

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Part 416 of Title 20 of the Code of Federal Regulations is amended as follows:

Subpart K—Income

1. The authority citation for Subpart K of Part 416 reads as follows:

Authority: Secs. 1102, 1611, 1612, 1613, 1614, and 1631 of the Social Security Act as amended; Sec. 211 of Pub. L. 93-66; 49 Stat. 647 as amended, 86 Stat. 1466, 86 Stat. 1468; 86 Stat. 1470, 86 Stat. 1471, 86 Stat. 1457, 87 Stat. 154; 42 U.S.C. 1302, 1382, 1382a, 1382b, 1382c, and 1383.

2. Section 416.1161a is revised to read as follows:

§ 416.1161a Income for deeming purposes where Medicaid eligibility is affected.

(a) *General.* In many States, an individual who is eligible for SSI or a Federally administered State optional supplementary payment is in turn eligible for Medicaid. Also, several other States use SSI deeming rules in determining eligibility for Medicaid. In all of these States, in extraordinary cases, the Department will not apply the usual rules on deeming of income where those rules would result in an individual's being ineligible for SSI (or a Federally administered State optional supplementary payment) and Medicaid. Any determination made under this section may at any time be revised based on new information or changed circumstances.

(b) *When special deeming rules apply:*

(1) The Department will consider not applying the usual deeming rules only upon application by a State Medicaid agency (requirement approved under OMB No. 09600304) and on condition that the agency must show:

(i) Deeming would result in lack of Medicaid eligibility for the individual.

(ii) Medicaid eligibility would, prospectively, result in savings to the Medicaid program; and

(iii) The quality of medical care necessary for the individual would be maintained under the arrangements contemplated.

(2) The Department may also in particular cases require that additional facts be demonstrated, or that other criteria or standards be met, before it determines not to apply the usual deeming rules.

(c) *Amount of income to be deemed.* If the usual rules of deeming do not apply, the Department will determine an amount, if any, to be deemed.

(d) *Temporary effect of special deeming rules.* This provision is

temporary and will be continued only through December 31, 1984. Determinations made under this section will nevertheless remain in effect unless they are revised based on changed circumstances (including establishment in the State of a Medicaid program of home and community-based services or eligibility under a State plan provision) or new information.

Subpart L—Resources and Exclusions

3. The authority citation for Subpart L of Part 416 reads as follows:

Authority: Secs. 1102, 1601, 1602, 1611, 1612, 1613, 1614(f), and 1631(d), of the Social Security Act, as amended, 49 Stat. 647 as amended, 86 Stat. 1465, 1466, 1468, 1470, and 1473; 42 U.S.C. 1302, 1381, 1381a, 1382, 1382a, 1382b, 1382c(f), and 1383(d), unless otherwise noted.

4. Section 416.1204a is revised to read as follows:

§ 416.1204a Deeming of resources where Medicaid eligibility is affected.

Section 416.1161a of this part describes certain circumstances affecting Medicaid eligibility in which the Department will not deem family income to an individual. The Department will follow the same standards, procedures, and limitations set forth in that section with respect to deeming of resources.

42 CFR Part 435 the Code of Federal Regulations is amended as follows:

PART 435—ELIGIBILITY IN THE STATES, DISTRICT OF COLUMBIA AND THE NORTHERN MARIANA ISLANDS

Subpart H—Financial Requirements for the Categorically Needy

Financial Eligibility for the Aged, Blind, and Disabled in States Using More Restrictive Requirements

1. The authority citation for Part 435 reads as follows:

Authority: Sec. 1102 of the Social Security Act, (42 U.S.C. 1302), unless otherwise noted.

2. Section 435.734 is amended by revising paragraph (b) to read as follows:

§ 435.734 Financial responsibility of spouses and parents.

(b) The agency may consider deemed income and resources of spouses and parents as unavailable to an individual when:

(1) The spouse, or parents (or spouse of a parent) are living in the same household as the individual; and

(2) The Secretary determines under authority in section 1614(f) of the Act, 20

CFR 416.1161a, 20 CFR 426.1204a and notifies the agency that deeming of income and resources under the usual SSI deeming rules is inequitable.

[FR Doc. 84-3855 Filed 2-14-84; 8:45 am]

BILLING CODE 4190-11-M

Food and Drug Administration

21 CFR Parts 172, 173, 175, 176, 177, and 178

[Recodification Docket No. 15; Docket No. 76N-0501]

Food Additives; Reorganization and Republication; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a document that reorganized and republished Subchapter B of its regulations. This document corrects various editorial errors.

EFFECTIVE DATE: February 15, 1984.

FOR FURTHER INFORMATION CONTACT: George Pauli, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-7048 appearing at page 14302 in the issue for Tuesday, March 15, 1977, the following corrections are made:

1. On page 14495, under § 172.210 *Coatings on fresh citrus fruit*, in paragraph (b)(3), the limitation for "Polyvinylpyrrolidone" is corrected to read "As an adjuvant."

12. On page 14503, under § 172.515 *Synthetic flavoring substances and adjuvants*, in paragraph (b), in the first column, the item reading "Hexyl isovalerate" is corrected to read "Hexyl isovalerate"; and in the third column, the item "Methyl β -ionone; 5-(2,6,6-trimethyl-3-cyclohexen-1-yl)-4-penten-3-one" is corrected to read "Methyl β -ionone; 5-(2,6,6-trimethyl-1-cyclohexen-1-yl)-4-penten-3-one".

3. On page 14505, under § 172.515 *Synthetic flavoring substances and adjuvants*, in paragraph (c), " α -decalactone and α -dodecalactone" is corrected to read " δ -decalactone and δ -dodecalactone".

4. On page 14507, under § 172.615 *Chewing gum base*, in paragraph (a), in the table under "ANTIOXIDANTS", the limitation "Not to exceed antioxidant content of 0.1% when used alone or in any combination" is inserted for

Butylated hydroxyanisole and propyl gallate in the table.

5. On page 14531, under § 173.310 *Boiler water additives*, in paragraph (c), remove "Do." and add the limitation "Minimum mol. wt. 1,000" to the item "Polyoxypropylene glycol".

6. On page 14534, third column, the part heading reading "PART 175—INDIRECT FOOD ADDITIVES: ADHESIVE COATINGS AND COMPONENTS" is corrected to read "PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS".

7. On page 14535 second column, under § 175.105 *Adhesives*, the substance "4-[2-[2-(2-alkoxy C₁₂-C₁₅) ethoxy] ethoxy] ethyl] disodium sulfosuccinate" is corrected to read "4-[2-[2-(2-Alkoxy (C₁₂-C₁₅) ethoxy) ethoxy] ethyl] disodium sulfosuccinate".

8. On page 14537, under § 175.105 *Adhesives*, the limitation "For use as preservative only" is removed from the substance "Ethyl hydroxyethylcellulose" and is added to the substance "Ethyl-p-hydroxybenzoate"; and "Glyoxal" is corrected to read "Glyoxal".

9. On page 14545, under § 175.300 *Resinous and polymeric coatings*, in paragraph (b)(3)(vii) (a), the listing for "Diphenolic acid" is removed; and in paragraph (b)(3)(vii)(b), the listing "4,4-Bis(4'-hydroxyphenyl)-pentanoic acid" is added.

10. On page 14547, under § 175.300 *Resinous and polymeric coatings*, in paragraph (b)(3)(xxix), in the first entry, the word "methacrylate" is corrected to read "methacrylate".

11. On page 14555, under § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods*, in the table in paragraph (a)(5), the item "acrylamide-β-methacryloyloxy ethyltrimethylammonium methyl sulfate * * *" is corrected to read "Acrylamide-β-methacryloyloxyethyltrimethylammonium methyl sulfate * * *".

12. On page 14557, under § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods*, in the table in paragraph (a)(5), the item "Glyceryl mono-12-hydroxy-stearate" is corrected to read "Glyceryl mono-12-hydroxystearate".

13. On page 14559, under § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods*, in the table in paragraph (a)(5), the item "Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] * * *" is corrected in the last sentence by removing the period after the word "viscosity" and inserting a colon.

14. On page 14564, under § 176.170 *Components of paper and paperboard in*

contact with aqueous and fatty foods, in table 2, Condition of use D., Type of food VI-A, in the Heptane column, "do" is removed.

15. On page 14571, under § 176.300 *Slimicides*, in the table in paragraph (c), the item "3,3,4,4-Tetrachlorotetrahydrothiophene 1,1-dioxide" is corrected to read "3,3,4,4-Tetrachlorotetrahydrothiophene-1,1-dioxide".

16. On page 14581, under § 177.1210 *Closures with sealing gaskets for food containers*, in Table 1 in paragraph (b)(5), the item "Vinyl chloride-vinyl copolymer" is corrected to read "Vinyl chloride-vinyl stearate copolymer".

17. On page 14582, under § 177.1240 *1,4-Cyclohexylene dimethylene terephthalate and 1,4-cyclohexylene dimethylene isophthalate copolymer*, in paragraph (a), the word "cyclohexanedimethanol-1.4" is corrected to read "1,4-cyclohexanedimethanol".

18. On page 14602, under § 177.2280 *4,4'-Isopropylidenediphenol-epichlorohydrin thermosetting epoxy resins*, in the table in paragraph (b), the item, "1,2-Epoxy-3-phenoxy-propane * * *" is corrected to read "1,2-Epoxy-3-phenoxypropane * * *".

19. On page 14604, second column, under § 177.2470 *Polyoxymethylene copolymer*, in paragraph (b)(1), the fourth line reading "ceed 1.0 percent of polymer by" is removed.

20. On page 14608, under § 177.2800 *Textiles and textile fibers*, in the table in paragraph (d)(5), in the "Limitations" column for the item "4-Ethyl-4-hexadecyl morpholinium ethyl sulfate", the words "paragraph (c)(5)(i)" are corrected to read "paragraph (d)(5)(i)"; and in the same table, the item "Polyethylene terephthalate * * *" is removed from paragraph (d)(5)(ii) and inserted alphabetically under paragraph (d)(5)(i) and corrected to read "Polyethylene terephthalate complying in composition with the provisions of § 177.1630(e)(4)(ii) * * *".

21. On page 14614, under § 178.2010 *Antioxidants and/or stabilizers for polymers*, in the table in paragraph (b), the limitation "For use only:" is removed from the item "Thiodipropionic acid" and is added to the item "1,3,5-Trimethyl-2,4,6-tris(3,5-di-tert-butyl-4-hydroxybenzyl)benzene".

22. On page 14617, under § 178.3400 *Emulsifiers and/or surface active agents*, in the table in paragraph (c), the entry "n-Alkylsulfonate (alkyl group is in the range C₁₀-C₁₈ with not less than 50 pct C₁₄-C₁₆)" is corrected to read "n-Alkylsulfonate (alkyl group is in the range C₁₀-C₁₈ with not less than 50 pct C₁₄-C₁₆)".

23. On page 14626, under § 178.3740 *Plasticizers in polymeric substances*, in the table in paragraph (b), the limitation "For use only:" is removed from the item "Di(2-ethylhexyl) adipate" and is added to the item "Diisononyl adipate".

Dated: February 9, 1984.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 84-4031 Filed 2-14-84; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 529

Certain Other Dosage Form New Animal Drugs Not Subject to Certification; Change of Sponsor

AGENCY: Food and Drug Administration.
ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of sponsor for tricaine methanesulfonate from Ayerst Laboratories to Fort Dodge Laboratories.

EFFECTIVE DATE: February 15, 1984.

FOR FURTHER INFORMATION CONTACT:

Willard Orr, Bureau of Veterinary Medicine (HFV-238), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6243.

SUPPLEMENTARY INFORMATION: Fort Dodge Laboratories, Fort Dodge, IA 50501, has informed FDA of a change in sponsor for new animal drug application (NADA) 42-427 from Ayerst Laboratories, Division of American Home Products Corp., 685 Third Ave., New York, NY 10017. The NADA covers use of tricaine methanesulfonate for temporary immobilization of certain aquatic coldblooded animals.

This is an administrative change that does not in any other way affect the approval of the firm's NADA. The agency is amending the regulations to reflect the change.

List of Subjects in 21 CFR Part 529

Animal drugs—miscellaneous use.

PART 529—CERTAIN OTHER DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

§ 529.2503 [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 529 is amended in § 529.2503 *Tricaine*

methanesulfonate in paragraph (b) by changing "No. 00046" to read "No. 000856."

Effective date: February 15, 1984.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: February 8, 1984.

William B. Bixler,

Acting Associate Director for Surveillance and Compliance.

[FR Doc. 84-4032 Filed 2-14-84; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Tylosin

AGENCY: Food and Drug Administration.
ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed for International Nutrition, Inc., providing for the manufacture of a 40-gram-per-pound tylosin premix. The premix is used to make complete feeds for swine, beef cattle, and chickens.

EFFECTIVE DATE: February 15, 1984.

FOR FURTHER INFORMATION CONTACT: Benjamin A. Puyot, Bureau of Veterinary Medicine (HFV-130), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

SUPPLEMENTARY INFORMATION: International Nutrition, Inc., 6664 L St., Omaha, NE 68117, is the sponsor of a supplement to NADA 95-551 submitted on its behalf by Elanco Products Co. This supplement provides for the manufacture of a 40-gram-per-pound premix subsequently used to make complete feeds for swine, beef cattle, and chickens for use as in 21 CFR 558.625(f)(1)(i) through (vi). The supplement is approved and the regulations are amended to reflect the approval.

The firm presently holds approval for the manufacture of a 20-gram-per-pound premix for identical uses. The basis for the approval of the 40-gram-per-pound premix is the same as for the approval of the 20-gram-per-pound premix. The supplement to NADA 95-551 providing for the 20-gram-per-pound premix was approved by a final rule published in the Federal Register of January 4, 1984 (49 FR 374). The freedom of information summary made available at that time under the provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), which consisted of a summary of safety and effectiveness data and information to support

approval of the 20-gram-per-pound premix, applies also to this application and may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of the type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental statement is required.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.625 by revising paragraph (b)(3), to read as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

§ 558.625 Tylosin.

(b) * * *

(3) To 043733: 4 grams per pound, paragraph (f)(1)(vi)(a) of this section; 10 grams per pound, paragraph (f)(1)(i), (iii), (iv), and (vi) of this section; 20 to 40 grams per pound, paragraph (f)(1)(i) through (vi) of this section.

Effective date: February 15, 1984.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: February 7, 1984.

Richard A. Carnevale,

Acting Associate Director for Scientific Evaluation.

[FR Doc. 84-4030 Filed 2-14-84; 8:45 am]

BILLING CODE 4160-01-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[FAP 2H5351/R640; PH-FRL 2525-1]

Tolerances for Pesticides in Animal Feeds Administered by the Environmental Protection Agency; Carbofuran

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a feed additive regulation to permit the combined residues of the insecticide carbofuran and its metabolites in or on the animal feed commodities sunflower seed hulls, meal, and soapstock. This regulation to establish the maximum permissible level for residues of the insecticide in or on the commodities was requested in a petition by FMC Corp.

EFFECTIVE DATE: Effective on February 15, 1984.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:

By mail: Jay Ellenberger, Product Manager (PM) 21, Registration Division (TS-767C), Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460. Office location and telephone number: Rm. 202, CM2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2386).

SUPPLEMENTARY INFORMATION:

EPA issued a notice published in the Federal Register of June 30, 1982 (47 FR 28451), which announced that FMC Corp., 2000 Market St., Philadelphia, PA 19103, had submitted feed additive petition 2H5351 to the Agency proposing to amend 21 CFR 561.67 by establishing a regulation permitting the combined residues of the insecticide carbofuran [2,3-dihydro-2,2-dimethyl-7-benzofuranyl-N-methylcarbamate], its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl-N-methylcarbamate, and the phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol, and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiol in or on the animal feed commodities sunflower seed hulls and meal at 1.2 parts per million (ppm), of which not more than 0.5 ppm is carbamates. The petition was subsequently amended by increasing the tolerances to 1.4 ppm, of which not more than 0.6 ppm is carbamates and proposing a tolerance for sunflower seed soapstock at 3.0 ppm, of which not more than 0.5 ppm is carbamates (reflecting residues of 1.25 ppm phenolic metabolites and potential residues of 0.25 ppm carbamates in alkaline soapstock).

There were no comments received in response to the notice of filing.

The data submitted in the petition and other relevant material have been evaluated and discussed in a related document [PP 2F2683/R639], establishing a tolerance for the combined residues of carbofuran and the metabolites in or on