whichever of the following months is earlier—

(i) The month in which a warrant or order for the individual's arrest or apprehension, an order requiring the individual's appearance before a court or other appropriate tribunal (*e.g.,* a parole board), or similar order is issued by a court or other duly authorized tribunal on the basis of an appropriate finding that the individual—

(A) Is fleeing, or has fled, to avoid prosecution as described in paragraph (a)(1) of this section;

(B) Is fleeing, or has fled, to avoid custody or confinement after conviction as described in paragraph (a)(2) of this section;

(C) Is violating, or has violated, a condition of his or her probation or parole as described in paragraph (a)(3) of this section; or

(ii) The first month during which the individual fled to avoid such prosecution, fled to avoid such custody or confinement after conviction, or violated a condition of his or her probation or parole, if indicated in such warrant or order, or in a decision by a court or other appropriate tribunal.

(2) An individual will not be considered to be ineligible for SSI benefits and benefit payments will not be suspended under this section for any month prior to August 1996.

(c) *Resumption of payments.* If benefits are otherwise payable, they will be resumed effective with the first month throughout which the individual is determined to be no longer fleeing to avoid such prosecution, fleeing to avoid such custody or confinement after conviction, or violating a condition of his or her probation or parole.

[FR Doc. 00–16553 Filed 6–29–00; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 176

[Docket Nos. 94F–0185 and 95F–0111]

Indirect Food Additives: Paper and Paperboard Components

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine), as a slimicide in the manufacture of paper and paperboard intended to contact food. This action is in response to petitions filed by Great Lakes Chemical Corp. and Lonza, Inc.

DATES: This rule is is effective June 30, 2000. Submit written objections and requests for a hearing by July 31, 2000.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Vivian M. Gilliam, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3094.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of June 14, 1994 (59 FR 30595), FDA announced that a food additive petition (FAP 4B4418) had been filed by Great Lakes Chemical Corp., P.O. Box 2200, West Lafayette, IN 47906–0200. The company is currently represented by Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001. The Great Lakes petition proposed to amend the food additive regulations in § 176.300 *Slimicides* (21 CFR 176.300) to provide for the safe use of 1-bromo-3-chloro-5,5-dimethylhydantoin (CAS Reg. No. 16079–88–2) as a slimicide in the manufacture of paper and paperboard intended to contact food.

Thereafter, in a notice published in the **Federal Register** of June 14, 1995 (60 FR 31319), FDA announced that a food additive petition (FAP 3B4382) had been filed by Lonza, Inc., c/o Delta Analytical Corp., 7910 Woodmont Ave., Bethesda, MD 20814. Lonza, Inc., is currently represented by Lewis and Harrison, 122 C St. NW., suite 740, Washington, DC 20001. The Lonza petition proposed to amend the food additive regulations in § 176.300 to provide for the safe use of a mixture of 1-bromo-3-chloro-5,5-dimethylhydantoin, 1,3-dichloro-5,5-dimethylhydantoin, and 1,3-dichloro-5-ethyl-5-methylhydantoin as a slimicide in the manufacture of paper and paperboard intended to contact food.

In the filing notice for FAP 4B4418, the additive was identified as 1-bromo-3-chloro-5,5-dimethylhydantoin (CAS Reg. No. 16079–88–2). This nomenclature and this CAS Reg. No. apply to a single discrete substance; however, the additive is actually an equilibrium isomeric mixture of halogenated 5,5-dimethylhydantoin species. Subsequent to the filing of the petition, Great Lakes Chemical Corp. and FDA agreed that the additive is more appropriately identified as 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine).

In the filing notice for FAP 3B4382, the additive was identified as a mixture of 1-bromo-3-chloro-5,5-dimethylhydantoin and 1,3-dichloro-5,5-dimethylhydantoin and 1,3-dichloro-5-ethyl-5-methylhydantoin. However, the additive is actually an equilibrium isomeric mixture of halogenated 5,5-dimethylhydantoin and 5-ethyl-5-methyl hydantoin species. Lonza, Inc., and FDA agreed that the additive is more appropriately identified as 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (dihalo (halogen) may be bromine and/or chlorine). This description includes the use proposed by both Great Lakes Chemical Corp. and Lonza, Inc. Therefore, this final rule responds to both petitions.

FDA has evaluated data in the petitions and other relevant material. Based on this information, the agency concludes that: (1) The proposed use of the additive, 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine), as a slimicide in the manufacture of paper and paperboard intended to contact food is safe; (2) the additive will achieve its intended technical effect; and therefore, (3) the regulations in § 176.300 should be amended as set forth below.

The additive, 1,3–dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) intended for use as a slimicide in the manufacture of paper and paperboard intended to contact food is regulated under section 409 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348) as a food additive and not as a pesticide chemical under section 408 of the act (21 U.S.C. 346a). However, this intended use of 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be

bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) may, nevertheless, be subject to regulation as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Therefore, manufacturers intending to use food-contact articles containing 1,3-dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) as a slimicide in the manufacture of paper and paperboard intended to contact food should contact the Environmental Protection Agency to determine whether this use requires a pesticide registration under FIFRA.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petitions and the documents that FDA considered and relied upon in reaching its decision to approve the petitions are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

When both petitions were filed, they each contained an environmental assessment (EA). In the respective notices of filing, the agency announced that it was placing the EA's on display at the Dockets Management Branch for public review and comment. No comments were received on either EA. In addition, prior to completing our review of the EA submitted in FAP 3B4382, Lonza, Inc., submitted a claim of categorical exclusion under 21 CFR 25.32(q).

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that this action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

This final rule contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time file with the Dockets Management Branch (address above) written objections by July 31, 2000. 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 176

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 176 is amended as follows:

PART 176—INDIRECT FOOD ADDITIVES: PAPER AND PAPERBOARD COMPONENTS

1. The authority citation for 21 CFR part 176 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 346, 348, 379e.

2. Section 176.300 is amended in the table in paragraph (c) by alphabetically adding an entry under the headings ''List of substances'' and ''Limitations'' to read as follows:

§ 176.300 Slimicides.

* * * * *

(c) * * *

List of substances	Limitations
* * * * * * *	
1,3-Dihalo-5,5-dimethylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine) that may contain no more than 20 weight percent 1,3-dihalo-5-ethyl-5-methylhydantoin (where the dihalo (halogen) may be bromine and/or chlorine).	At a maximum level of 1.0 kilogram (kg) per 1,000 kg of dry weight fiber.
* * * * * * *	

* * * * *

Dated: June 15, 2000.

L. Robert Lake,

Director of Regulations and Policy, Center for Food Safety and Applied Nutrition.

[FR Doc. 00–16527 Filed 6–29–00; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF LABOR

Mine Safety and Health Administration (MSHA)

30 CFR Part 3

Office of Management and Budget Control Numbers Under the Paperwork Reduction Act

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule.

SUMMARY: MSHA (we) are revising section 3.1 of part 3 of our regulations in order to update the display of Office of Management and Budget (OMB) control numbers approved under the Paperwork Reduction Act of 1995 (PRA 95). The display references regulations promulgated under the Federal Mine Safety and Health Act of 1977 containing recordkeeping and reporting requirements along with their associated OMB control numbers. This revision will assist the public search for current information on recordkeeping and reporting requirements approved by OMB.

EFFECTIVE DATE: June 30, 2000.

FOR FURTHER INFORMATION CONTACT: Carol J. Jones, Director; Office of Standards, Regulations, and Variances, MSHA; 703–235–1910.

SUPPLEMENTARY INFORMATION: We published a final rule presenting the OMB control numbers in a new table format which was codified in 30 CFR Part 3 on June 29, 1995 (60 FR 33719). This fulfilled the requirements of 44 U.S.C. 3507(f) of PRA 95 which prohibits an agency from engaging in a collection of information without displaying the control number obtained from OMB. Under PRA 95, no person is required to respond to a collection of information unless a valid OMB control number is displayed.

We are now publishing a revision to update our current display of control numbers issued by OMB for information collection. This includes the addition of control numbers approved by OMB in regulations completed through the rulemaking process since publication of part 3 on June 29, 1995 (60 FR 33719). There are no substantive changes or renewals made to information collection requirements by this technical amendment. Information collection requirements go through the public review process as part of the rule to which they apply. Likewise, the renewal of an OMB control number also requires public review. As a result, we find that there is ''good cause'' under 5 U.S.C., 553 (b)(3)(B) of the Administrative Procedure Act (APA) to issue this technical amendment to Table 1 in 30 Part 3 without prior public notice and comment.

We have also determined there is no need to delay the effective date because the technical amendment contains no new requirements for which the public would need time to plan compliance beyond that provided for in the regulation itself. We find, therefore, there is ''good cause'' to except this action from the 30-day delayed effective date requirement under 5 U.S.C. 553(b)(B) of the Administrative Procedure Act (APA).

List of Subjects in 30 CFR Part 3

Reporting and recordkeeping requirements.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

Accordingly, under the authority of 30 U.S.C. 957, chapter I of title 30, Code of Federal Regulations is amended as set forth below.

PART 3—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

1. The authority for part 3 continues to read as follows:

Authority: 30 U.S.C. 957; 44 U.S.C. 3501–3520.

2. Amend § 3.1 by revising Table 1 to read as follows:

§ 3.1 OMB control numbers.

* * * * *

TABLE 1.—OMB CONTROL NUMBERS

30 CFR citation	OMB control no.
Subchapter B—Testing, Evaluation, and Approval of Mining Products	
7.3	1219–0100
7.4	1219–0100
7.6	1219–0100
7.7	1219–0100
7.23	1219–0100
7.27	1219–0100
7.28	1219–0100
7.43	1219–0100
7.46	1219–0100
7.47	1219–0100
7.48	1219–0100
7.51	1219–0100
7.63	1219–0100
7.66	1219–0100
7.67	1219–0100
7.68	1219–0100
7.69	1219–0100
7.71	1219–0100
7.83	1219–0119
7.90	1219–0119
7.97	1219–0119
7.105	1219–0119
7.303	1219–0100
7.306	1219–0100