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Seating at the public meeting will be limited, and attendance will be “first-come, first-served,” on a space-available basis. The public meeting will also be webcast for those who are unable to participate in person. Details about the public meeting, including how to register, will be posted at the NTIS DMF Web page, <http://dmf.ntis.gov/>. The NTIS DMF Web page also has information about how to subscribe to the NTIS email distribution list to receive announcements from NTIS about the progress of the establishment of the certification program. To subscribe to this free service, you may provide an email address to [jhounsell@ntis.gov](mailto:jhounsell@ntis.gov).

Dated: February 25, 2014.

**Bruce Borzino,**

*Director.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 101

[Docket No. FDA-1994-P-0314 (Formerly Docket No. 94P-0168)]

#### **Food Labeling: Serving Sizes; Reference Amount and Serving Size Declaration for Hard Candies, Breath Mints**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Food and Drug Administration (FDA or we) is withdrawing a proposed rule entitled “Food Labeling; Serving Sizes; Reference Amount and Serving Size Declaration for Hard Candies, Breath Mints” that published in the **Federal Register** of December 30, 1997 (62 FR 67775). We are taking this action because we are issuing a proposed rule on the serving sizes of foods in general that is published elsewhere in this issue of the **Federal Register**.

**DATES:** The proposed rule that published on December 30, 1997 (62 FR 67775), is withdrawn as of March 3, 2014.

**FOR FURTHER INFORMATION CONTACT:** Mark Kantor, Center for Food Safety and Applied Nutrition (HFS-830), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 240-402-1450.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

In the **Federal Register** of December 30, 1997, FDA published a proposed rule entitled “Food Labeling; Serving Sizes; Reference Amount and Serving Size Declaration for Hard Candies, Breath Mints” (the 1997 breath mints proposed rule). The 1997 breath mints proposed rule would change the label serving size for the product category “Hard candies, breath mints” so that the serving size for all breath mint products would be one unit. The 1997 breath mints proposed rule was published, in part, in response to a citizen petition (Docket No. FDA-1994-P-0314 (formerly Docket No. 94P-0168)) that requested a serving size for breath mints that more accurately reflected the amount customarily consumed per eating occasion. Specifically, the petition requested that FDA create a separate product category with a 0.5-gram (g) reference amount for small breath mints (weighing 0.5 g or less). The petition concluded that the serving size for small breath mints should be “1 mint.” The 1997 breath mints proposed rule also would amend the current rounding requirements for calories as described in 21 CFR 101.9(c)(1), which states that the caloric content per serving must be expressed to the nearest 5-calorie increment up to and including 50 calories, and 10-calorie increment above 50 calories, except that amounts less than 5 calories may be expressed as zero. The 1997 breath mints proposed rule would allow the declaration of calorie amounts of less than 5 calories on the Nutrition Facts label, provided that the number of calories declared on the Nutrition Facts label is consistent with the number of calories declared in any claim about the amount of calories made under 21 CFR 101.13(i).

In the **Federal Register** of April 4, 2005 (70 FR 17010), we issued an advance notice of proposed rulemaking (ANPRM) entitled “Food Labeling; Serving Sizes of Products That Can Reasonably Be Consumed At One Eating Occasion; Updating of Reference Amounts Customarily Consumed; Approaches for Recommending Smaller Portion Sizes.” The ANPRM requested

comment on whether we should amend certain nutrition labeling regulations concerning serving size.

In response to the ANPRM, elsewhere in this issue of the **Federal Register**, we are publishing a proposed rule that would, in part, amend the serving size for breath mints.

##### **II. Withdrawal of the 1997 Proposed Rule**

Because we are addressing issues related to the label serving size for breath mints, in conjunction with other serving size issues, in a proposed rule entitled, “Serving Sizes of Foods That Can Reasonably Be Consumed At One-Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments,” published elsewhere in this issue of the **Federal Register**, we are withdrawing the 1997 breath mints proposed rule.

Dated: February 24, 2014.

**Leslie Kux,**

*Assistant Commissioner for Policy.*

[FR Doc. 2014-04386 Filed 2-27-14; 8:45 am]

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## DEPARTMENT OF EDUCATION

### 34 CFR Chapter III

[Docket ID ED-2014-OSERS-0013; CFDA Number: 84.133B-4]

#### **Proposed Priority—National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers**

**AGENCY:** Office of Special Education and Rehabilitative Services, Department of Education.

**ACTION:** Proposed priority.

**SUMMARY:** The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority for the Rehabilitation Research and Training Center (RRTC) Program administered by the National Institute on Disability and Rehabilitation Research (NIDRR), specifically, a priority for an RRTC on Health and Function of Individuals with Physical Disabilities. We take this action to focus research attention on an area of national need. We intend the priority to contribute to improved outcomes of health and function of individuals with physical disabilities.

**DATES:** We must receive your comments on or before April 2, 2014.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery,