

(not a mailing address), between 8 a.m. and 4:30 p.m., Monday through Friday, except legal holidays.

#### Availability

This notice announces the availability of the first 10 final toxicological profiles

for the Department of Defense. The draft technical report previously released for public comment has been developed into a toxicological profile that will be released with the next set of profiles for the Department of Defense. The following toxicological profiles are now

available through the U.S. Department of Commerce, National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161, telephone 1-800-553-6847. There is a charge for these profiles as determined by NTIS.

Toxicological profile	NTIS order No.	CAS No.
1. Automotive Gasoline .....	PB95-264206	8006-61-9.
2. Diethyl Phthalate .....	PB95-264214	84-66-2.
3. Fuel Oils .....	PB95-264222	
Fuel Oil No. 1 (Kerosene) .....		8008-20-6.
Fuel Oil No. 1-D (Diesel Fuel No. 1) .....		No CAS #.
Fuel Oil No. 2 (Gas Oil) .....		68476-30-2.
Fuel Oil No. 2-D (Diesel Fuel No. 2) .....		68476-34-6.
Fuel Oil No. 4 (Residual Fuel) .....		68476-31-3.
Fuel Oil UNSP .....		No CAS #.
4. Jet Fuels JP-4 .....	PB95-264230	50815-00-4.
Jet Fuels JP-7 .....	No CAS #.	
5. Otto Fuel II and Its Components .....	PB95-264248	106602-80-6.
Propylene Glycol Dinitrate .....		6423-43-4.
2-Nitrodiphenylamine .....		119-75-5.
Dibutyl Sebacate .....		109-43-3.
6. RDX .....	PB95-264255	121-82-4.
7. Stoddard Solvent .....	PB95-264263	8052-41-3.
8. Tetryl .....	PB95-264271	479-45-8.
9. 1,3-Dinitrobenzene .....	PB95-264289	99-65-0.
1,3,5-Trinitrobenzene .....		99-35-4.
10. 2,4,6-Trinitrotoluene .....	PB95-264297	118-96-7.

Dated: October 10, 1995.

Claire V. Broome,

*Deputy Administrator, Agency for Toxic Substances and Disease Registry.*

[FR Doc. 95-25572 Filed 10-13-95; 8:45 am]

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### Food and Drug Administration

[Docket No. 95N-0253J]

#### Analysis Regarding the Food and Drug Administration's Jurisdiction Over Nicotine-Containing Cigarettes and Smokeless Tobacco Products; Extension of Comment Period

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to January 2, 1996, the comment period for the notice that appeared in the Federal Register of August 11, 1995 (60 FR 41453). The document contained FDA's factual and legal analysis regarding nicotine in cigarettes and smokeless tobacco products and whether the products are drug delivery devices within the meaning of the Federal Food, Drug, and Cosmetic Act (the act). As a result of this extension, the agency is providing a comment period of more than 140 days on the notice, and a comment period of more than 90 days

from the date that additional documents that the agency considered were placed on display.

**DATES:** Comments by January 2, 1996.

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

**FOR FURTHER INFORMATION CONTACT:** Philip L. Chao, Office of Policy (HF-23), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-3380.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of August 11, 1995 (60 FR 41453), FDA issued a notice describing the results of FDA's extensive investigation of cigarettes and smokeless tobacco products. The notice contained a comprehensive analysis and detailed documentation regarding the agency's jurisdiction over such products. The results of the investigation and analysis supported a finding, at that time, that nicotine in cigarettes and smokeless tobacco products is a drug, and that these products are drug delivery devices within the meaning of the act. In issuing the notice, FDA also recognized the unique importance of the jurisdictional issue as well as the factual justification for any proposed rule concerning cigarettes and smokeless tobacco products and invited comment.

On August 16, 1995, all documents referred to in the notice were placed on public display at the Dockets Management Branch, except for a small number of documents identified as confidential and articles for which publicly available journal citations were given in the notice. The notice and the documents cited by the agency in support of the notice (except for those documents that the agency identified as confidential) have been publicly available since August 16, 1995. On September 29, 1995, FDA placed additional documents that the agency considered on public display at the Dockets Management Branch. Accordingly, FDA is extending the comment period to January 2, 1996. A deadline of December 28, 1995, would provide a comment period of 90 days from the date on which the agency placed additional documents that the agency considered on public display. Because December 28, 1995, is a Thursday and January 1, 1996, is a holiday, the agency does not anticipate that it will be able to undertake significant work on the comments until January 2, 1996. Therefore, the agency is extending the comment period until January 2, 1996.

Because of the public health importance of this matter, the agency advises that it does not anticipate granting further extensions of the comment period beyond January 2,

1996. In order to assure consideration by the agency, comments are to be filed by that date.

Elsewhere in this issue of the Federal Register, the agency is publishing two graphs that were inadvertently omitted from the appendix to the notice. The appendix did not appear in the Federal Register on August 11, 1995, but can be purchased from the Government Printing Office (stock number 017012003737).

Interested persons may, on or before December 28, 1995, submit to the Dockets Management Branch (address above) written comments regarding this notice. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: October 11, 1995.

William B. Schultz,

*Deputy Commissioner for Policy.*

[FR Doc. 95-25671 Filed 10-12-95; 1:38 pm]

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**[Docket No. 95N-0253J]**

**Analysis Regarding the Food and Drug Administration's Jurisdiction Over Nicotine-Containing Cigarettes and Smokeless Tobacco Products; Correction**

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

**ACTION:** Notice; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a document entitled "Nicotine In Cigarettes And Smokeless Tobacco Products Is A Drug And These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act" that appeared in the Federal Register of August 11, 1994 (60 FR 41453). The document was published with some typographical errors. In addition, the document announced the availability of appendices. The agency has discovered that it inadvertently omitted two diagrams from the appendices. This document corrects those errors.

**FOR FURTHER INFORMATION CONTACT:** Philip L. Chao, Office of Policy (HF-23),

Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-3380.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 95-20052, appearing on page 41453 in the Federal Register of Friday, August 11, 1995, the following corrections are made:

1. On page 41453, in the 2d column, under the **ADDRESSES** caption, in line 7, the word "the" is added before the word "Superintendent"; and in the 3d column, under the **SUPPLEMENTARY INFORMATION** caption, in the 2d full paragraph, in line 3, the word "of" is corrected to read "on".

2. In the appendices which were made available by the agency through the Superintendent of Documents, Government Printing Office, on pages A-80 and A-81 the following illustrations are added:

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