

notice expired on March 30, 2010. The Federal Reserve did not receive any comments. The revisions will be implemented as proposed.

#### **Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Reports**

1. *Report title:* Notice of Branch Closure.

*Agency form number:* FR 4031.

*OMB control number:* 7100-0264.

*Frequency:* On occasion.

*Reporters:* State member banks.

*Estimated annual reporting hours:* 291 hours.

*Estimated average hours per response:* Reporting requirements, 2 hours; Disclosure requirements, customer mailing, 0.75 hours and posted notice, 0.25 hours; and Recordkeeping requirements, 8 hours.

*Number of respondents:* Reporting requirements, 70; Disclosure requirements, customer mailing, 70 and posted notice, 70; and Recordkeeping requirements, 10.

*General description of report:* This information collection is mandatory (12 U.S.C. 1831r-l(a)(1)) and may be given confidential treatment upon request (5 U.S.C. 552(b)(4)).

*Abstract:* The mandatory reporting, recordkeeping, and disclosure requirements regarding the closing of any branch of an insured depository institution are imposed by section 228 of the Federal Deposit Insurance Corporation Improvement Act of 1991. There is no reporting form associated with the reporting portion of this information collection; State member banks notify the Federal Reserve by letter prior to closing a branch. The Federal Reserve uses the information to fulfill its statutory obligation to supervise State member banks.

*Current Actions:* On January 29, 2010, the Federal Reserve published a notice in the **Federal Register** (75 FR 4819) requesting public comment for 60 days on the extension, without revision, of the FR 4031. The comment period for this notice expired on March 30, 2010. The Federal Reserve did not receive any comments.

2. *Report title:* Reports Related to Securities Issued by State Member Banks as Required by Regulation H.

*Agency form number:* FR H-1.

*OMB control number:* 7100-0091.

*Frequency:* Quarterly and on occasion.

*Reporters:* State member banks.

*Estimated annual reporting hours:* 1,230 hours.

*Estimated average hours per response:* 5.17 hours.

*Number of respondents:* 14.

*General description of report:* This information collection is mandatory (15 U.S.C. 781(i) and 78w(a)(1)) and is not given confidential treatment.

*Abstract:* The Federal Reserve's Regulation H requires certain State member banks to submit information relating to their securities to the Federal Reserve on the same forms that bank holding companies and nonbank entities use to submit similar information to the Securities and Exchange Commission. The information is primarily used for public disclosure and is available to the public upon request.

*Current Actions:* On January 29, 2010, the Federal Reserve published a notice in the **Federal Register** (75 FR 4819) requesting public comment for 60 days on the extension, without revision, of the FR H-1. The comment period for this notice expired on March 30, 2010. The Federal Reserve did not receive any comments.

Board of Governors of the Federal Reserve System, April 6, 2010.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 2010-8091 Filed 4-8-10; 8:45 am]

**BILLING CODE 6210-01-P**

#### **GOVERNMENT PRINTING OFFICE**

##### **Depository Library Council to the Public Printer; Meeting**

The Depository Library Council to the Public Printer (DLC) will meet on Monday, April 26, 2010, through Wednesday, April 28, 2010, in Buffalo, New York. The sessions will take place from 8 a.m. to 5:30 p.m. on Monday through Tuesday. On Wednesday the session will be 8 a.m. to 12 p.m. The meeting will be held at the Adam's Mark Hotel located at 120 Church Street, Buffalo, New York. The purpose of this meeting is to discuss the Federal Depository Library Program. All sessions are open to the public. The sleeping rooms available at the Adam's Mark, Buffalo will be at the Government rate of \$92.00 (plus applicable state and local taxes, currently 13.75%) a night for a single or double. The Adam's Mark is in compliance with the requirements of Title III of the Americans with Disabilities Act and meets all Fire Safety Act regulations.

**Robert C. Tapella,**

*Public Printer of the United States.*

[FR Doc. 2010-8123 Filed 4-8-10; 8:45 am]

**BILLING CODE 1520-01-P**

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **Food and Drug Administration**

[Docket No. FDA-2010-N-0181]

##### **Agency Information Collection Activities; Proposed Collection; Comment Request; Threshold of Regulation for Substances Used in Food-Contact Articles**

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

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on requests for exemption from the food additive listing regulation requirements that are submitted under part 170 (21 CFR part 170).

**DATES:** Submit written or electronic comments on the collection of information by June 8, 2010.

**ADDRESSES:** Submit electronic comments on the collection of information to <http://www.regulations.gov>. Submit written comments on the collection of information to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

**FOR FURTHER INFORMATION CONTACT:** Denver Presley, Jr., Office of Information Management, Food and Drug Administration, 1350 Piccard Dr., PI50-400B, Rockville, MD 20850, 301-796-3793.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C.

3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

**Threshold of Regulation for Substances Used in Food-Contact Articles—21 CFR 170.39 (OMB Control Number 0910–0298)—Extension**

Under section 409(a) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348(a)), the use of a food additive is deemed unsafe unless one of the following is applicable: (1) It conforms to an exemption for investigational use under section 409(j) of the act, (2) it conforms to the terms of a regulation prescribing its use, or (3) in the case of a food additive which meets the definition of a food-contact substance in section 409(h)(6) of the act, there is either a regulation authorizing its use in accordance with section 409(a)(3)(A) or an effective notification in accordance with section 409(a)(3)(B).

The regulations in § 170.39 (21 CFR 170.39) established a process that provides the manufacturer with an opportunity to demonstrate that the likelihood or extent of migration to food of a substance used in a food-contact article is so trivial that the use need not be the subject of a food additive listing regulation or an effective notification. The agency has established two thresholds for the regulation of substances used in food-contact articles. The first exempts those substances used in food-contact articles where the resulting dietary concentration would be at or below 0.5 part per billion (ppb). The second exempts regulated direct

food additives for use in food-contact articles where the resulting dietary exposure is 1 percent or less of the acceptable daily intake for these substances.

In order to determine whether the intended use of a substance in a food-contact article meets the threshold criteria, certain information specified in § 170.39(c) must be submitted to FDA. This information includes the following components: (1) The chemical composition of the substance for which the request is made, (2) detailed information on the conditions of use of the substance, (3) a clear statement of the basis for the request for exemption from regulation as a food additive, (4) data that will enable FDA to estimate the daily dietary concentration resulting from the proposed use of the substance, (5) results of a literature search for toxicological data on the substance and its impurities, and (6) information on the environmental impact that would result from the proposed use.

FDA uses this information to determine whether the food-contact article meets the threshold criteria. Respondents to this information collection are individual manufacturers and suppliers of substances used in food-contact articles (i.e., food packaging and food processing equipment) or of the articles themselves.

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

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

21 CFR Section	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours Per Response	Total Hours
170.39	7	1	7	48	336

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

In compiling these estimates, FDA consulted its records of the number of regulation exemption requests received in the past three years. The annual hours per response reporting estimate of 48 hours is based on information received from representatives of the food packaging and processing industries and agency records.

FDA estimates that approximately 7 requests per year will be submitted under the threshold of regulation exemption process of § 170.39, for a total of 336 hours. The threshold of regulation process offers one advantage over the premarket notification process for food-contact substances established by section 409(h) of the act (OMB control number 0910–0495) in that the use of a substance exempted by the agency is not limited to only the manufacturer or supplier who submitted

the request for an exemption. Other manufacturers or suppliers may use exempted substances in food-contact articles as long as the conditions of use (e.g., use levels, temperature, type of food contacted, etc.) are those for which the exemption was issued. As a result, the overall burden on both the agency and the regulated industry would be significantly less in that other manufacturers and suppliers would not have to prepare, and FDA would not have to review, similar submissions for identical components of food-contact articles used under identical conditions. Manufacturers and other interested persons can easily access an up-to-date list of exempted substances which is on display at FDA's Division of Dockets Management and on the Internet at <http://www.cfsan.fda.gov>. Having the

list of exempted substances publicly available decreases the likelihood that a company would submit a food additive petition or a notification for the same type of food-contact application of a substance for which the agency has previously granted an exemption from the food additive listing regulation requirement.

Dated: April 5, 2010.

**Leslie Kux,**

*Acting Assistant Commissioner for Policy.*

[FR Doc. 2010–8050 Filed 4–8–10; 8:45 am]

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