

4. Section 355.50 is amended by revising paragraphs (c)(1) and (c)(2), and in the headings for paragraphs (d)(1)(i) and (d)(1)(ii) by removing the word "Paste" and adding in its place the words "Gel or paste" to read as follows:

**§ 355.50 Labeling of anticaries drug products.**

\* \* \* \* \*

(c) \* \* \*

(1) *For all fluoride dentifrice (gel, paste, and powder) products.* "Keep out of the reach of children under 6 years of age. If you accidentally swallow more than used for brushing, seek professional assistance or contact a Poison Control Center immediately." These warnings shall be used in place of the general warning statements required by § 330.1(g) of this chapter.

(2) *For all fluoride rinse and preventive treatment gel products.* "Keep this and all drugs out of the reach of children. If you accidentally swallow more than used for" (select appropriate word: "brushing" or "rinsing"), "seek professional assistance or contact a Poison Control Center immediately." These warnings shall be used in place of the general warning statements required by § 330.1(g) of this chapter.

\* \* \* \* \*

Dated: September 30, 1996.

William K. Hubbard,  
Associate Commissioner for Policy  
Coordination.

[FR Doc. 96-25599 Filed 10-4-96; 8:45 am]

BILLING CODE 4160-01-P

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### 21 CFR Parts 1309, 1310, 1313

[DEA NUMBER 138P]

RIN 1117-AA32

#### Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Food, Drug, and Cosmetic Act (FD&C Act)

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Final rule; withdrawal.

**SUMMARY:** DEA is withdrawing its rulemaking regarding Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Food, Drug, and Cosmetic Act (FD&C Act) which was published in the Federal Register on August 7, 1996 (61 FR 40981). The final rule has been superseded by the Comprehensive Methamphetamine Control Act of 1996,

which declares the final rule null and void and of no effect.

**FOR FURTHER INFORMATION CONTACT:**

Frank Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC. 20537, Telephone (202) 307-7183.

**SUPPLEMENTARY INFORMATION:** DEA

published a notice of proposed rulemaking (NPRM) regarding Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Food, Drug, and Cosmetic Act (FD&C Act) in the Federal Register on October 31, 1995 (60 FR 55348). The NPRM proposed certain amendments to Title 21, Code of Federal Regulations (CFR), Parts 1309, 1310, and 1313, and was open for public comment until January 2, 1996. Following the comment period, DEA published a final rulemaking on August 7, 1996 (61 FR 40981), which was to become effective on October 7, 1996. However, on September 29, 1996, Congress passed the Comprehensive Methamphetamine Control Act of 1996, which provides that "The final rule concerning removal of exemption for certain pseudoephedrine products marketed under the Federal Food, Drug, and Cosmetic Act published in the Federal Register of August 7, 1996 (61 FR 40981-40933) is null and void and of no force or effect." As a result, the amendments contained in the final rule are canceled and the regulatory text of 21 CFR Parts 1309, 1310, and 1313 remains unchanged.

Accordingly, DEA's rulemaking entitled Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Food, Drug, and Cosmetic Act (FD&C Act), published in the Federal Register as a proposed rule on October 31, 1995 (60 FR 55348) and as a final rule on August 7, 1996 (61 FR 40981), is withdrawn.

Dated: October 2, 1996.

Gene R. Haislip,

Deputy Assistant Administrator, Office of  
Diversion Control.

[FR Doc. 96-25665 Filed 10-4-96; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 9 and 721

[OPPTS-50617A; FRL 5396-6]

RIN 2070-AA58

#### Benzidine-Based Chemical Substances; Significant New Uses of Certain Chemical Substances

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

**ACTION:** Final rule.

**SUMMARY:** EPA is promulgating a significant new use rule (SNUR) under section 5(a) of the Toxic Substances Control Act (TSCA) which requires persons to notify EPA at least 90 days before commencing the manufacture, import, or processing of certain benzidine-based chemical substances for any significant new use as described in this rule. EPA believes that this action is necessary because benzidine-based chemical substances may be hazardous to human health and that the uses governed by this rule may result in significant exposure to workers handling those substances. The required notice provides EPA with the opportunity to evaluate any intended new uses and associated activities before the benzidine-based chemical substances can be introduced into the marketplace for a significant new use, and an opportunity to protect against potentially adverse exposure before it occurs.

**EFFECTIVE DATE:** This rule becomes effective on November 20, 1996. Persons who begin commercial manufacture, importation, or processing of listed benzidine-based chemical substances for any significant new use listed in this rule between August 30, 1995, and November 20, 1996 must comply with the requirements of this final SNUR. See Unit VII of this preamble for more information. In accordance with 40 CFR 23.5, this rule shall be promulgated for purposes of judicial review at 1 p.m. eastern time on October 21, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxic Substances, Environmental Protection Agency, 401 M St., SW., Rm. E-545, Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** This SNUR requires persons to notify EPA at