Section 615(d) of the Fair Credit Reporting Act (''FCRA''), 15 U.S.C. 1681m(d)(1), requires any person who uses a consumer report in order to make an unsolicited firm offer of credit or insurance to a consumer to provide with each written solicitation a clear and conspicuous statement that:

> (A) information contained in the consumer's consumer report was used in connection with the transaction; (B) the consumer received the offer of credit or insurance because the consumer satisfied the criteria for credit worthiness or insurability under which the consumer was selected for the offer; (C) if applicable, the credit or insurance may not be extended if, after the consumer responds to the offer, the consumer does not meet the criteria used to select the consumer for the offer or any applicable criteria bearing on credit worthiness or insurability or does not furnish any required collateral; (D) the consumer has a right to prohibit information contained in the consumer's file with any consumer reporting agency from being used in connection with any credit or insurance transaction that is not initiated by the consumer; and (E) the consumer may exercise the right referred to in subparagraph (D) by notifying a notification system established under section 604(e) [of the FCRA].

Section 615(d)(1) of the FCRA, 15 U.S.C. 1681m(d)(1).

The Fair and Accurate Credit Transactions Act of 2003, Pub. L. 108-159, 117 Stat. 1952 (''FACT Act'') was signed into law on December 4, 2003. Section 213(a) of the FACT Act amended FCRA Section 615(d) to require that the statement mandated by Section 615(d) ''be presented in such format and in such type size and manner as to be simple and easy to understand, as established by the Commission, by rule, in consultation with the Federal banking agencies and the National Credit Union Administration.'' The Commission published the Final Rule implementing this provision in the **Federal Register** on January 31, 2005, and the Rule became effective on August 1, 2005.

The Rule adopted a ''layered'' notice approach that requires a short, simple, and easy-to-understand statement of consumers' opt-out rights on the first page of the prescreened solicitation, along with a longer statement containing additional details elsewhere in the solicitation. Specifically, the Rule requires that a short notice be placed on the front side of the first page of the principal promotional document in the solicitation, or, if provided electronically, on the same page and in close proximity to the principal marketing message. The Rule specifies that the type size be larger than the type size of the principal text on the same page, but in no event smaller than 12-point type. If the notice is provided by electronic means, the entity providing it must take reasonable steps to ensure that the type size is larger than the type size of the principal text on the same page. The Rule further provides that the long notice that appears elsewhere in the solicitation be in a type size that is no smaller than the type size of the principal text on the same page, but in no event smaller than 8-point type. The long notice must begin with the heading ''PRESCREEN & OPT-OUT NOTICE,'' which must be in capital letters and underlined, set apart from other text on the page, and in a type style that is distinct from the principal type style used on the same page. The Rule also includes model notices in English and Spanish.

Burden statement:

Estimated total annual hours burden: 1,000 to 1,500 hours (rounded to the nearest thousand).

Based on public comments received in response to the Commission's 2004 Notice of Proposed Rulemaking,[3] when issuing the final Rule, the Commission estimated that the annual burden to industry would be between 43,600 and 45,600 hours.[4] This estimate was comprised of 500 to 750 companies each spending 8 hours to revise an existing solicitation, plus 100 companies each needing an additional 396 hours to revise multiple solicitations ((500 companies x 8 burden hours + 39,600 burden hours = 43,600 burden hours); (750 companies x 8 burden hours + 39,600 burden hours = 45,600 burden hours)).[5] The Commission further estimated that the total annual cost to industry would be between $1,157,894 and $1,213,329.[6]

[3] 69 FR 58861 (Oct. 1, 2004).

[4] 70 FR 5022 (Jan. 31, 2005).

[5] The Commission estimated that each of the 100 companies would revise 99 additional solicitations and incur 4 hours of burden per solicitation (100 companies x 99 solicitations x 4 hours of burden = 39,600 burden hours).

[6] This estimate was based on Bureau of Labor Statistics data (as of July, 2002), as follows: 2 hours of managerial/professional time at $31.55 per hour; plus 6 hours of skilled technical labor at $26.44 per hour; multiplied by 500 and 750 companies, for a total of $110,870 and $166,305, respectively. These sums were added to $1,047,024 (39,600 hours of skilled technical labor at $26.44 per hour) for revising multiple solicitations.

The requirements of the Rule have not changed since OMB's 2004 approval of the final Rule. The previous estimates included a one-time burden to reprogram and update systems to revise existing notices and to re-format solicitations to comply with the Rule. Because the Rule has been in effect since August 1, 2005, covered entities have already incurred the one-time costs of transitioning to compliant notice formats. Accordingly, the annual PRA-related burden associated with the Rule is now reduced. FTC staff believes that the primary cost of continuing to comply with the Rule is limited to any legal review each entity determines is necessary to remain in compliance.

FTC staff continues to estimate that between 500 and 750 entities make prescreened solicitations. Because no additional revision or reformatting is necessary, however, staff has lowered the estimate of the burden hours to approximately 2 hours (one quarter of one business day), rather than the estimated 8 hours that was the estimate to revise and reformat solicitations when the Rule was promulgated. Accordingly, the total annual burden is between 1,000 and 1,500 hours (500 to 750 entities x 2 hours of annual burden). FTC staff assumes that in-house legal counsel will handle most of the compliance review and has applied an average hourly wage of $250/hour for their labor. Accordingly, the total cost for all affected entities would be between $250,000 and $375,000 (1000 to 1,500 burden hours x $250 per hour of legal review time).

John D. Graubert,

Acting General Counsel.

[FR Doc. E7–21067 Filed 10–24–07: 8:45 am]

BILLING CODE 6750–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[ATSDR–235]

Proposed Substances To Be Evaluated for Set 22 Toxicological Profiles

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Request for comments on the proposed substances to be evaluated for Set 22 toxicological profiles.

SUMMARY: This notice announces the list of proposed substances that will be evaluated for CERCLA Set 22

toxicological profile development. ATSDR's Division of Toxicology and Environmental Medicine is soliciting public nominations from the list of proposed substances to be evaluated for toxicological profile development. ATSDR also will consider the evaluation of any additional substances that may have public health implications.

DATES: Nominations must be submitted within 30 days of the publication of this notice. The 30-day period begins October 26th, 2007 and ends November 26th, 2007.

ADDRESSES: Nominations may be submitted electronically, by mail, or by facsimile. Refer to the section *Submission of Nominations* (below) for specific addresses and/or the facsimile number.

FOR FURTHER INFORMATION CONTACT: Contact Commander Jessilynn B. Taylor, Division of Toxicology and Environmental Medicine, Agency for Toxic Substances and Disease Registry, Mailstop F–32, 1600 Clifton Road, NE., Atlanta, Georgia 30333, telephone (770) 488–3313.

SUPPLEMENTARY INFORMATION: The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) with regard to hazardous substances that are most commonly found at facilities on the CERCLA National Priorities List (NPL). Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare toxicological profiles for each substance included on the Priority List of Hazardous Substances. This list has identified 275 hazardous substances that ATSDR and EPA determined pose the most significant potential threat to human health. The availability of the revised list of the 275 priority substances was announced in the **Federal Register** on December 7, 2005 (70 FR 702840). For prior versions of the list of substances, see **Federal Register** notices dated April 17, 1987 (52 FR 12866); October 20, 1988 (53 FR 41280); October 26, 1989 (54 FR 43619); October 17, 1990 (55 FR 42067); October 17, 1991 (56 FR 52166); October 28, 1992 (57 FR 48801); February 28, 1994 (59 FR 9486); April 29, 1996 (61 FR 18744; November 17, 1997 (62 FR 61332); October 21, 1999 (64 FR 56792); October 25, 2001 (66 FR 54014) and November 7, 2003 (68 FR 63098).

Proposed Substances To Be Evaluated for Set 22 Toxicological Profiles

Each year, ATSDR develops a list of priority substances that will be evaluated for toxicological profile development. This list was compiled, on the basis of ATSDR's Priority List of Hazardous Substances, with consideration of the amount of relevance of newly published scientific literature. The following 73 substances will be evaluated:

	Substance name	CAS No.
1	PERFLUOROOCTANOIC ACID	(1)
	PERFLUOROCYL SULFONATES	(1)
2	MERCURY	007439–97–6
	METHYLMERCURY	022967–92–6
	MERCURIC CHLORIDE	007487–94–7
3	POLYCHLORINATED BIPHENYLS	001336–36–3
	AROCLOR 1254	011097–69–1
	AROCLOR 1260	011096–82–5
	AROCLOR 1248	012672–29–6
	AROCLOR 1242	053469–21–9
	AROCLOR	012767–79–2
	AROCLOR 1221	011104–28–2
	AROCLOR 1016	012674–11–2
	AROCLOR 1232	011141–16–5
	AROCLOR 1240	071328–89–7
	TETRACHLOROBIPHENYL	026914–33–0
4	CADMIUM	007440–43–9
5	POLYCYCLIC AROMATIC HYDROCARBONS	130498–29–2
	BENZO(A)PYRENE	000050–32–8
	BENZO(B)FLUORANTHENE	000205–99–2
	DIBENZO(A,H)ANTHRACENE	000053–70–3
	BENZO(A)ANTHRACENE	000056–55–3
	BENZO(K)FLUORANTHENE	000207–08–9
	BENZOFLUORANTHENE	056832–73–6
	FLUORANTHENE	000206–44–0
	CHRYSENE	000218–01–9
	ACENAPHTHENE	000083–32–9
	INDENO(1,2,3-CD)PYRENE	000193–39–5
	BENZOPYRENE	073467–76–2
	PHENANTHRENE	000085–01–8
	PYRENE	000129–00–0
	FLUORENE	000086–73–7
	ANTHRACENE	000120–12–7
	BENZO(A)FLUORANTHENE	000203–33–8
	BENZO(GHI)PERYLENE	000191–24–2
	ACENAPHTHYLENE	000208–96–8
	BENZO(J)FLUORANTHENE	000205–82–3
	BENZO(E)PYRENE	000192–97–2
	BENZOPERYLENE	011057–45–7
	BENZO(B)ANTHRACENE	000092–24–0
	DIBENZ(A,J)ANTHRACENE	000224–41–9
	BENZO(GHI)FLUORANTHENE	000203–12–3
	1-METHYLPYRENE	002381–21–7

	Substance name	CAS No.
6	CHLOROFORM	000067–66–3
7	DDT, P,P′-	000050–29–3
	DDE, P,P′-	000072–55–9
	DDD, P,P′-	000072–54–8
	DDT, O,P′-	000789–02–6
	DDD, O,P′-	000053–19–0
	DDE, O,P′-	003424–82–6
8	TRICHLOROETHYLENE	000079–01–6
9	IELDRIN	000060–57–1
	ALDRIN	000309–00–2
10	CHROMIUM, HEXAVALENT	018540–29–9
	CHROMIUM(VI) OXIDE	001333–82–0
	CHROMIUM	007440–47–3
	CHROMIUM TRIOXIDE	007738–94–5
	CHROMIUM, TRIVALENT	016065–83–1
11	CHLORDANE	000057–74–9
	CIS-CHLORDANE	005103–71–9
	TRANS-CHLORDANE	005103–74–2
	OXYCHLORDANE	027304–13–8
	GAMMA-CHLORDENE	056641–38–4
	CHLORDANE, TECHNICAL	012789–03–6
	ALPHA-CHLORDENE	056534–02–2
	NONACHLOR, TRANS-	039765–80–5
	NONACHLOR, CIS-	005103–73–1
	CHLORDENE	003734–48–3
12	HEXACHLOROBUTADIENE	000087–68–3
13	COAL TAR CREOSOTE	008001–58–9
	COAL TARS	008007–45–2
	COAL TAR PITCH	065996–93–2
14	BENZIDINE	000092–87–5
15	TOXAPHENE	008001–35–2
16	TETRACHLOROETHYLENE	000127–18–4
17	1,2-DIBROMOETHANE	000106–93–4
18	DISULFOTON	000298–04–4
19	3,3′-DICHLOROBENZIDINE	000091–94–1
20	BERYLLIUM	007440–41–7
21	ENDRIN	000072–20–8
	ENDRIN KETONE	053494–70–5
	ENDRIN ALDEHYDE	007421–93–4
22	1,2-DIBROMO–3-CHLOROPROPANE	000096–12–8
	DIBROMOCHLOROPROPANE	067708–83–2
23	PENTACHLOROPHENOL	000087–86–5
24	DI-N-BUTYL PHTHALATE	000084–74–2
25	ENDOSULFAN SULFATE	001031–07–8
	ENDOSULFAN	000115–29–7
	ENDOSULFAN, ALPHA	000959–98–8
	ENDOSULFAN, BETA	033213–65–9
26	METHOXYCHLOR	000072–43–5
27	METHANE	000074–82–8
28	TOLUENE	000108–88–3
29	2-HEXANONE	000591–78–6
30	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN	001746–01–6
	HEXACHLORODIBENZO-P-DIOXIN	034465–46–8
	HEPTACHLORODIBENZO-P-DIOXIN	037871–00–4
	TETRACHLORODIBENZO-P-DIOXIN	041903–57–5
	PENTACHLORODIBENZO-P-DIOXIN	036088–22–9
	1,2,3,4,6,7,8-HEPTACHLORODIBENZO-P-DIOXIN	035822–46–9
	OCTACHLORODIBENZO-P-DIOXIN	003268–87–9
	1,2,3,6,7,8-HEXACHLORODIBENZO-P-DIOXIN	057653–85–7
	1,2,3,4,7,8-HEXACHLORODIBENZO-P-DIOXIN	039227–28–6
	1,2,3,7,8,9-HEXACHLORODIBENZO-P-DIOXIN	019408–74–3
	1,2,3,7,8-PENTACHLORODIBENZO-P-DIOXIN	040321–76–4
31	DI(2-ETHYLHEXYL)PHTHALATE	000117–81–7
32	1,1-DICHLOROETHENE	000075–35–4
33	METHYLENE CHLORIDE	000075–09–2
34	2,4,6-TRINITROTOLUENE	000118–96–7
35	BROMODICHLOROETHANE	000683–53–4
36	1,2-DICHLOROETHANE	000107–06–2
37	2,4,6-TRICHLOROPHENOL	000088–06–2
	TETRACHLOROPHENOL	025167–83–3
	2,4-DICHLOROPHENOL	000120–83–2
	2,4,5-TRICHLOROPHENOL	000095–95–4
	2-CHLOROPHENOL	000095–57–8
	2,3,4,5-TETRACHLOROPHENOL	004901–51–3

	Substance name	CAS No.
	2,3,5,6-TETRACHLOROPHENOL	000935–95–5
	2,3,4,6-TETRACHLOROPHENOL	000058–90–2
	4-CHLOROPHENOL	000106–48–9
	CHLOROPHENOL	025167–80–0
38	2,4-DINITROPHENOL	000051–28–5
39	BIS(2-CHLOROETHYL) ETHER	000111–44–4
40	ASBESTOS	001332–21–4
	CHRYSOTILE ASBESTOS	012001–29–5
	AMOSITE ASBESTOS	012172–73–5
41	HEXACHLOROBENZENE	000118–74–1
42	RADIUM–226	013982–63–3
	RADIUM	007440–14–4
	RADIUM–228	015262–20–1
	RADIUM–224	013233–32–4
43	2,4-DINITROTOLUENE	000121–14–2
	DINITROTOLUENE	025321–14–6
	2,6-DINITROTOLUENE	000606–20–2
44	ETHION	000563–12–2
45	THORIUM	007440–29–1
	THORIUM–230	014269–63–7
	THORIUM–228	014274–82–9
46	4,6-DINITRO-O-CRESOL	000534–52–1
47	RADON	010043–92–2
	RADON–222	014859–67–7
	RADON–220	022481–48–7
48	CHLOROBENZENE	000108–90–7
49	N-NITROSODI-N-PROPYLAMINE	000621–64–7
50	MANGANESE	007439–96–5
	MANGANESE DIOXIDE	001313–13–9
51	POLONIUM–210	013981–52–7
52	LEAD–210	014255–04–0
53	CHLORPYRIFOS	002921–88–2
54	NEPTUNIUM–237	013994–20–2
55	CHLORDECONE	000143–50–0
	MIREX	002385–85–5
56	S,S,S-TRIBUTYL PHOSPHOROTRITHIOATE	000078–48–8
57	BROMINE	007726–95–6
58	1,2,3-TRICHLOROBENZENE	000087–61–6
59	DICOFOL	000115–32–2
60	PARATHION	000056–38–2
61	TRICHLOROFLUOROETHANE	027154–33–2
62	TRIFLURALIN	001582–09–8
63	4,4′-METHYLENEBIS(2-CHLOROANILINE)	000101–14–4
64	PENTACHLOROBENZENE	000608–93–5
65	1,1-DICHLOROETHANE	000075–34–3
66	1,1,2-TRICHLOROETHANE	000079–00–5
67	1,2,3,4,6,7,8,9-OCTACHLORODIBENZOFURAN	039001–02–0
	HEPTACHLORODIBENZOFURAN	038998–75–3
	2,3,4,7,8-PENTACHLORODIBENZOFURAN	057117–31–4
	HEXACHLORODIBENZOFURAN	055684–94–1
	PENTACHLORODIBENZOFURAN	030402–15–4
	2,3,7,8-TETRACHLORODIBENZOFURAN	051207–31–9
	DIBENZOFURANS, CHLORINATED	042934–53–2
	1,2,3,4,6,7,8-HEPTACHLORODIBENZOFURAN	067562–39–4
	1,2,3,7,8,9-HEXACHLORODIBENZOFURAN	072918–21–9
	TETRACHLORODIBENZOFURAN	030402–14–3
	1,2,3,6,7,8-HEXACHLORODIBENZOFURAN	057117–44–9
	1,2,3,4,7,8-HEXACHLORODIBENZOFURAN	070648–26–9
	2,3,4,6,7,8-HEXACHLORODIBENZOFURAN	060851–34–5
	1,2,3,7,8-PENTACHLORODIBENZOFURAN	057117–41–6
	1,2,3,4,7,8,9-HEPTACHLORODIBENZOFURAN	055673–89–7
68	TRICHLOROETHANE	025323–89–1
69	HEXACHLOROCYCLOPENTADIENE	000077–47–4
70	1,2-DIPHENYLHYDRAZINE	000122–66–7
71	NANOMATERIALS	
72	VANADIUM	007440–62–2
73	FORMALDEHYDE	000050–00–0

(1) Various.

Submission of Nominations for the Evaluation Set 22

Proposed Substances: Today's notice also invites voluntary public nominations for substances not listed in this notice. Nominations are most useful if they include the nominator, including full name, title, affiliation, email address, and telephone number.

ATSDR will evaluate all data and information associated with nominated substances and will determine the final list of substances that will be chosen for toxicological profile development. Substances will be chosen according to ATSDR's specific guidelines for selection, found in the *Selection Criteria* announced in the **Federal Register** on May 7th, 1993 (87 FR 27288).

Please submit nominations by one of the following methods:

- *E-mail: jxt1@cdc.gov*.
- *Fax:* 770.488.4178.
- *Mail:* CDR Jessilynn Taylor, 1600 Clifton Rd, NE., MS F32, Atlanta, GA, 30333.

Please ensure that your comments are submitted within the specified nomination period. Nominations received after the closing date will be marked as late and may be considered only if time permits.

Dated: October 19, 2007.

Ken Rose,

Director, Office of Policy, Planning and Evaluation, National Center for Environmental Health/Agency for Toxic Substances and Disease Registry.

[FR Doc. E7–21018 Filed 10–24–07; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 1999N–2337 (formerly Docket No. 99N–2337)]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approval; CGMP for Blood and Blood Components; Notification of Consignees and Transfusion Recipients Receiving Blood and Blood Components at Increased Risk of Transmitting HCV Infection (''Lookback'')

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a collection of information entitled ''CGMP for Blood and Blood Components; Notification of Consignees and Transfusion Recipients Receiving Blood and Blood Components at Increased Risk of Transmitting HCV Infection (''Lookback'')'' has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: Jonna Capezzuto, Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4659.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of August 24, 2007 (72 FR 48766), the agency announced that the proposed information collection had been submitted to OMB for review and clearance under 44 U.S.C. 3507. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has now approved the information collection and has assigned OMB control number 0910–0610. The approval expires on October 31, 2010. A copy of the supporting statement for this information collection is available on the Internet at *http://www.fda.gov/ohrms/dockets*.

Dated: October 19, 2007.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E7–21055 Filed 10–24–07; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2006N–0278]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approval; Guidance for Industry on Continuous Marketing Applications: Pilot—Scientific Feedback and Interactions During Development of Fast Track Products Under the Prescription Drug User Fee Act

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a collection of information entitled '' Guidance for Industry on Continuous Marketing Applications: Pilot—Scientific Feedback and Interactions During Development of Fast Track Products Under the Prescription Drug User Fee Act'' has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: Karen L. Nelson, Office of the Chief Information Officer (HFA–250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–4816.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 21, 2007 (72 FR 28495), the agency announced that the proposed information collection had been submitted to OMB for review and clearance under 44 U.S.C. 3507. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has now approved the information collection and has assigned OMB control number 0910–0518. The approval expires on September 30, 2010. A copy of the supporting statement for this information collection is available on the Internet at *http://www.fda.gov/ohrms/dockets*.

Dated: October 19, 2007.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. E7–21056 Filed 10–24–07; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2007N-0390]

User Fee Program for Advisory Review of Direct-to-Consumer Television Advertisements for Prescription Drug and Biological Products; Request for Notification of Participation and Number of Advertisements for Review

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; request for notification of participation.

SUMMARY: The Food and Drug Administration (FDA) is issuing this notice to explain the new direct-to-consumer (DTC) user fee program (DTC user fee program) established by the Food and Drug Administration Amendments Act of 2007 (FDAAA) and, as required by the new law, to ask companies to notify FDA within 30 calendar days if they intend to participate in the DTC user fee program during fiscal year (FY) 2008 and, if they do plan to participate, to identify the number of DTC television advertisements for prescription drug and biological products they plan to