

Desk Officer for the Administration for Children and Families.

**Robert Sargis,**

*Reports Clearance Officer.*

[FR Doc. 2011-9079 Filed 4-13-11; 8:45 am]

**BILLING CODE 4184-01-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Submission for OMB review; comment request**

*Title:* IRS Project 1099.

*OMB No.:* 0970-0183.

*Description:* A voluntary program which provides State Child Support Enforcement agencies, upon their request, access to the earned and unearned income information reported to IRS by employers and financial institutions. The IRS 1099 information is used to locate noncustodial parents and to verify income and employment.

*Respondents:*

**ANNUAL BURDEN ESTIMATES**

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
1099 Record Specifications .....	54	12	1.96	1,270.08
IRS Safeguarding Certification Letter .....	54	1	0.48	25.92
Estimated Total Annual Burden Hours: .....				1,296

*Additional Information:* Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Administration, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection. E-mail address: [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov).

*OMB Comment:* OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**.

Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Fax: 202-395-7285, E-mail:

[OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV), Attn: Desk Officer for the Administration for Children and Families.

**Robert Sargis,**

*Reports Clearance Officer.*

[FR Doc. 2011-9054 Filed 4-13-11; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

[Docket No. FDA-2010-N-0267]

**Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Survey on Consumers' Emotional and Cognitive Reactions to Food Recalls**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. **DATES:** Fax written comments on the collection of information by May 16, 2011.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202-395-7285, or e-mailed to [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov). All comments should be identified with the OMB control number 0910-new and "Survey on Consumers' Emotional and Cognitive Reactions to Food Recalls." Also include the FDA docket number found in brackets in the heading of this document.

**FOR FURTHER INFORMATION CONTACT:** Denver Presley, Office of Information Management, Food and Drug Administration, 1350 Piccard Dr., PI50-

400B, Rockville, MD 20850, 301-796-3793.

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

**Survey on Consumers' Emotional and Cognitive Reactions to Food Recalls—21 U.S.C. 393(d)(2)(C) (OMB Control Number 0910-NEW)**

**I. Background**

The proposed "Survey on Consumers' Emotional and Cognitive Reactions to Food Recalls" will be conducted under a cooperative agreement between the Joint Institute for Food Safety and Applied Nutrition (JIFSAN) and the Center for Risk Communication Research at the University of Maryland. JIFSAN was established in 1996 and is a public and private partnership between FDA and the University of Maryland. The Center for Risk Communication Research will design and administer the study.

The proposed study will assess consumers' emotional and cognitive recollection of certain food recalls and gauge how these recollections affect their current perceptions about food recalls and their inclination to adhere to future recommended food recall behaviors. Existing data show that many consumers do not take appropriate protective actions during a foodborne illness outbreak or food recall (Refs. 1 and 2). For example, 41 percent of U.S. consumers say they have never looked for any recalled product in their home (Ref. 2). Conversely, some consumers overreact to the announcement of a foodborne illness outbreak or food recall. In response to the 2006 fresh, bagged spinach recall which followed a

multistate outbreak of *Escherichia coli* O157: H7 infections (Ref. 3), 18 percent of consumers said they stopped buying other bagged, fresh produce because of the spinach recall (Ref. 1).

Research shows that emotion plays a large role in decisionmaking, and that individuals may not be conscious of its effects on their behavior (Ref. 4). For example, when people are angry they are likely to place blame, take action, and want justice to be served (Ref. 5). If a particular food recall engenders widespread anger and the anger is coupled with behavior that is less than desirable from a food safety or nutritional standpoint, it is possible that anger will be the lens through which future food recall situations are viewed, thus resulting in similar undesirable behaviors. Findings from this study will help FDA understand the emotional response to food recalls. This will help FDA to design more effective consumer food recall messages during and after a recall.

FDA conducts research and educational and public information programs relating to food safety under its broad statutory authority, set forth in section 903(b)(2) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 393(b)(2)), to protect the public health by ensuring that foods are "safe, wholesome, sanitary, and properly labeled," and in section 903(d)(2)(C), to conduct research relating to foods, drugs, cosmetics, and devices in carrying out the FD&C Act.

FDA plans to survey U.S. consumers using a web-based panel of U.S. households to collect information on consumers' cognitive and emotional reaction to food recalls. The survey will query consumers on their recollection of

food recalls within the past 5 years; attitude toward recalled foods; knowledge about particular food recalls; behavior during the food recall; and assessment and appraisals of susceptibility, severity, satisfaction, and self-efficacy.

The data will be collected using an online survey. A pool of 10,000 consumers from a Web-based consumer panel will be screened for eligibility based on age (18+ years) and familiarity with recent food recalls. One thousand of eligible consumers will be randomly selected to participate in the survey. The results of the survey will not be used to generate population estimates.

The estimated total hour burden of the collection of information is 354 hours (table 1 of this document). To help design and refine the questionnaire, the Center for Risk Communication Research will conduct cognitive interviews by screening 25 adult consumers in order to obtain 8 respondents for the cognitive interviews. Each screening is expected to take 5 minutes (0.083 hours) and each cognitive interview is expected to take 1 hour. The total for cognitive interview activities is 10 hours (2 hours + 8 hours). Subsequently, we will conduct pretests of the study questionnaire before it is administered. We expect that 100 invitations, each taking 2 minutes (0.033 hours), will need to be sent to adult members of the online consumer panel to have 40 of them complete a 10 minute (0.167 hours) pretest. The total for the pretest activities is 10 hours (3 hours + 7 hours). We estimate sending 10,000 survey screeners, each taking 1 minute (0.017 hours), to adult members of the online consumer panel to have 1,000 of them complete a 10 minute

(0.167 hours) survey. The total for the survey activities is 337 hours (170 hours + 167 hours).

The burden estimate for this study published in the **Federal Register** of June 18, 2010 (75 FR 34745), has increased from 234 hours to 357 hours. The increase in burden hours represents the addition of cognitive interviews to the study design and correction of a math error.

In the **Federal Register** of June 18, 2010 (75 FR 34745), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received two letters containing multiple comments in response to the notice. One letter contained comments outside the scope of the four collection of information topics on which the notice solicits comments and, thus, will not be addressed here.

(Comment) One comment suggested that the survey should include consumers whose pets were sickened or had died because of mycotoxins in pet food that resulted in the 2004 pet food recall.

(Response) FDA agrees that consumers who were affected by the 2004 pet food recall should be included as survey respondents. These consumers will be included if they are members of the online consumer panel from which the survey sample will be drawn and they are randomly selected from the panel. FDA does not believe that the affected population should be target-sampled because the study focuses on human food recalls rather than pet food recalls.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN <sup>1</sup>

Portion of study	Number of respondents	Annual frequency per response	Total annual responses	Hours per response	Total hours
Cognitive interview screener .....	25	1	25	5/60	2
Cognitive interview .....	8	1	8	1/60	8
Pretest screener .....	100	1	100	2/60	3
Pretest .....	40	1	40	10/60	7
Screener .....	10,000	1	10,000	1/60	170
Survey .....	1,000	1	1,000	10/60	167
Total .....					357

<sup>1</sup> There are no capital costs or operating and maintenance costs associated with this collection of information.

**II. References**

The following references have been placed on display in the Division of Dockets Management (see **ADDRESSES**) and may be seen by interested persons

between 9 a.m. and 4 p.m., Monday through Friday.

1. Cuite, C., Condry, S., Nucci, M., and Hallman, W., "Public Response to the Contaminated Spinach Recall of 2006," Publication number RR-0107-013. New Brunswick, New Jersey:

Rutgers, the State University of New Jersey, Food Policy Institute, 2007.

2. Hallman, W., Cuite, C., and Hooker, N., "Consumer Responses to Food Recalls: 2009 National Survey Report," Publication number RR-0109-018. New Brunswick, New Jersey: Rutgers, the

State University of New Jersey, Food Policy Institute, 2009.

3. Acheson, D., "Outbreak of *Escherichia coli* O157 Infections Associated with Fresh Spinach—United States, August–September 2006," 2007. Available at [http://first.fda.gov/cafdas/documents/Acheson\\_Spinach\\_Outbreak\\_2006\\_FDA\\_pres.ppt](http://first.fda.gov/cafdas/documents/Acheson_Spinach_Outbreak_2006_FDA_pres.ppt).

4. Han, S., Lerner, J.S., and Keltner, D., "Feelings and Consumer Decision Making: The Appraisal-Tendency Framework," *Journal of Consumer Psychology*, 17(3), 158–168, 2007.

5. Lazarus, R.S., *Emotion and Adaptation*. New York: Oxford University Press, 1991.

Dated: April 8, 2011.

**Leslie Kux,**

*Acting Assistant Commissioner for Policy.*

[FR Doc. 2011–8936 Filed 4–13–11; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA–2011–C–0050]

#### Sun Chemical Corp.; Filing of Color Additive Petition

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that Sun Chemical Corp. has filed a petition proposing that the color additive regulations for D&C Red No. 6 and D&C Red No. 7 be amended by replacing the current specification for "Ether-soluble matter" with a maximum limit of 0.015 percent for the recently identified impurity 1-[(4-methylphenyl)azo]-2-naphthalenol.

**FOR FURTHER INFORMATION CONTACT:** Teresa A. Croce, Center for Food Safety and Applied Nutrition (HFS–265), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740–3835, 301–436–1281.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (section 721(d)(1) (21 U.S.C. 379e(d)(1))), notice is given that a color additive petition (CAP 1C0290) has been filed by Sun Chemical Corp., 5020 Spring Grove Ave., Cincinnati, OH 45232. The petition proposes to amend the color additive regulations for D&C Red No. 6 (21 CFR 74.1306 and 74.2306) and D&C Red No. 7 (21 CFR 74.1307 and 74.2307) by replacing the current specification for "Ether-soluble matter" with a maximum limit of 0.015 percent

for the recently identified impurity 1-[(4-methylphenyl)azo]-2-naphthalenol and by removing Appendix A in 21 CFR part 74, which pertains to the "Ether-soluble matter" specification.

The Agency has determined under 21 CFR 25.30(i) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Dated: April 4, 2011.

**Mitchell A. Cheeseman,**

*Acting Director, Office of Food Additive Safety, Center for Food Safety and Applied Nutrition.*

[FR Doc. 2011–8575 Filed 4–13–11; 8:45 am]

**BILLING CODE 4160–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA–2011–D–0189]

#### Guidance for Industry and Food and Drug Administration Staff; Class II Special Controls Guidance Document: Low Level Laser System for Aesthetic Use; Availability

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the availability of the guidance entitled "Class II Special Controls Guidance Document: Low Level Laser System for Aesthetic Use." This guidance document describes a means by which low level laser systems for aesthetic use may comply with the requirement of special controls for class II devices. Elsewhere in this issue of the **Federal Register**, FDA is publishing a final rule to classify low level laser systems for aesthetic use into class II (special controls). This guidance document is being immediately implemented as the special control for low level laser systems for aesthetic use, but it remains subject to comment in accordance with the Agency's good guidance practices.

**DATES:** Submit either electronic or written comments on the guidance at any time. General comments on Agency guidances are welcome at any time.

**ADDRESSES:** Submit written requests for single copies of the guidance document entitled "Class II Special Controls Guidance Document: Low Level Laser System for Aesthetic Use" to the Division of Small Manufacturers,

International, and Consumer Assistance, Office of Communication, Education and Radiation Programs, Center for Devices and Radiological Health (CDRH), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, rm. 4613, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request, or fax your request to 301–847–8149. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

Submit electronic comments on the guidance to <http://www.regulations.gov>. Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

#### FOR FURTHER INFORMATION CONTACT:

Richard Felten, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, rm. 1436, Silver Spring, MD 20993–0002, 301–796–6392.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Elsewhere in this issue of the **Federal Register**, FDA is publishing a final rule classifying low level laser systems for aesthetic use into class II (special controls) under section 513(f)(2) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360c(f)(2)). This guidance document will serve as the special control for low level laser systems for aesthetic use. Section 513(f)(2) of the FD&C Act provides that any person who submits a premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) for a device that has not previously been classified may, within 30 days after receiving an order classifying the device in class III under section 513(f)(1) of the FD&C Act, request FDA to classify the device under the criteria set forth in section 513(a)(1) of the FD&C Act. FDA shall, within 60 days of receiving such a request, classify the device by written order. This classification shall be the initial classification of the device. Within 30 days after the issuance of an order classifying the device, FDA must publish a notice in the **Federal Register** announcing such classification. Because of the timeframes established by section 513(f)(2) of the FD&C Act, FDA has determined, under § 10.115(g)(2) (21 CFR 10.115(g)(2)), that it is not feasible to allow for public participation before issuing this guidance as a final guidance document. Thus, FDA is issuing this guidance document as a level 1 guidance document that is immediately in effect. FDA will consider any