

## VII. Request For Comments

Interested persons may submit written or electronic comments regarding this proposal and on the agency's economic impact determination to the Dockets Management Branch (*see ADDRESSES*) by (*see DATES*). Three copies of all written comments are to be submitted, except individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

## VIII. Proposed Effective Date

The agency is proposing that any final rule that may issue based on this proposal become effective 30 days after its date of publication in the **Federal Register**.

## IX. References

The following references are on display in the Dockets Management Branch (*see ADDRESSES*) under Docket No. 78N-036D and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Comments No. SUP 8, SUP 13, SUP 14, LET 21, LET 23, PR 3, and MT 2.

2. Wilson, J. D. et al., editors, *Harrison's Principles of Internal Medicine*, 12th ed., McGraw-Hill, Inc., New York, NY, pp. 523-524, 1991.

### List of Subjects in 21 CFR Part 335

Labeling, Over-the-counter drugs.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 335 be amended as follows:

### PART 335—ANTIDIARRHEAL DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

■ 1. The authority citation for 21 CFR part 335 continues to read as follows:

**Authority:** 21 U.S.C. 321, 351, 352, 353, 355, 360, 371.

■ 2. Section 335.3 is amended by adding paragraph (c) to read as follows:

#### § 335.3 Definitions.

\* \* \* \* \*

(c) *Travelers' diarrhea*. A subset of diarrhea occurring in travelers that is most commonly caused by an infectious agent.

■ 3. Section 335.50 is amended by revising paragraph (b)(1) to read as follows:

#### § 335.50 Labeling of antidiarrheal drug products.

\* \* \* \* \*

(b) \* \* \*

(1) *For products containing bismuth subsalicylate identified in § 335.10(a)*. The labeling states [select one of the following: "controls" or "relieves"] [select one or both of the following: "diarrhea" or "travelers' diarrhea"]. If both "diarrhea" and "traveler's diarrhea" are selected, each shall be preceded by a bullet in accordance with § 201.66(b)(4) of this chapter and the heading "Uses" shall be used.

\* \* \* \* \*

Dated: March 31, 2003.

Jeffrey Shuren,

Assistant Commissioner for Policy.

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## DEPARTMENT OF THE TREASURY

### 31 CFR Part 103

RIN 1506-AA43

### Financial Crimes Enforcement Network; Imposition of Special Measures Against the Country of Nauru

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Department of the Treasury and FinCEN are issuing this proposed rule, pursuant to the provisions of section 311 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), to impose "special measures" against Nauru. Nauru was previously designated as a country of primary money laundering concern pursuant to section 311 on December 20, 2002, a pre-requisite for the imposition of special measures.

**DATES:** Written comments may be submitted on or before May 19, 2003.

**ADDRESSES:** Commenters are encouraged to submit comments by electronic mail because paper mail in the Washington, DC, area may be delayed. Comments submitted by electronic mail may be sent to [regcomments@fincen.treas.gov](mailto:regcomments@fincen.treas.gov) with the caption in the body of the text, "Attention: Section 311 Special Measures Regulations." Comments may also be submitted by paper mail to FinCEN, P.O. Box 39, Vienna, VA 22183, Attn: Section 311 Special Measures Regulations. Comments should be sent by one method only. Comments may be inspected at FinCEN between 10 a.m. and 4 p.m. in the FinCEN Reading Room in Washington, DC. Persons wishing to inspect the

comments submitted must request an appointment by telephoning (202) 354-6400 (not a toll-free number).

#### FOR FURTHER INFORMATION CONTACT:

Office of the General Counsel, Department of the Treasury, (202) 622-1925; Office of the Assistant General Counsel for Banking and Finance (Treasury), (202) 622-0480; or the Office of Chief Counsel (FinCEN), (703) 905-3590 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

### I. Background

On October 26, 2001, the President signed into law the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) (Public Law 107-56) (the Act). Title III of the Act makes a number of amendments to the anti-money laundering provisions of the Bank Secrecy Act (BSA) that are codified in subchapter II of chapter 53 of title 31, United States Code. These amendments are intended to promote the prevention, detection, and prosecution of international money laundering and the financing of terrorism.

Section 311 of the Act added section 5318A to the BSA. Section 5318A gives the Secretary of the Treasury (Secretary) the authority to designate a foreign jurisdiction, institution(s), class(es) of transactions, or type(s) of account(s) as a "primary money laundering concern" and to impose certain "special measures" with respect to such jurisdiction, institution(s), class(es) of transactions, or type(s) of account(s). On December 20, 2002, the Secretary designated Nauru as a jurisdiction of primary money laundering concern pursuant to section 5318A.<sup>1</sup>

Section 5318A identifies the factors that the Secretary must consider and the agencies with which he must consult before designating a primary money laundering concern. Upon designation, section 5318A sets forth five potential special measures, the factors to be considered in selecting these measures, and the agencies with which the Secretary must consult before imposing special measures on the designee.

Section 5318A gives the Secretary the authority to bring additional and useful pressure on those jurisdictions and institutions that pose money laundering concerns to encourage them to eliminate the bases for these concerns. Through the imposition of various special measures, the Secretary can gain more information about the concerned

<sup>1</sup> 67 FR 78859 (December 26, 2002).