

person review program established by FDAMA and improve the efficiency of 510(k) review for low to moderate risk devices.

In the **Federal Register** of June 21, 2007 (72 FR 34257), FDA published a 60-day notice requesting public comment on the information collection provisions. No comments were received.

Respondents to this information collection are businesses or other for-profit organizations.

FDA estimates the burden of this collection of information as follows:

TABLE 1.—ESTIMATED ANNUAL REPORTING BURDEN<sup>1</sup>

| Section 523 of the act                               | No. of Respondents | Annual Frequency per Response | Total Annual Responses | Hours per Response | Total Hours |
|--|--------------------|-------------------------------|------------------------|--------------------|-------------|
| Requests for accreditation                           | 1                  | 1                             | 1                      | 24                 | 24          |
| 510(k) reviews conducted by accredited third parties | 14                 | 24                            | 336                    | 40                 | 13,440      |
| Total  |                    |                               |                        |                    | 13,464      |

<sup>1</sup> There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 1.—ESTIMATED ANNUAL RECORDKEEPING BURDEN<sup>1</sup>

| Section 523 of the act                  | No. of Recordkeepers | Annual Frequency per Record | Total Annual Records | Hours per Recordkeeper | Total Hours |
|---|----------------------|-----------------------------|----------------------|------------------------|-------------|
| 510(k) reviews by third-party reviewers | 14                   | 24                          | 336                  | 10                     | 3,600       |

<sup>1</sup> There are no capital costs or operating and maintenance costs associated with this collection of information.

## I. Reporting

### A. Requests for Accreditation

FDA now has approximately 8 years of experience with third-party reviews under section 523 of the act. Currently there are 11 active accredited third parties. FDA does not expect to receive more than 1 application for accreditation per year for a total of 14 accredited third parties who will be conducting third-party reviews.

### B. 510(k) Reviews Conducted by Accredited Third Parties

FDA has received 784 510(k) submissions with a third-party review since 2004. FDA estimates that over the next 3 years, they will accredit 1 third-party reviewer per year for a total of 14 third parties. Each third-party reviewer expects to review a total of 24 510(k) submissions per year for an annual total of 336 applications.

## II. Recordkeeping

Third-party reviewers are required to keep records of their review of each submission. At the end of 3 years, the agency expects to have 14 accredited persons for review with each third party reviewing on average 24 510(k) applications per year. The agency anticipates approximately 336 510(k) annual submissions for third-party review.

Dated: November 14, 2007.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 2007N-0305]

#### Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Current Good Manufacturing Practice Regulations for Medicated Feeds

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

**DATES:** Fax written comments on the collection of information by December 19, 2007.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202-395-6974, or e-mailed to [baguilar@omb.eop.gov](mailto:baguilar@omb.eop.gov). All comments should be identified with the OMB control number 0910-0152. Also include the FDA docket number found in brackets in the heading of this document.

#### FOR FURTHER INFORMATION CONTACT:

Denver Presley Jr., Office of the Chief Information Officer (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-1472.

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

#### Current Good Manufacturing Practice Regulations for Medicated Feeds—21 CFR Part 225 (OMB Control Number 0910-0152)—Extension

Under section 501 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 351), FDA has the statutory authority to issue current good manufacturing practice (cGMP) regulations for drugs, including medicated feeds. Medicated feeds are administered to animals for the prevention, cure, mitigation, or treatment of disease, or growth promotion and feed efficiency. Statutory requirements for cGMPs have been codified under part 225 (21 CFR part 225). Medicated feeds that are not manufactured in accordance with these regulations are considered adulterated under section 501(a)(2)(B) of the act. Under part 225, a manufacturer is required to establish, maintain, and retain records for a medicated feed, including records to document procedures required during the manufacturing process to assure that proper quality control is maintained. Such records would, for example,

contain information concerning receipt and inventory of drug components, batch production, laboratory assay results (i.e. batch and stability testing), labels, and product distribution.

This information is needed so that FDA can: (1) Monitor drug usage and possible misformulation of medicated feeds, (2) investigate violative drug residues in products from treated animals, and (3) investigate product defects when a drug is recalled. In addition, FDA will use the cGMP criteria under part 225 to determine whether or not the systems and procedures used by manufacturers of

medicated feeds are adequate to assure that their feeds meet the requirements of the act as to safety and also that they meet their claimed identity, strength, quality, and purity, as required by section 501(a)(2)(B) of the act.

A license is required when the manufacturer of a medicated feed involves the use of a drug or drugs that FDA has determined requires more control because of the need for a withdrawal period before slaughter or because of carcinogenic concerns. Conversely, a license is not required and the recordkeeping requirements are less demanding for those medicated feeds

for which FDA has determined that the drugs used in their manufacture need less control.

In the **Federal Register** of August 16, 2007 (72 FR 46089), FDA published a 60-day notice soliciting public comment on the proposed collection of information provisions. In response to that notice, no comments were received.

Respondents to this collection of information are commercial feed mills and mixer-feeders.

FDA estimates the burden of this collection of information as follows:

**TABLE 1.—ESTIMATED ANNUAL RECORDKEEPING BURDEN (REGISTERED LICENSED COMMERCIAL FEED MILLS)<sup>1</sup>**

| 21 CFR Section           | No. of Recordkeepers | Annual Frequency per Recordkeeper | Total Annual Records | Hours per Recordkeeper | Total Hours |
|--------------------------|----------------------|-----------------------------------|----------------------|------------------------|-------------|
| 225.58(c) and (d)        | 1,060                | 45                                | 47,700               | .5                     | 23,850      |
| 225.80(b)(2)             | 1,060                | 1,600                             | 1,696,000            | .12                    | 203,520     |
| 225.102(b)(1)            | 1,060                | 7,800                             | 8,268,000            | .08                    | 661,440     |
| 225.110(b)(1) and (b)(2) | 1,060                | 7,800                             | 8,268,000            | .015                   | 124,020     |
| 225.115(b)(1) and (b)(2) | 1,060                | 5                                 | 5,300                | .12                    | 636         |
| Total                    |                      |                                   |                      |                        | 1,289,066   |

<sup>1</sup>There are no capital or operating and maintenance costs associated with this collection of information.

**TABLE 2.—ESTIMATED ANNUAL RECORDKEEPING BURDEN (REGISTERED LICENSED MIXER-FEEDERS)<sup>1</sup>**

| 21 CFR Section               | No. of Recordkeepers | Annual Frequency per Recordkeeping | Total Annual Records | Hours per Recordkeeper | Total Hours |
|------------------------------|----------------------|------------------------------------|----------------------|------------------------|-------------|
| 225.42(b)(5) through (b)(8)  | 100                  | 260                                | 26,000               | .15                    | 3,900       |
| 225.58(c) and (d)            | 100                  | 36                                 | 3,600                | .5                     | 1,800       |
| 225.80(b)(2)                 | 100                  | 48                                 | 4,800                | .12                    | 576         |
| 225.102(b)(1) through (b)(5) | 100                  | 260                                | 26,000               | .4                     | 10,400      |
| Total                        |                      |                                    |                      |                        | 16,676      |

<sup>1</sup>There are no capital costs or operating and maintenance costs associated with this collection of information.

**TABLE 3.—ESTIMATED ANNUAL RECORDKEEPING BURDEN (NONREGISTERED UNLICENSED COMMERCIAL FEED MILLS)<sup>1</sup>**

| 21 CFR Section | No. of Recordkeepers | Annual Frequency per Recordkeeping | Total Annual Records | Hours per Recordkeeper | Total Hours |
|----------------|----------------------|------------------------------------|----------------------|------------------------|-------------|
| 225.142        | 8,000                | 4                                  | 32,000               | 1                      | 32,000      |
| 225.158        | 8,000                | 1                                  | 8,000                | 4                      | 32,000      |
| 225.180        | 8,000                | 96                                 | 768,000              | .12                    | 92,160      |
| 225.202        | 8,000                | 260                                | 2,080,000            | .65                    | 1,352,000   |
| Total          |                      |                                    |                      |                        | 1,508,160   |

<sup>1</sup>There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 4.—ESTIMATED ANNUAL RECORDKEEPING BURDEN (NONREGISTERED UNLICENSED MIXER-FEEDERS)<sup>1</sup>

| 21 CFR Section | No. of Recordkeepers | Annual Frequency per Recordkeeping | Total Annual Records | Hours per Recordkeeper | Total Hours |
|----------------|----------------------|------------------------------------|----------------------|------------------------|-------------|
| 225.142        | 45,000               | 4                                  | 180,000              | 1                      | 180,000     |
| 225.158        | 45,000               | 1                                  | 45,000               | 4                      | 180,000     |
| 225.180        | 45,000               | 32                                 | 1,440,000            | .12                    | 172,000     |
| 225.202        | 45,000               | 260                                | 11,700,000           | .33                    | 3,861,000   |
| Total          |                      |                                    |                      |                        | 4,393,000   |

<sup>1</sup>There are no capital costs or operating and maintenance costs associated with this collection of information.

The estimate of the times required for record preparation and maintenance is based on agency communications with industry. Other information needed to finally calculate the total burden hours (i.e., number of recordkeepers, number of medicated feeds being manufactured, etc.) is derived from agency records and experience.

Dated: November 13, 2007.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 2007N-0278]

#### Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Voluntary Registration of Cosmetic Product Establishments

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

**DATES:** Fax written comments on the collection of information by December 19, 2007.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX:

202-395-6974, or e-mailed to [baguilar@omb.eop.gov](mailto:baguilar@omb.eop.gov). All comments should be identified with the OMB control number 0910-0027. Also include the FDA docket number found in brackets in the heading of this document.

#### FOR FURTHER INFORMATION CONTACT:

Jonna Capezzuto, Office of the Chief Information Officer (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-4659.

#### SUPPLEMENTARY INFORMATION:

In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

#### Voluntary Registration of Cosmetic Product Establishments—(OMB Control Number 0910-0027)—Extension

The Federal Food, Drug, and Cosmetic Act (the act) provides FDA with the responsibility for assuring consumers that cosmetic products in the United States are safe and properly labeled. Cosmetic products that are adulterated under section 601 of the act (21 U.S.C. 361) or misbranded under section 602 of the act (21 U.S.C. 362) may not be distributed in interstate commerce. To assist FDA in carrying out its responsibility to regulate cosmetics, FDA has developed the Voluntary Cosmetic Registration Program (VCRP). In 21 CFR part 710, FDA requests that establishments that manufacture or package cosmetic products register with the agency on Form FDA 2511 entitled "Registration of Cosmetic Product Establishment." The term "Form FDA 2511" refers to both the paper and electronic versions of the form. The electronic version of Form FDA 2511 is available on FDA's VCRP Web site at <http://www.cfsan.fda.gov/~dms/cos-regn.html>. FDA's online registration system, intended to make it easier to

participate in the VCRP, was made available industry-wide on December 1, 2005. The agency strongly encourages electronic registration of Form FDA 2511 because it is faster and more convenient. A registering facility will receive confirmation of electronic registration, including a registration number, by e-mail, usually within 7 business days. The online system also allows for amendments to past submissions. Submission of the paper version of Form FDA 2511 remains an option as described in <http://www.cfsan.fda.gov/~dms/cos-reg2.html>. However, due to the high volume of online participation, the VCRP is allocating its limited resources primarily to electronic registrations.

Because registration of cosmetic product establishments is not mandatory, voluntary registration provides FDA with the best information available about the locations, business trade names, and types of activity (manufacturing or packaging) of cosmetic product establishments. FDA places the registration information in a computer database and uses the information to generate mailing lists for distributing regulatory information and for inviting firms to participate in workshops on topics in which they may be interested. FDA also uses the information for estimating the size of the cosmetic industry and for conducting onsite establishment inspections. Registration is permanent, although FDA requests that respondents submit an amended Form FDA 2511 if any of the originally submitted information changes.

In the **Federal Register** of July 19, 2007 (72 FR 39626), FDA published a 60-day notice requesting public comment on the information collection provisions. No comments were received.

FDA estimates the burden of this information collection as follows: