

HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 172****Food Additives Permitted for Direct Addition to Food for Human Consumption***CFR Correction*

In Title 21 of the Code of Federal Regulations, parts 170 to 199, revised as

of April 1, 2002, on page 63, § 172.615(a) is corrected in the table by removing the first entry for “Pentaerythritol ester of gum or wood rosin” and adding the following entry in its place:

§ 172.615 Chewing gum base.

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(a) * * *

Plasticizing Materials (Softeners)

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Pentaerythritol ester of partially hydrogenated gum or wood rosin Having an acid number of 7–18, a minimum drop-softening point of 102 °C, and a color of K or paler.

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DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Parts 1, 54, and 602**

[TD 9052]

RIN 1545-BA08

Notice of Significant Reduction in the Rate of Future Benefit Accrual

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations providing guidance on the notification requirements under section 4980F of the Internal Revenue Code (Code) and section 204(h) of the Employee Retirement Income Security Act of 1974 (ERISA). Under these final regulations, a plan administrator must give notice of a plan amendment to certain plan participants and beneficiaries when the plan amendment provides for a significant reduction in the rate of future benefit accrual or the elimination or significant reduction in an early retirement benefit or retirement-type subsidy. These final regulations affect retirement plan sponsors and administrators, participants in and beneficiaries of retirement plans, and employee organizations representing retirement plan participants.

DATES: *Effective date.* These regulations are effective on April 9, 2003.

Applicability date. For dates of applicability of these regulations, see § 54.4980F-1, Q&A-18, of these regulations.

FOR FURTHER INFORMATION CONTACT:

Pamela R. Kinard at (202) 622-6060 or Diane S. Bloom at (202) 283-9888 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:**Paperwork Reduction Act**

The collection of information contained in these final regulations has been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507) under control number 1545-1780. Responses to this collection of information are required to obtain a benefit for a taxpayer who wants to amend a plan with an amendment that significantly reduces the rate of future benefit accrual or eliminates or significantly reduces an early retirement benefit or retirement-type subsidy.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number assigned by the Office of Management and Budget.

The estimated annual burden per respondent varies from 1 hour to 80 hours, depending on individual circumstances, with an estimated average of 10 hours.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be sent to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, W:CAR:MP:T:T:SP, Washington, DC

20224, and to the Office of Management and Budget, Attn: Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503.

Books or records relating to this collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Background

This document contains amendments to 26 CFR parts 1, 54, and 602 under section 4980F of the Code and section 204(h) of ERISA. Prior to 2001, section 204(h) of ERISA had no analogous section in the Code, but pursuant to section 101(a) of the Reorganization Plan No. 4 of 1978, 29 U.S.C. 1001nt, the Secretary of the Treasury has authority to issue regulations under parts 2 and 3 of subtitle B of title I of ERISA, including section 204(h) of ERISA. Under section 104 of the Reorganization Plan No. 4, the Secretary of Labor retains enforcement authority with respect to parts 2 and 3 of subtitle B of title I of ERISA, but, in exercising that authority, is bound by the regulations issued by the Secretary of Treasury. On December 15, 1995, temporary regulations (TD 8631), under section 411(d)(6) of the Code were published in the **Federal Register** (60 FR 64320), providing guidance on section 204(h) of ERISA. A notice of proposed rulemaking (EE-34-95), cross-referencing the temporary regulations was published in the **Federal Register** (60 FR 64401) on the same day. On