

If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Alexandra Beliveau, Office of Policy and International Engagement, Human Foods Program, Food and Drug Administration, 240-402-2378, HFP-Policy@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 11, 2024 (89 FR 1856), FDA announced that we had filed a color additive petition proposing that we amend 21 CFR 73.1, “Diluents in color additive mixtures for food use exempt from certification”; 21 CFR 73.30, “Annatto extract”; 21 CFR 73.345, “Paprika oleoresin”; and 21 CFR 73.615, “Turmeric oleoresin” to remove the use of three specified solvents.

The three solvents that are the subject of this petition are:

1. Ethylene dichloride (Chemical Abstract Service (CAS) No. 107-06-2);
2. Methylene chloride (CAS No. 75-09-2); and
3. Trichloroethylene (CAS No. 79-01-6).

Interested persons were originally given until March 11, 2024, to comment on the filed color additive petition.

FDA is reopening the comment period to allow for the submission of any updated data and other information over the last two years. FDA is also seeking comment on what practical considerations food manufacturers would have in phasing out impacted

uses if FDA were to grant this petition in part or in whole.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 172 and 173

[Docket No. FDA-2023-F-5684]

Food Additive Petition From Environmental Defense Fund, et al.; Request To Amend the Food Additive Regulations To Remove the Solvents Benzene, Ethylene Dichloride, Methylene Chloride, and Trichloroethylene; Reopening of the Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification of petition; reopening of the comment period.

SUMMARY: The Food and Drug Administration (FDA or we) is reopening the comment period for the notification of petition, published in the **Federal Register** of January 11, 2024, announcing that we filed a food additive petition proposing that the food additive regulations be amended to remove four specified solvents. FDA is reopening the comment period to allow for the submission of any updated data and other information over the last two years.

DATES: FDA is reopening the comment period on the notification of petition published January 11, 2024 (89 FR 1857). Either electronic or written comments must be submitted by June 29, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of June 29, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the

instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2023-F-5684 for “Food Additive Petition from Environmental Defense Fund, et al.; Request to Amend the Food Additive Regulations to Remove the Solvents Benzene, Ethylene Dichloride, Methylene Chloride, and Trichloroethylene; Reopening of the Comment Period.” Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states

“THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Alexandra Beliveau, Office of Policy and International Engagement, Human Foods Program, Food and Drug Administration, 240-402-2378, HFP-Policy@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 11, 2024 (89 FR 1857), FDA announced that we had filed a food additive petition proposing that we amend 21 CFR 172.560, “Modified hop extract”; 21 CFR 172.710, “Adjuvants for pesticide use dilutions”; 21 CFR 173.230, “Ethylene dichloride”; 21 CFR 173.255, “Methylene chloride”; 21 CFR 173.290, “Trichloroethylene”; and 21 CFR 173.315, “Chemicals used in washing or to assist in the peeling of fruits and vegetables” to remove the use of four specified solvents.

The four solvents that are the subject of this petition are:

1. Benzene (Chemical Abstract Service (CAS) No. 71-43-2);
2. Ethylene dichloride (CAS No. 107-06-2);
3. Methylene chloride (CAS No. 75-09-2); and
4. Trichloroethylene (CAS No. 79-01-6).

Interested persons were originally given until March 11, 2024, to comment on the filed food additive petition.

FDA is reopening the comment period to allow for the submission of any updated data and other information over the last two years. FDA is also seeking comment on what practical considerations food manufacturers would have in phasing out impacted uses if FDA were to grant this petition in part or in whole.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

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DEPARTMENT OF EDUCATION

34 CFR Chapter III

[ED-2026-OESE-1783]

Proposed Waiver and Extension of the Project Period With Funding for Arts in Education National Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Proposed waiver and extension of project period with funding.

SUMMARY: The Secretary proposes to waive the requirements in the Education Department General Administrative Regulations that generally prohibit project period extensions involving the obligation of additional Federal funds. The proposed waiver and extension would enable one project under Assistance Listing Number (ALN) 84.351A to receive funding for one additional period, not to exceed September 30, 2027.

DATES: We must receive your comments on or before June 29, 2026.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at www.regulations.gov. However, if you require an accommodation or cannot otherwise submit your comments via www.regulations.gov, please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to www.regulations.gov to submit your comments electronically. Information on using [Regulations.gov](https://www.regulations.gov), including instructions for accessing agency

documents, submitting comments, and viewing the docket, is available on the site under “FAQ.”

Privacy Note: The Department’s policy is generally to make comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should include in their comments only information about themselves that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Simon Earle. Telephone: (202) 453-7923. Email:

assistanceforartseducation@ed.gov.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding this proposed waiver and extension.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866, 13563, and 14192 and their overall requirement of reducing regulatory burden that might result from the proposed waiver and extension. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect public comments about the proposed priority and definition by accessing [Regulations.gov](https://www.regulations.gov).

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for the proposed waiver and extension. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Background: The Elementary and Secondary Education Act of 1965, as amended (ESEA) authorizes awards under the Assistance for Arts Education (AAE) program to promote arts education for students, including disadvantaged students and students who are children with disabilities.

In the FY 2022 competition for the Arts in Education National Program (AENP), the Department utilized the rulemaking waiver provided under the General Education Provisions Act