

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

[Docket No. 78N-0038]

**Revocation of Advisory Opinion Entitled "FD&C Act Trade Correspondence 61"**

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

**ACTION:** Notice; revocation.

**SUMMARY:** The Food and Drug Administration (FDA) is revoking an advisory opinion entitled "FD&C Act Trade Correspondence, TC-61," (hereinafter called TC-61) dated February 15, 1940, because it is out of date with current scientific knowledge and is superseded by the final rule for over-the-counter (OTC) sunscreen drug products. As an advisory opinion, this correspondence was not published in the **Federal Register**.

**EFFECTIVE DATE:** JUNE 21, 1999.

**FOR FURTHER INFORMATION CONTACT:** John D. Lipnicki, Center for Drug Evaluation and Research (HFD-560), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-2222.

**SUPPLEMENTARY INFORMATION:** TC-61 is a 1940 advisory opinion regarding the drug and/or cosmetic status of sunburn and suntan preparations. TC-61 states that a product promoted for prevention of damage from the sun is a drug, and a product that is promoted solely for the purpose of acquiring an even tan can be considered a cosmetic. The agency updated this policy in 1976, by stating that a product containing a sunscreen ingredient, even when labeled solely as a tanning aid, is both intended and understood to be a sunburn preventive and, therefore, is a drug under the Federal Food, Drug, and Cosmetic Act (the act).

In the **Federal Register** of May 12, 1993 (58 FR 28194), FDA published a proposed rule for OTC sunscreen drug products. That document included a proposal to revoke TC-61 (58 FR 28204). One comment was received in response to the proposal to revoke TC-61. That comment did not change the agency's position and is addressed elsewhere in the rule section of this issue of the **Federal Register**. Therefore, under the act and under authority delegated to the Commissioner of Food and Drugs, TC-61 is revoked.

Dated: May 10, 1999.  
**William K. Hubbard,**  
*Associate Commissioner for Policy Coordination.*  
 [FR Doc. 99-12854 Filed 5-20-99; 8:45 am]  
 BILLING CODE 4160-01-F

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Care Financing Administration**

[Document Identifier: HCFA-R-0107]

**Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** Health Care Financing Administration, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

**Type of Information Collection Request:** Extension of a currently approved collection; **Title of Information Collection:** Determining Third Party Liability (TPL) State Plan Preprint and Supporting Regulations in 42 CFR 433.138; **Form No.:** HCFA-R-0107 (OMB# 0938-0502); **Use:** In the past, many third party resources were not diligently pursued by State governments. In an effort to improve program efficiencies and reduce Medicaid expenditures HCFA implemented TPL procedures. The collection of TPL information results in significant program savings to the extent that liable third parties can be identified and payments can be made for services that would otherwise be paid for by the Medicaid program.; **Frequency:** On occasion; **Affected Public:** Individuals or households, Federal Government, and State, Local, or Tribal Government; **Number of Respondents:** 1,900,000;

**Total Annual Responses:** 1,900,000;  
**Total Annual Hours:** 329,965.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access HCFA's Web Site address at <http://www.hcfa.gov/regs/prdact95.htm>, or E-mail your request, including your address, phone number, OMB number, and HCFA document identifier, to [Paperwork@hcfa.gov](mailto:Paperwork@hcfa.gov), or call the Reports Clearance Office on (410) 786-1326. Written comments and recommendations for the proposed information collections must be mailed within 60 days of this notice directly to the HCFA Paperwork Clearance Officer designated at the following address: HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards, Attention: Louis Blank, Room N2-14-26, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

Dated: May 13, 1999.  
**John Parmigiani,**  
*Manager, HCFA Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.*  
 [FR Doc. 99-12808 Filed 5-20-99; 8:45 am]  
 BILLING CODE 4120-03-P

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-4432-N-20]

**Federal Property Suitable as Facilities To Assist the Homeless**

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**FOR FURTHER INFORMATION CONTACT:** Mark Johnston, room 7256, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708-1226; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has