language "to 5 USC 553(b)(B) and delayed effective date is not required pursuant to 5 USC" is corrected to read "to 5 U.S.C. 553(b)(3)(B) and delayed effective date is not required pursuant to 5 U.S.C."

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Associate Chief Counsel (Income Tax and Accounting).*

[FR Doc. 02-17019 Filed 7-8-02; 8:45 am]

**BILLING CODE 4830-01-P**

**SUMMARY:** The Department of Defense published a final rule in the **Federal Register** of Tuesday, June 25, 2002 (67 FR 42717) on Revisions to Coverage Criteria for Transplants, Cardiac and Pulmonary Rehabilitation and Ambulance Services. This document makes an administrative correction to that document.

**DATES:** This final rule is effective July 25, 2002, except § 199.4(e)(21) is effective August 12, 2002.

**ADDRESSES:** TRICARE Management Activity (TMA), Medical Benefits and Reimbursement Systems, 16401 East Centretech Parkway, Aurora, CO 80011-9043.

**FOR FURTHER INFORMATION CONTACT:** Marty Maxey, Medical Benefits and Reimbursement Systems, (TMA) telephone (303) 676-3627.

**SUPPLEMENTARY INFORMATION:** An interim final rule on Sub-Acute Care Program; Uniform Skilled Nursing Facility Benefit; Home Health Care Benefit; Adopting Medicare Payment Methods for Skilled Nursing Facilities and Home Health Care Providers was published on Thursday, June 13, 2002 (67 FR 40597) added a new § 199.4(e)(21) on home health services. A final rule on Revisions to Coverage Criteria for Transplants, Cardiac and Pulmonary Rehabilitation and Ambulance Services was published on June 25, 2002 (67 FR 42717) also added a new § 199.4(e)(21) on Pulmonary rehabilitation. This document corrects the paragraph designation.

In FR Doc 02-15913 published on June 25, 2002 (67 FR 41721) make the following correction: On page 41721, in the second column, redesignate paragraph (e)(21) as paragraph (e)(22).

Dated: June 27, 2002.

**L.M. Bynum,**

*Alternate Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 02-17035 Filed 7-8-02; 8:45 am]

**BILLING CODE 5001-08-M**

**SUMMARY:** The Coast Guard is establishing temporary special local regulations for the Deerfield Beach Super Boat Race. This event will be held from 10 a.m. to 4 p.m. on July 14, 2002. This rule is necessary to provide for the safety of life on navigable waters during the event.

**DATES:** This rule is effective from 10 a.m. on July 14, 2002 until 4 p.m. on July 15, 2002.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in the preamble as being available in the docket are part of docket CGD07-02-013 and are available for inspection or copying at Coast Guard Group Miami, 100 MacArthur Causeway, Miami Beach, FL, between the hours of 7:30 a.m. and 3 p.m., Monday through Friday except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** BMC V. Sorensen, Coast Guard Group Miami, FL at (305) 535-4317.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a NPRM. Publishing a NPRM, which would incorporate a comment period before a final rule could be issued, would be contrary to public safety interests since immediate action is needed to minimize potential danger to the public because there will be numerous spectator craft in the area.

For the same reason, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

On May 7, 1998, the Coast Guard published a Notice of Proposed Rulemaking in the **Federal Register** (63 FR 25187), seeking comments on the establishment of permanent special local regulations for the Deerfield Beach Super Boat Race. No comments were received during the comment period. On June 26, 1998, the Coast Guard published a final rule in the **Federal Register** (63 FR 34813) creating the permanent special local regulations in 33 CFR 100.733. The published rule is effective on the third Sunday in July.

However, this year the third Sunday in July will put the race the weekend before the mini-lobster season. The race organizers are moving the race date up one week this year to avoid conflict with vessels and people preparing for the mini-lobster season.

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**32 CFR Part 199**

**RIN 0720-AA28**

**TRICARE; Revisions to Coverage Criteria for Transplants, Cardiac and Pulmonary Rehabilitation and Ambulance Services**

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Final rule; administrative correction.

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

**[CGD07-02-013]**

**RIN 2115-AE46**

**Special Local Regulations; Deerfield Beach Super Boat Race, Deerfield Beach, FL**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.