''FDA''; and in paragraphs (l), (m)(4), (n)(3) and (n)(4), and (o)(3) and (o)(4) by removing ''the Commissioner of Food and Drugs'', wherever it appears, and adding in its place ''FDA''; by revising paragraph (m)(3); and by adding paragraphs (m)(4)(iii) and (m)(5) to read as follows:

§ 101.69 Petitions for nutrient content claims.

* * * * *

(m) * * *

(3) Within 100 days of the date of receipt of the petition, FDA will notify the petitioner by letter that the petition has either been filed or denied. If denied, the notification shall state the reasons therefor. If filed, the date of the notification letter becomes the date of filing for the purposes of section 403(r)(4)(A)(i) of the act. If FDA does not act within such 100 days, the petition shall be deemed to be denied unless an extension is mutually agreed upon by the FDA and the petitioner. A petition that has been denied, or has been deemed to be denied without filing, shall not be made available to the public. A filed petition shall be available to the public as provided under paragraph (g) of this section.

* * * * *

(4) * * *

(iii) If FDA does not act within 90 days of the filing date, the petition shall be deemed to be denied unless an extension is mutually agreed upon by FDA and the petitioner.

(5) If FDA issues a proposal, the rulemaking shall be completed within 540 days of the date of receipt of the petition.

* * * * *

3. Section 101.70 is amended by revising paragraph (j)(2), by adding paragraph (j)(3)(iii), and by revising paragraph (j)(4)(ii) to read as follows:

§ 101.70 Petitions for health claims.

* * * * *

(j) * * *

(2) Within 100 days of the date of receipt of the petition, FDA will notify the petitioner by letter that the petition has either been filed for comprehensive review or denied. The agency will deny a petition without reviewing the information contained in ''B. Summary of Scientific Data'' if the information in ''A. Preliminary Requirements'' is inadequate in explaining how the substance conforms to the requirements of § 101.14(b). If the petition is denied, the notification will state the reasons therefor, including justification of the rejection of any report from an authoritative scientific body of the U.S. Government. If filed, the date of the notification letter becomes the date of filing for the purposes of this regulation. If FDA does not act within such 100 days, the petition shall be deemed to be denied unless an extension is mutually agreed upon by FDA and the petitioner. A petition that has been denied, or has been deemed to be denied, without filing will not be made available to the public. A filed petition will be available to the public to the extent provided under paragraph (e) of this section.

(3) * * *

(iii) If FDA does not act within 90 days of the filing date, the petition shall be deemed to be denied unless an extension is mutually agreed upon by FDA and the petitioner.

(4) * * *

(ii) For cause, FDA may extend, no more than twice, the period in which it will publish a final rule; each such extension will be for no more than 90 days. FDA will publish a notice of each extension in the **Federal Register**. The document will state the basis for the extension, the length of the extension, and the date by which the final rule will be published, which date shall be within 540 days of the date of receipt of the petition.

Dated: May 6, 1998.

William B. Schultz,

Deputy Commissioner for Policy.

[FR Doc. 98–12832 Filed 5–13–98; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 100

RIN 1219–AB03

Civil Penalties; Correction

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule; correction.

SUMMARY: This document corrects the RIN number to the final rule for criteria and procedures for proposed assessment of civil penalties published in the **Federal Register** on April 22, 1998.

EFFECTIVE DATE: May 14, 1998.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, (703) 235–1910.

SUPPLEMENTARY INFORMATION: On April 22, 1998, (63 FR 20032) MSHA published a final rule on criteria and procedures for proposed assessment of civil penalties. This document corrects an error that appears on the front page of the notice. The RIN number 1219–AA49 is corrected to read 1219–AB03.

Patricia W. Silvey,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 98–12759 Filed 5–13–98; 8:45 am]

BILLING CODE 4510–43–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 9

[FRL–6013–2]

OMB Approval Numbers Under the Paperwork Reduction Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this technical amendment amends the table that lists the Office of Management and Budget (OMB) control numbers issued under the PRA for the Urban Bus Rebuild Requirements.

EFFECTIVE DATE: This final rule is effective June 15, 1998.

FOR FURTHER INFORMATION CONTACT: William Rutledge, Engine Programs and Compliance Division (Mail Code 6403–J), U.S. Environmental Protection Agency, Washington, DC 20460. Telephone: (202) 564–9297.