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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. FDA-2014-N-1021]

RIN 0910-AH00

Food Labeling; Gluten-Free Labeling of Fermented or Hydrolyzed Foods; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA or we) is correcting a final rule that published in the **Federal Register** of August 13, 2020. The final rule establishes requirements concerning “gluten-free” labeling for foods that are fermented or hydrolyzed or that contain fermented or hydrolyzed ingredients.

DATES: Effective October 13, 2020.

FOR FURTHER INFORMATION CONTACT: Carol D’Lima, Center for Food Safety and Applied Nutrition (HFS-820), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2371, Carol.Dlima@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of Thursday, August 13, 2020, (85 FR 49240), FDA published the final rule “Food Labeling; Gluten-Free Labeling of Fermented or Hydrolyzed Foods” with a typographical error in the **SUMMARY** section. In addition, the rule was published with two different effective dates.

In FR Doc. 2020-17088, appearing in the **Federal Register** of Thursday, August 13, 2020, the following corrections are made:

On page 49241, in the first column, the second sentence is corrected to read as follows: “These requirements are needed to help ensure that individuals with celiac disease are not misled and

receive truthful and accurate information with respect to fermented or hydrolyzed foods labeled as ‘gluten-free.’”

On page 49254, in section VI. Effective and Compliance Dates, in the first column, the first sentence is corrected to read as follows: “This rule is effective October 13, 2020.” This confirms the rule is effective October 13, 2020, and is consistent with the effective date stated earlier on page 49241.

Dated: August 31, 2020.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2020-19569 Filed 9-4-20; 4:15 pm]

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PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4022

RIN 1212-AB41

Lump Sum Payment Assumptions

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This rule modifies the assumptions the Pension Benefit Guaranty Corporation (PBGC) uses to determine de minimis lump sum benefits in PBGC-trusted terminated single-employer defined benefit pension plans and discontinues monthly publication of PBGC’s lump sum interest rate assumptions.

DATES: *Effective date:* This rule is effective January 1, 2021.

Applicability date: The amendments affecting PBGC’s calculation and payment of lump sum benefits apply to trusted plans with termination dates on or after January 1, 2021.

FOR FURTHER INFORMATION CONTACT:

Gregory M. Katz (katz.gregory@pbgc.gov), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026; 202-229-3829. TTY users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-229-3829.

SUPPLEMENTARY INFORMATION:

Executive Summary—Purpose and Authority

This rule is intended to modernize the methodology used to determine de minimis lump sums in terminated underfunded single-employer plans. Specifically, PBGC is adopting the interest and mortality assumptions from section 417(e)(3) of the Internal Revenue Code (Code)¹ for this purpose. It also discontinues PBGC’s monthly calculation and publication of interest rate assumptions. Because some private-sector plans use PBGC’s lump sum interest rates, the rule provides a table for plans to use to determine interest assumptions in accordance with PBGC’s historical methodology.

Legal authority for this action comes from section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 (ERISA), which authorizes PBGC to issue regulations to carry out the purposes of title IV of ERISA and section 4022 of ERISA (Single-Employer Plan Benefits Guaranteed).

Background

The Pension Benefit Guaranty Corporation (PBGC) administers two insurance programs for private-sector defined benefit pension plans under title IV of the Employee Retirement Income Security Act of 1974 (ERISA): A single-employer plan termination insurance program and a multiemployer plan insolvency insurance program. This rule applies only to the single-employer program.

PBGC has identified these amendments as part of its ongoing retrospective review of its regulations to ensure that PBGC provides clear and helpful guidance, minimizes burdens and maximizes benefits, and addresses ineffective and outdated rules.

Use of Lump Sum Assumptions by PBGC

Covered single-employer plans that are underfunded may terminate in either a distress termination under section 4041(c) of ERISA or in an involuntary termination (one initiated by PBGC) under section 4042 of ERISA. When such a plan terminates, PBGC typically is appointed statutory trustee of the plan and becomes responsible for

¹ Section 417(e)(3) of the Code and section 205(g)(3) of the Employee Retirement Income Security Act of 1974 (ERISA) are parallel provisions in ERISA and the Code.