

APBRs, and thereby reduce the societal costs of the resulting injuries and deaths. CPSC assumes that the number of firms and APBR models in use will tend to be stable in future years around the values in 2022: 12 firms and 65 models. The market for APBRs is expected to grow at an average rate of 2.01 percent between 2024 and 2053 as a result of an aging U.S. population. Assuming the rates of incidents per million APBRs stays constant, an industry of this size would result in an average of 32 deaths from entrapment per year. At a value of a statistical life (VSL) of \$10.5 million (2021 dollars), the annualized present value of the potential societal costs of the proposed rule therefore is \$298.11 million.

(2) The requirements of the proposed rule, with modifications, are expected to address 92 percent of deaths caused by entrapment and produce estimated benefits of \$266.99 million. Benefits were assessed under three more conservative scenarios derived from this baseline efficacy, estimating benefits at: 75 percent, 50 percent, and 25 percent of their potential value. Even under the most conservative assumption that only one quarter, or 25 percent of the potential benefits are achieved, the net benefits greatly exceed the costs of the rule. The annualized benefits of the proposed rule are estimated as follows: at 75 percent—\$200.24 million, 50 percent—\$133.49 million, and 25 percent—\$66.75 million, respectively. The estimated annualized costs associated with the proposed requirements to prevent APBR hazards is \$2.01 million. This results in net quantifiable net benefits of \$198.23 million, \$131.48 million, and \$64.74 million on an annualized basis. On a per product basis, the benefits of the proposed rule are estimated between \$331.78 per APBR (75%), \$221.19 (50%), and \$110.59 per APBR (25%), and the costs are \$3.34 per APBR. All these amounts are in 2021 dollars using a discount rate of 3 percent.

(3) Injuries from entrapment and other hazards on APBRs are not included in the benefit-cost assessment because for many incidents involving injuries, there is not sufficient information to determine whether they would fall under the scope of this proposed rule. However, the injuries are quantified in a sensitivity analysis as a potential upper limit to assess the benefits of this proposed rule. The sensitivity analysis used NEISS incidents and the Injury Cost Model (ICM) to extrapolate and generate national estimates for injuries from entrapment treated in an ED or other settings. The ICM calculated that the aggregate number of nonfatal

injuries in the United States from entrapment from 2010 to 2019 was 125,121. Staff estimated that from the total of these injuries, 79,563 were treated in an outpatient setting (e.g., doctor's office or clinic), 39,149 resulted in ED treatment, and 6,409 resulted in hospital admissions.

(j) *Least-Burdensome Requirement that Would Adequately Reduce the Risk of Injury*. The Commission considered six alternatives to the proposed rule including:

- (i) Take no regulatory action;
- (ii) Conduct a recall of APBRs instead of promulgating a final rule;
- (iii) Conduct an educational campaign;
- (iv) Ban APBRs from the market entirely;
- (v) Require enhanced safety warnings; and
- (vi) Longer effective date.

(4) Although most of these alternatives may be a less burdensome alternative to the proposed rule, the Commission determines preliminarily that none of the less burdensome alternatives would adequately reduce the risk of deaths and injuries associated with APBRs that is addressed in the proposed rule.

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 300

[REG-100719-21]

RIN 1545-BQ26

#### User Fees Relating to Enrolled Actuaries; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to a notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains a correction to a notice of proposed rulemaking and notice of public hearing (REG-100719-21) published in the **Federal Register** on October 5, 2022. The notice of proposed rulemaking contains proposed amendments to the regulations relating to user fees for enrolled actuaries.

**DATES:** Written or electronic comments are being accepted and must be received

by December 19, 2022. Requests to speak and outlines of topics to be discussed at the public hearing scheduled for January 9, 2023, at 10:00 a.m. EST must be received by December 19, 2022.

**ADDRESSES:** Commenters are strongly encouraged to submit public comments electronically. Submit electronic submissions via the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov) (indicate IRS and REG-100719-21) by following the online instructions for submitting comments. Once submitted to the Federal eRulemaking Portal, comments cannot be edited or withdrawn. The Department of the Treasury (Treasury Department) and the IRS will publish any comment to the public docket for public availability. Send paper submissions to: CC:PA:LPD:PR (REG-100719-21), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044.

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulation, Carolyn M. Lee at (202) 317-6845; concerning cost methodology, Michael A. Weber at (202) 808-9738; and concerning submission of comments, the hearing, and the access code to attend the hearing by telephone, Regina Johnson, 202-317-6901 (not toll-free numbers) or [publichearings@irs.gov](mailto:publichearings@irs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The proposed regulations and notice of public hearing subject to this correction are under section 9701 of Title 31 of the United States Code.

##### Correction of Publication

Accordingly, the notice of proposed rulemaking and notice of public hearing (REG-100719-21) that is the subject of FR Doc. 2022-21458, published on October 5, 2022 (87 FR 60357), is corrected to read as follows:

1. On page 60358, in the first column, under the caption **DATES**, the paragraph is corrected to read, "Electronic or written comments must be received by December 19, 2022. The public hearing will be held by teleconference on January 9, 2023, at 10:00 a.m. EST. Requests to speak and outlines of topics to be discussed at the public hearing must be received by December 19, 2022. The public hearing will be canceled if no outlines are received by December 19, 2022. Requests to attend the public hearing must be received by 5:00 p.m. EST on January 5, 2023. The telephonic hearing will be made accessible to people with disabilities. Requests for

special assistance during the telephonic hearing must be received by January 4, 2023.”

2. On page 60360, in the first column, the fifth and sixth lines from the top of the column, the language “[https://files.fasab.gov/pdf/files/2021\\_%20FASAB\\_%20Handbook.pdf](https://files.fasab.gov/pdf/files/2021_%20FASAB_%20Handbook.pdf)” is corrected to read “[https://files.fasab.gov/pdf/files/2022\\_%20FASAB\\_%20Handbook.pdf](https://files.fasab.gov/pdf/files/2022_%20FASAB_%20Handbook.pdf)”.

3. On page 60360, in the third column, the last line in the table in the second paragraph showing the estimated costs for direct labor and benefits by year, the language “1,673,217” is corrected to read “\$1,673,217.”

4. On page 60361, in the first column, the third line in the table preceding the first paragraph, the language “2,674,248” is corrected to read “\$2,674,248.”

5. On page 60361, in the third column, the fifth and sixth lines from the top of the last paragraph, the language “such requirements that” is corrected to read “the requirements and”.

6. On page 60362, in the second column, under the caption Comments and Public Hearing, in the second full paragraph, the language “December 16, 2022” is corrected to read “January 9, 2023;” and the language “December 5, 2022” is corrected to read “December 19, 2022.”

**Oluwafunmilayo A. Taylor,**

*Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

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**DEPARTMENT OF THE TREASURY**

**Alcohol and Tobacco Tax and Trade Bureau**

**27 CFR Parts 6, 8, 10, and 11**

[Docket No. TTB-2022-0011; Notice No. 216]

RIN 1513-AC92

**Consideration of Updates to Trade Practice Regulations**

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Alcohol and Tobacco Tax and Trade Bureau (TTB) is seeking public comment on TTB’s trade practice regulations related to the Federal

Alcohol Administration Act’s exclusive outlet, tied house, commercial bribery, and consignment sales prohibitions. President Biden’s Executive Order 14036 (“Promoting Competition in the American Economy”), the Department of the Treasury’s related February 2022 report (“Competition in the Markets for Beer, Wine, and Spirits”), and public comments related to that report have raised questions about whether these regulations could be improved. To assist the agency in formulating potential proposals to amend the regulations, TTB invites comments on the issues described in this document.

**DATES:** Comments must be received on or before March 9, 2023.

**ADDRESSES:** You may electronically submit comments to TTB on this advance notice of proposed rulemaking, and view copies of this document, its supporting materials, and any comments TTB receives on it within Docket No. TTB-2022-0011 as posted at <https://www.regulations.gov>. A direct link to that docket is available on the TTB website at <https://www.ttb.gov/laws-and-regulations/all-rulemaking> under Notice No. 216. Alternatively, you may submit comments via postal mail to the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW, Box 12, Washington, DC 20005. Please see the Public Participation section of this document for further information on the comments requested regarding this advance notice of proposed rulemaking and on the submission, confidentiality, and public disclosure of comments.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Forster-Smith, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW, Box 12, Washington, DC 20005; telephone 202-453-1039 ext. 150.

**SUPPLEMENTARY INFORMATION:**

**Background**

*TTB Authority*

Section 105 of the Federal Alcohol Administration Act (FAA Act) prohibits producers, wholesalers, and importers of distilled spirits, wine, or malt beverages (*i.e.*, industry members) from engaging in certain practices (collectively referred to as “trade practices”) that threaten the independence of retailers and/or give the industry members an unfair advantage over their competitors. See 27 U.S.C. 205. Apart from labeling and advertising (27 U.S.C. 205(e) & (f)), which are outside the scope of this

document, section 105’s prohibited trade practices are:

A. *Exclusive outlet.* It is unlawful for any industry member to require, by agreement or otherwise, that any retailer purchase alcohol beverages from the industry member to the exclusion, in whole or in part, of alcohol beverages sold or offered for sale by other persons. See 27 U.S.C. 205(a).

B. *Tied house.* It is unlawful for any industry member to induce any retailer to purchase alcohol beverages from the industry member to the exclusion, in whole or in part, of alcohol beverages sold or offered for sale by others, through any of the following means: (1) by acquiring or holding any interest in any license with respect to the premises of the retailer; (2) by acquiring any interest in the real or personal property owned, occupied, or used by the retailer in the conduct of its business; (3) by furnishing, giving, renting, lending, or selling to the retailer, any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to exceptions prescribed by regulations; (4) by paying or crediting the retailer for any advertising, display, or distribution service; (5) by guaranteeing any loan or the repayment of any financial obligation of the retailer; (6) by extending to the retailer credit for a period in excess of the credit period usual and customary to the industry for the particular class of transactions as prescribed by regulations; or (7) by requiring the retailer to take and dispose of a certain quota of any alcohol beverages. See 27 U.S.C. 205(b).

C. *Commercial bribery.* It is unlawful for any industry member to induce any retailer or wholesaler to purchase alcohol beverages from the industry member to the exclusion, in whole or in part, of alcohol beverages sold or offered for sale by others, though the following means: (1) by commercial bribery; or (2) by offering or giving any bonus, premium, or compensation to any officer, employee, or representative of the retailer or wholesaler. See 27 U.S.C. 205(c).

D. *Consignment sales.* It is unlawful for any industry member to sell, offer for sale, or contract to sell alcohol beverages to any retailer or wholesaler, or for any retailer or wholesaler to purchase, offer to purchase, or contract to purchase any alcohol beverages on consignment or under conditional sale or with the privilege of return or on any basis otherwise than a bona fide sale, or where any part of such transaction involves, directly or indirectly, the acquisition by such person, from the retailer or wholesaler, of other distilled