

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Food and Drug Administration (FDA, Agency, or we) is announcing the withdrawal of the proposed rule entitled “Testing Methods for Detecting and Identifying Asbestos in Talc-Containing Cosmetic Products,” which published in the **Federal Register** of December 27, 2024. FDA is taking this action in response to comments received during the comment period for the proposed rule that warrant further consideration and assessment prior to issuing final regulations to establish and require standardized testing methods for detecting and identifying asbestos in talc-containing cosmetic products pursuant to the Modernization of Cosmetics Regulation Act of 2022.

**DATES:** The proposed rule published December 27, 2024 (89 FR 105490) is withdrawn as of November 28, 2025.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Anderson, Senior Policy Analyst, Food and Drug Administration, 240–402–4565,

*QuestionsAboutMoCRA@fda.hhs.gov*.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of December 27, 2024 (89 FR 105490), FDA issued the proposed rule entitled “Testing Methods for Detecting and Identifying Asbestos in Talc-Containing Cosmetic Products” as part of its implementation of the Modernization of Cosmetics Regulation Act of 2022 (MoCRA), which requires the promulgation of proposed and final regulations to establish and require standardized testing methods for detecting and identifying asbestos in talc-containing cosmetic products.

The proposed rule, if finalized, would require manufacturers of talc-containing cosmetic products to test their talc-containing cosmetic products or the talc cosmetic ingredient prior to using the talc to manufacture a talc-containing cosmetic for asbestos, and to keep records to demonstrate compliance with the rule. Failure to comply with the rule’s testing or recordkeeping obligations would result in FDA deeming a cosmetic product to be adulterated under the Federal Food, Drug, and Cosmetic Act (FD&C Act), as would the presence of any asbestos in a talc-containing cosmetic product, talc used in a cosmetic product, or talc intended for use in a cosmetic. FDA received 49 comments on the proposed rule.

FDA proposed that the rule would apply to all manufacturers of talc-containing cosmetic products, including cosmetic products that are subject to the requirements of chapter V of the FD&C

Act (Drugs and Devices). Therefore, the proposed rule, if finalized, would apply to cosmetic products that are also drugs. FDA received comments that suggested the proposed rule would have unintended consequences for many consumer products containing talc, including but not limited to talc-containing cosmetic products.

FDA proposed to define “asbestos” to include “amosite, chrysotile, crocidolite; asbestosiform tremolite, actinolite, anthophyllite, winchite, and richterite; and other asbestosiform amphibole minerals.” FDA received comments that requested consistency with the established definitions or approaches used by other Federal agencies, including the Department of Labor (Occupational Safety and Health Administration and Mine Safety and Health Administration) and Environmental Protection Agency, to avoid unnecessary confusion.

MoCRA requires FDA to establish and require standardized testing methods for detecting and identifying asbestos in talc-containing cosmetic products. The proposed rule was issued pursuant to MoCRA and sections 601 and 701 of the FD&C Act. FDA received comments regarding the Agency’s statutory authority under law to add a specific adulteration provision relating to talc testing and regarding its authority to consider a cosmetic containing any amount of asbestos to be adulterated.

Good cause exists to withdraw the proposed rule at this time. On the basis of the Make America Healthy Again (MAHA) priorities to ensure safe additives in the American food and drug supply, the highly scientific and technical issues addressed in public comments the Agency has received, and the complexity of asbestos testing and legal considerations under the Administrative Procedure Act, we are withdrawing the proposed rule to reconsider best means of addressing the issues covered by the proposed rule and broader principles to reduce exposure to asbestos, and to ensure that any standardized testing method requirements for detecting asbestos in talc-containing cosmetic products help protect users of talc-containing cosmetic products from harmful exposure to asbestos.

While the Agency is withdrawing the proposed rule, FDA will issue a proposed rule to meet its statutory

obligations under section 3505 of MoCRA.

**Robert F. Kennedy, Jr.,**

*Secretary, Department of Health and Human Services.*

[FR Doc. 2025–21407 Filed 11–25–25; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-124791-11]

**RIN 1545-BK37**

#### Furnishing Identifying Number of Tax Return Preparer

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Withdrawal of notice of proposed rulemaking.

**SUMMARY:** This document withdraws a notice of proposed rulemaking regarding the eligibility of tax return preparers to obtain a preparer tax identification number (PTIN). The proposed regulations would have affected tax return preparers.

**DATES:** As of November 28, 2025, the notice of proposed rulemaking that was published in the **Federal Register** on February 15, 2012 (77 FR 8753), is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Mark Shurtliff at (202) 317–6845 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 15, 2012, the Department of the Treasury (Treasury Department) and the IRS published a notice of proposed rulemaking (REG-124791-11) in the **Federal Register** (77 FR 8753) under section 6109 of the Internal Revenue Code (Code) relating to the identifying number of tax return preparers (proposed regulations). The proposed regulations would have provided for two additional categories of tax return preparers eligible for a PTIN under a regulatory scheme in which the IRS sought to impose minimum qualification requirements on who could be a tax return preparer.

Following publication of the proposed regulations, on February 11, 2014, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in *Loving v. Internal Revenue Service*, 742 F.3d 1013 (D.C. Cir. 2014), which upheld an injunction against the IRS from regulating tax return preparers.

In light of *Loving*, the IRS is prohibited from regulating tax return preparers and, therefore, the Treasury Department and the IRS are withdrawing the proposed regulations.

#### Drafting Information

The principal author of this notice is Mark Shurtliff of the Office of Associate Chief Counsel (Procedure and Administration). However, other personnel from the Treasury Department and the IRS participated in its development.

#### List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

#### Withdrawal of Proposed Amendments to the Regulations

Under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG-124791-11) that was published in the **Federal Register** on February 15, 2012 (77 FR 8753), is withdrawn.

**Frank J. Bisignano,**  
Chief Executive Officer.

[FR Doc. 2025-21581 Filed 11-26-25; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 70

[EPA-R07-OAR-2025-2830; FRL-13059-01-R7]

#### Air Plan Approval; Missouri; Reporting Emission Data, Emission Fees, and Process Information

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing approval of revisions to the Missouri State Implementation Plan (SIP), and Operating Permits Program related to Reporting Emission Data, Emission Fees, and Process Information. The revisions set emission fees and a base fee for calendar years 2025–2028 and beyond, add 1-Bromopropane to the category 1 Hazardous Air Pollutant list in table 1, update two publication dates for material that is incorporated by reference and make minor administrative changes to the rule. These revisions do not impact the stringency of the SIP or have an adverse effect on air quality. The EPA's proposed approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** Comments must be received on or before December 29, 2025.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA-R07-OAR-2025-2830 to <https://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions received must include the Docket ID No. for this rulemaking. Comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Written Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

Steven Brown, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551-7718; email address: [brown.steven@epa.gov](mailto:brown.steven@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," and "our" refer to the EPA.

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#### I. Written Comments

Submit your comments, identified by Docket ID No. EPA-R07-OAR-2025-2830, at <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

#### II. What is being addressed in this document?

The EPA is proposing to approve revisions to the Missouri SIP and title V Operating Permits Program, 10-6.110 "Reporting Emission Data, Emission Fees, and Process Information," submitted to the EPA on March 19, 2025. The amendments to this rule set emission fees and a base fee for calendar years 2025–2028 and beyond, add 1-Bromopropane to the category 1 Hazardous Air Pollutant list in table 1, update two publication dates for material that is incorporated by reference, and make minor administrative changes to the rule. The EPA proposes to find that these revisions meet the requirements of the CAA, do not impact the stringency of the SIP, and do not adversely impact air quality. The full text of the rule revisions can be found in the State submittal included in this docket.

#### III. Have the requirements for approval of a SIP revision been met?

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision and related amendments to their Title V Operating Permits Program, from July 15, 2024, to September 5, 2024, and held a public hearing on August 29, 2024. The state of Missouri received one supporting comment during the public comment period on 10 CSR 10-6.110. The revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations and is consistent with applicable EPA requirements in title V of the CAA and 40 CFR part 70.

#### IV. What action is the EPA taking?

The EPA is proposing to amend the Missouri SIP by approving the State's request to revise 10 CSR 10-6.110 "Reporting Emission Data, Emission Fees, and Process Information." The EPA's proposed action approves these amendments as part of the SIP, except for subsection (3)(A), which is not included in the SIP. However, the entire rule revision is being submitted for inclusion in the Missouri Title V program. These revisions update the emissions fee for permitted sources in subsection (3)(A) and the emission reporting years in table 4 of section (4)(B), as set by Missouri statute. Specifically, section (3)(A) revises the emission fees section, which is approved under the Operating Permits