

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 73**

[Docket No. FDA-2016-C-2767]

**Listing of Color Additives Exempt From Certification; Calcium Carbonate; Confirmation of Effective Date****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA or we) is confirming the effective date of December 8, 2017, for the final rule that appeared in the **Federal Register** of November 7, 2017, and that amended the color additive regulations to provide for the safe use of calcium carbonate to color hard and soft candy, mints, and inks used on the surface of chewing gum.

**DATES:** Effective date of final rule published in the **Federal Register** of November 7, 2017 (82 FR 51554) confirmed: December 8, 2017.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule into the "Search" box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Judith Kidwell, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-1071.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of November 7, 2017 (82 FR 51554), we amended the color additive regulations to add § 73.70, "Calcium carbonate," (21 CFR 73.70) to provide for the safe use of calcium carbonate to color soft and hard candies and mints, and in inks used on the surface of chewing gum, except that it may not be used to color chocolate for which standards of identity have been issued under section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), unless added color is authorized by such standards.

We gave interested persons until December 7, 2017, to file objections or requests for a hearing. We explained that to file an objection, among other things, persons must specify with particularity the provision(s) to which

they object. We also explained that if a person who properly submits an objection wants a hearing, he or she must specifically request a hearing and that failure to do so will constitute a waiver of the right to a hearing (82 FR 51554 at 51557).

We received two comments regarding our decision to amend the color additive regulations to provide for the safe use of calcium carbonate to color soft and hard candies and mints, and in inks used on the surface of chewing gum. Neither comment, however, specified with particularity the provision(s) of the regulation to which they objected nor specifically requested a hearing. Therefore, we find that the effective date of the final rule that published in the **Federal Register** of November 7, 2017, should be confirmed.

**List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the November 7, 2017, final rule. Accordingly, the amendments issued thereby became effective December 8, 2017.

Dated: January 24, 2018.

**Leslie Kux,***Associate Commissioner for Policy.*

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**BILLING CODE 4164-01-P****DEPARTMENT OF STATE****22 CFR Part 22**

[Public Notice 9450]

**RIN 1400-AD71****Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates****AGENCY:** Department of State.**ACTION:** Final rule.

**SUMMARY:** This rule finalizes the interim final rule published in the **Federal Register** on September 8, 2015. Specifically, the rule implemented changes to the Schedule of Fees for Consular Services ("Schedule") for certain passport and citizenship services fees. This rulemaking addresses public comments and adopts as final the changes to these fees.

**DATES:** In accordance with the Congressional Review Act, this rule is effective on April 2, 2018.

**FOR FURTHER INFORMATION CONTACT:** Rob Schlicht, Office of the Comptroller, Bureau of Consular Affairs, Department of State; phone: 202-485-6685, telefax: 202-485-6826; email: [fees@state.gov](mailto:fees@state.gov).

**SUPPLEMENTARY INFORMATION:** For the complete explanation of the background of this rule, including the rationale for the change, the authority of the Department of State ("Department") to make the fee changes in question, and an explanation of the study that produced the fee amounts, consult the prior public notices cited in the "Background" section below.

**Background**

The Department published an interim final rule in the **Federal Register**, 80 FR 53704, on September 8, 2015, amending sections of 22 CFR part 22. Specifically, the rule amended the Schedule of Fees for Consular Services and provided 60 days for comments from the public. During this 60-day comment period, 15 comments were received by mail, email, and through the submission process at [regulations.gov](http://regulations.gov).

This rule establishes the following fees for the categories below:

- Administrative Processing of Request for Certificate of Loss of Nationality (CLN) \$2,350
- Passport Book Application Fee (age 16 and older) from \$70 to \$50
- Passport Book Application Fee (under age 16) from \$40 to \$20
- Passport Security Surcharge from \$40 to \$60

The original publication of the interim final rule included an incorrect effective date of September 23, 2015, for the above changes in the Passport Book Application fees and Passport Security Surcharge. That date subsequently was corrected. See 80 FR 55242. The correct effective date is reflected herein; it is September 26, 2015.

**Analysis of Comments**

In the 60-day period since the publication of the interim final rule, 15 comments were received. Twelve of the comments were about the Administrative Processing of Request for CLN fee. The other three comments were about Executive Branch fees or U.S. citizenship.

Many of the comments suggested that the fee for Administrative Processing of Request for CLN creates a barrier to expatriation. Most asserted that the fee is excessive and that many individuals will be unable to pay it. However, one comment expressed support for