

71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

**71.171 Port Angeles, Washington—[Revised]**

Within a 5-mile radius of William R. Fairchild International Airport (lat. 48°07'14" N, long. 123°29'54" W) including the airspace within 3-miles either side of the EDIZ Hook RBN (lat. 48°08'24" N, long. 123°24'08" W) 259°/079° bearing extending from the 5-mile radius zone to 8.1 miles east of the RBN.

**71.181 Port Angeles, Washington—[Revised]**

That airspace extending 700 feet above the surface within a 5-mile radius of the William R. Fairchild International Airport, Port Angeles, Washington, (lat. 48°07'14" N, long. 123°29'54" W) within a 5-mile radius of CGAS Port Angeles, Washington, (lat. 48°08'30" N, long. 123°24'45" W); within 3 miles north and 5 miles south of the EDIZ Hook RBN (lat. 48°08'24" N, long. 123°24'08" W) 259°/079° bearing extending from the RBN to 12 miles east of the RBN; including the airspace within 2 miles either side of the William R. Fairchild International Airport localizer west course, extending from the localizer location (lat. 48°07'00" N, long. 123°29'02" W) to 8 miles west and that airspace extending upward from 1200 feet above the surface bounded on the east by the west edge of V-495 on the south within 4.5 miles of the William R. Fairchild International Airport localizer location (lat. 48°07'00" N, long. 123°29'02" W) to 28 miles west, and on the north by the United States/Canadian border.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1340(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.69)

Issued in Seattle, Washington, on January 18, 1985.

Charles R. Foster,

Director Northwest Mountain Region.

[FR Doc. 85-2121 Filed 1-28-85; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71**

[Airspace Docket No. 84-AAL-10]

**Designation of Selawik, AK, Transition Area**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This notice lowers the base of controlled airspace in the vicinity of the Selawik, AK, airport to 700 feet above the surface so that aircraft conducting flight under instrument flight rules (IFR) will have exclusive use of that airspace when the visibility is less than 3 miles, thereby enhancing the safety of such operations.

**EFFECTIVE DATE:** 0901 GMT., June 6, 1985.

**FOR FURTHER INFORMATION CONTACT:** Robert C. Durand, Procedures and Airspace Specialist, (AAL-536), Air

Traffic Division, Federal Aviation Administration, 701 C Street, Box 14, Anchorage, AK 99513, telephone (907) 271-5902.

**SUPPLEMENTARY INFORMATION:**

**History**

On November 23, 1984, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate a transition area at Selawik, AK, (49 FR 46154). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

Except for editorial changes, this amendment is identical to that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.8 dated January 3, 1984.

**The Rule**

This amendment to Part 71 of the Federal Aviation Regulations will establish the base of controlled airspace at 700 feet above the surface in an area 37 statute miles long by 14 statute miles wide over the Selawik, AK, airport. While this airspace designation will preclude aircraft from conducting flight under Visual Flight Rules (VFR) in that airspace when the visibility is less than 3 miles, it will enhance the safety of aircraft conducting flight under Instrument Flight Rules (IFR).

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Aviation safety, Transition areas.

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is as follows:

**Selawik, AK—[New]**

That airspace extending upward from 700 feet above the surface within 9.5 miles north and 4.5 miles south of the 079° radial from the Selawik VOR (lat. 66°36'02.11" N, long. 159°59'10.81" W.) extending from the VOR to 18.5 miles east of the VOR; and within 9.5 miles south and 4.5 miles north of the 266° radial from the Selawik VOR to 18.5 miles west of the VOR.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.69)

Issued in Anchorage, Alaska, on January 14, 1985.

Franklin L. Cunningham,

Director, Alaskan Region.

[FR Doc. 85-2120 Filed 1-28-85; 8:45 am]

BILLING CODE 4910-13-M

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**14 CFR Part 1207**

**Standards of Conduct**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) is updating its regulations to ensure conformity to the Ethics in Government Act of 1978 regarding the public financial disclosure statement.

**EFFECTIVE DATE:** January 29, 1985.

**ADDRESS:** Office of the General Counsel, Code GG, NASA Headquarters, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Helen S. Kupperman, 202/453-2465.

**SUPPLEMENTARY INFORMATION:** This amendment to the NASA Standards of Conduct has been approved by the Director, Office of Government Ethics, by letter dated August 8, 1984, and involves management decisions and procedures, no public comment period is required.

**List of Subjects in 14 CFR Part 1207**

Administrative practice and procedure, Conflict of interest.

**PART 1207—STANDARDS OF CONDUCT**

For reasons set forth in the Preamble, 14 CFR Part 1207, Subpart D is amended by adding a new § 1207.735-405 and Subpart F, Appendix A, is amended by revising 18 U.S.C. 207, to read as follows:

### Subpart D—Financial Interests and Investments

#### § 1207.735-405 Executive personnel financial disclosure report.

(a) *Background.* The Ethics in Government Act of 1978 (Pub. L. 95-521) prescribes a public financial disclosure reporting requirement for certain officers and employees. The requirements and procedures are set forth in detail in the Act as well as in the implementing regulations of the Office of Government Ethics (5 CFR Part 734). This section will not reiterate these detailed requirements nor the instructions for filing that are contained on the Executive Personnel Financial Disclosure Report (SF 276).

(b) *Employees Required to File.* Following are NASA employees required to file the Executive Personnel Financial Disclosure Report.

(1) Presidential nominees to positions requiring the advice and consent of the Senate.

(2) Officers and employees (including Special Government Employees) who have served in their positions for 61 days or more during the preceding calendar year whose positions are classified or paid at GS-16 or above of the General Schedule, or whose basic rate of pay under other pay schedules is equal to or greater than the rate for GS-16. This category includes members of the Senior Executive Service.

(3) Officers or employees in any other position determined by the Director of the Office of Government Ethics to be of equal classification to GS-16.

(4) Administrative law judges.

(5) Employees in the excepted service in positions which are of a confidential or policymaking character unless their positions have been excluded by the Director of the Office of Government Ethics.

(6) The Designated Agency Ethics Official.

(c) *Time of Filing.*—(1) *Initial appointment.* Within 5 days after transmittal by the President to the Senate of the nomination to a position described in paragraph (b)(1) of this section or within 30 days after first assuming a position described in paragraphs (b) (2), (3), (4), (5), or (6) of this section, an Executive Personnel Financial Disclosure Report (SF 276) must be filed.

(2) *Incumbents.* An Executive Personnel Financial Disclosure Report must be filed no later than May 15 annually by incumbents of any of the positions listed in paragraph (b) of this section. In certain cases an extension of up to 45 days for filing may be permitted

by the Designated Agency Ethics Official. The Director of the Office of Government Ethics may grant an additional 45-day extension, for good cause shown.

(3) *Terminations.* The individual shall file an Executive Personnel Financial Disclosure Report no later than 30 days after an incumbent of a position listed in paragraph (b) of this section terminates that position.

(d) *Place of Filing.* All reports required to be filed by this section by Headquarters Employees, Directors, Deputy Directors and Chief Counsels of field installations shall be submitted on or before the due date to the Director, Office of Development, Personnel Programs Division, Code NPD, NASA Headquarters. Other field installation personnel required to file reports by this section shall submit such reports on or before the due date to the Field Installation Director of Personnel.

(e) *Review and Retention of Reports.* All reports required to be filed with the Director, Office of Development, Personnel Programs Division, Code NPD, NASA Headquarters, will be reviewed by the Designated or Alternate Agency Ethics Counselor, Office of the General Counsel. Reports required to be filed by field installation personnel with the Field Installation Director of Personnel will be reviewed by the Field Installation Chief Counsel. All reports required to be filed by this section will be sent, after review, to the Director, Office of Development, Personnel Programs Division, Code NPD, NASA Headquarters, for retention. The reports will be available to the public.

(f) *Where To Seek Help.* To seek assistance in completing the Executive Personnel Financial Disclosure Report, contact the Field Installation Chief Counsel or the Assistant General Counsel for General Law at Headquarters.

(g) *Failure To Submit Report.* Falsification of or knowing or willful failure to file or report information required to be filed by section 202 of the Ethics in Government Act may subject the individual to a civil penalty and to disciplinary action. Also, knowing or willful falsification of information under that section may subject the individual to criminal prosecution under 28 U.S.C. 1001, leading to a fine of not more than \$10,000, or imprisonment for not more than 5 years, or both.

*Authority:* Ethics in Government Act of 1978, Pub. L. 95-521.

### Subpart F—Standards of Conduct for Special Government Employees

#### Appendix A—Conflict of Interests Statutes (see § 1207.735-603)

18 U.S.C. 207. *Disqualification of former officers and employees; disqualification of partners of current officers and employees.*

(a) Whoever, having been an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, after his employment has ceased, knowingly acts as agent or attorney for, or otherwise represents, any other person (except the United States), in any formal or informal appearance before, or, with the intent to influence, makes any oral or written communication on behalf of any other person (except the United States) to—

(1) Any department, agency, court, court-martial, or any civil, military, or naval commission of the United States or the District of Columbia, or any officer or employee thereof, and

(2) In connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States or the District of Columbia is a party or has a direct and substantial interest, and

(3) In which he participated personally and substantially as an officer or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, while so employed; or

(b) Whoever, (i) having been so employed, within two years after his employment has ceased, knowingly acts as agent or attorney for, or otherwise represents, any other person (except the United States), in any formal or informal appearance before, or, with the intent to influence, makes any oral or written communication on behalf of any other person (except the United States) to, or (ii) having been so employed and as specified in subsection (d) of this section within two years after his employment has ceased, knowingly represents or aids, counsels, advises, consults, or assists in representing any other person (except the United States) by personal presence at any formal or informal appearance before—

(1) Any department, agency, court, court-martial, or any civil, military or naval commission of the United States or the District of Columbia, or any officer or employee thereof, and

(2) In connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties in which the United States or the District of Columbia is a party or has a direct and substantial interest and

(3) As to (i), which was actually pending under his official responsibility as an officer or employee within a period of one year prior to the termination of such responsibility, or, as to (ii), in which he participated personally and substantially as an officer or employee;

or  
(c) Whoever, other than a special Government Employee who serves for less than sixty days in a given calendar year, having been so employed as specified in subsection (d) of this section within one year after such employment has ceased, knowingly acts as agent or attorney for, or otherwise represents, anyone other than the United States in any formal or informal appearance before, or, with the intent to influence, makes any oral or written communication on behalf of anyone other than the United States, to—

(1) The department or agency in which he served as an officer or employee, or any officer or employee thereof, and

(2) In connection with any judicial, rulemaking, or other proceeding, application, request for a ruling or other determination, contract, claim, controversy investigation, charge, accusation, arrest, or other particular matter, and

(3) Which is pending before such department or agency or in which such department or agency has a direct and substantial interest—shall be fined not more than \$10,000, or imprisoned for not more than two years, or both.

(d)(1) Subsection (c) of this section shall apply to a person employed—

(A) At a rate of pay specified in or fixed according to subchapter II of chapter 53 of title 5, United States Code, or a comparable or greater rate of pay under other authority;

(B) On active duty as a commissioned officer of a uniformed service assigned to pay grade of O-9 or above as described in section 201 of title 37, United States Code; or

(C) In a position which involves significant decision-making or supervisory responsibility, as designated under this subparagraph by the Director of the Office of Government Ethics, in consultation with the department or agency concerned. Only positions which are not covered by subparagraphs (A) and (B) above, and for which the basic rate of pay is equal to or greater than the basic rate of pay for GS-17 of the General Schedule prescribed by section 5332 of title 5, United States Code, or positions which are established within the Senior Executive Service pursuant to the Civil Service Reform Act of 1978, or positions of active duty commissioned officers of the uniformed services assigned to pay O-7 or O-8, as described in section 201 of title 37, United States Code, may be designated. As to persons in positions designated under this subparagraph, the Director may limit the restrictions of subsection (c) to permit a former officer or employee, who served in a separate agency or bureau within a department or agency, to make appearances before or communications to persons in an unrelated agency or bureau, within the same department or agency, having separate and distinct subject matter jurisdiction, upon a determination by the Director that there

exists no potential for use of undue influence or unfair advantage based on past government service. On an annual basis, the Director of the Office of Government Ethics shall review the designations and determinations made under this subparagraph and, in consultation with the department or agency concerned, make such additions and deletions as are necessary. Departments and agencies shall cooperate to the fullest extent with the Director of the Office of Government Ethics in the exercise of his responsibilities under this paragraph.

(2) The prohibition of subsection (c) shall not apply to appearances, communications or representation by a former officer or employee, who is—

(A) An elected official of a State or local government, or

(B) Whose principal occupation or employment is with (i) an agency or instrumentality of a State or local government, (ii) an accredited, degree-granting institution of higher education, as defined in section 1201(a) of the Higher Education Act of 1965, or (iii) a hospital or medical research organization, exempted and defined under section 501(c)(3) of the Internal Revenue Code of 1954, and the appearance, communication, or representation is on behalf of such government, institution, hospital, or organization.

(e) For the purposes of subsection (c), whenever the Director of the Office of Government Ethics determines that a separate statutory agency or bureau within a department or agency exercises functions which are distinct and separate from the remaining functions of the department or agency, the Director shall by rule designate such agency or bureau as a separate department or agency; except that such designation shall not apply to former heads of designated bureaus or agencies, or former officers and employees of the department or agency whose official responsibilities included supervision of said agency or bureau.

(f) The prohibitions of subsections (a), (b), and (c) shall not apply with respect to the making of communications solely for the purpose of furnishing scientific or technological information under procedures acceptable to the department or agency concerned, or if the head of the department or agency concerned with the particular matter, in consultation with the Director of the Office of Government Ethics, makes a certification, published in the Federal Register, that the former officer or employee has outstanding qualifications in a scientific, technological, or other technical discipline, and is acting with respect to a particular matter which requires such qualifications, and that the national interest would be served by the participation of the former officer or employee.

(g) Whoever, being a partner of an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, acts as agent or attorney for anyone other than the United States before any department, agency, court, court-martial, or any civil, military, or naval

commission of the United States or the District of Columbia, or any officer or employee thereof, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter in which the United States or the District of Columbia is a party or has a direct and substantial interest and in which such officer or employee or special Government employee participates or has participated personally and substantially as an officer or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which is the subject of his official responsibility, shall be fined not more than \$5,000, or imprisoned for not more than one year, or both.

(h) Nothing in this section shall prevent a former officer or employee from giving testimony under oath, or from making statements required to be made under penalty of perjury.

(i) The prohibition contained in subsection (c) shall not apply to appearances or communications by a former officer or employee concerning matters of a personal and individual nature, such as personal income taxes or pension benefits; nor shall the prohibition of that subsection prevent a former officer or employee from making or providing a statement, which is based on the former officer's or employee's own special knowledge in the particular area that is the subject of the statement, provided that no compensation is thereby received, other than that regularly provided for by law or regulation for witnesses.

(j) If the head of the department or agency in which the former officer or employee served finds, after notice and opportunity for a hearing, that such former officer or employee violated subsection (a), (b), or (c) of this section, such department or agency head may prohibit that person from making, on behalf of any other person (except the United States), any informal or formal appearance before, or, with the intent to influence, any oral or written communication to, such department or agency on a pending matter of business for a period not to exceed five years, or may take other appropriate disciplinary action. Such disciplinary action shall be subject to review in an appropriate United States district court. No later than six months after the effective date of this Act, departments and agencies shall, in consultation with the Director of the Office of Government Ethics, establish procedures to carry out this subsection.

Authority: Ethics in Government Act of 1978, Pub. L. 95-521.

James M. Beggs,  
Administrator.

[FR Doc. 85-2127 Filed 1-28-85; 8:45 am]

BILLING CODE 7510-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## Food and Drug Administration

## 21 CFR Parts 172 and 173

[Docket No. 83G-0284]

## Food Additives Permitted for Direct and Secondary Direct Addition to Food for Human Consumption; Quaternary Ammonium Chloride Combination

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of quaternary ammonium chloride combination as an antimicrobial agent in the processing of sugar cane. This action responds to a petition filed by Fabcon International, Inc. This final rule lists the substance as a direct and secondary direct food additive and establishes conditions for its use.

**DATES:** Effective January 29, 1985; objections by February 28, 1985.

**ADDRESS:** Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Mary C. Custer, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-426-9483.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of August 6, 1974 (39 FR 28307), FDA announced that a petition (GRASP 4G0041) had been filed by Fabcon International, Inc., 33 Public Square, Cleveland, OH 44113, proposing to affirm that quaternary ammonium chloride combination is generally recognized as safe (GRAS) for use as an antimicrobial agent in the processing of sugar cane. The petition requested that the agency affirm the GRAS status of two different methods of using quaternary ammonium chloride combination to control microorganisms in the processing of sugar cane. The substance can be sprayed on the crusher and first two mills during routine sugar milling operation, and it can be added to raw sugar cane juice when further processing of the juice would be delayed.

FDA has evaluated the data in the petition and other relevant material. These data demonstrate that:

1. The requested uses will result in quaternary ammonium chloride residues of 7 parts per billion or less in refined sugar.

2. This level of exposure does not pose a hazard to the public health.

3. When used under the approved conditions of use, this food additive will have its intended technical effect.

4. Quaternary ammonium chloride combination was not commonly used in food production in the United States before January 1, 1958.

While this petition was pending before FDA, the petitioner agreed with the agency that the use of quaternary ammonium chloride combination in sugar cane milling should be regulated as a food additive subject to section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348).

FDA advises that it has evaluated the petition submitted for GRAS affirmation of quaternary ammonium chloride combination as a food additive petition in accordance with §§ 170.38(c) and 171.1 (21 CFR 170.38(c) and 171.1) and has found that the data in the petition establish that the proposed uses of this substance as an antimicrobial agent in the processing of sugar cane are safe. FDA therefore concludes that the food additive regulations should be amended to provide for the use of quaternary ammonium chloride combination as set forth below:

1. In new § 172.165 to permit the use of quaternary ammonium chloride combination as an antimicrobial agent in raw sugar cane juice during processing delays.

2. In § 173.320(b) to permit the use of quaternary ammonium chloride combination in controlling microorganisms in sugar cane processing.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition (address above) by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in

the Dockets Management Branch (address above).

## List of Subjects in 21 CFR

## Part 172

Food additives, Food preservatives, Spices and flavorings.

## Part 173

Food additives, Food processing aids. Therefore under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Center for Food Safety and Applied Nutrition (21 CFR 5.61), Parts 172 and 173 are amended as follows:

## PART 172—FOOD ADDITIVES PERMITTED FOR DIRECT ADDITION TO FOOD FOR HUMAN CONSUMPTION

1. In Part 172 by adding new § 172.165 to read as follows:

## § 172.165 Quaternary ammonium chloride combination.

The food additive, quaternary ammonium chloride combination, may be safely used in food in accordance with the following conditions:

(a) The additive contains the following compounds: *n*-dodecyl dimethyl benzyl ammonium chloride (CAS Reg. No. 139-07-1); *n*-dodecyl dimethyl ethylbenzyl ammonium chloride (CAS Reg. No. 27479-28-3); *n*-hexadecyl dimethyl benzyl ammonium chloride (CAS Reg. No. 122-18-9); *n*-octadecyl dimethyl benzyl ammonium chloride (CAS Reg. No. 122-19-0); *n*-tetradecyl dimethyl benzyl ammonium chloride (CAS Reg. No. 139-08-2); *n*-tetradecyl dimethyl ethylbenzyl ammonium chloride (CAS Reg. No. 27479-29-4).

(b) The additive meets the following specifications: pH (5 percent active solution) 7.0-8.0; total amines, maximum 1 percent as combined free amines and amine hydrochlorides.

(c) The additive is used as an antimicrobial agent, as defined in § 170.3(o)(2) of this chapter, in raw sugar cane juice. It is added prior to clarification when further processing of the sugar cane juice must be delayed.

(d) The additive is applied to the sugar juice in the following quantities, based on the weight of the raw cane:

Component	Parts per million
<i>n</i> -Dodecyl dimethyl benzyl ammonium chloride	0.25-1.0
<i>n</i> -Dodecyl dimethyl ethylbenzyl ammonium chloride	3.4-13.5

Component	Parts per million
n-Hexadecyl dimethyl benzyl ammonium chloride	1.5-6.0
n-Octadecyl dimethyl benzyl ammonium chloride	0.25-1.0
n-Tetradecyl dimethyl benzyl ammonium chloride	3.0-12.0
n-Tetradecyl dimethyl ethylbenzyl ammonium chloride	1.6-6.5

#### PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION

2. Part 173 is amended in § 173.320 by revising the introductory text of paragraph (b) and by adding new paragraph (b)(5) to read as follows:

##### § 173.320 Chemicals for controlling microorganisms in cane-sugar and beet-sugar mills.

(b) They are applied to the sugar mill grinding, crusher, and/or diffuser systems in one of the combinations listed in paragraph (b) (1), (2), (3), or (5) of this section or as a single agent listed in paragraph (b)(4) of this section. Quantities of the individual additives in parts per million are expressed in terms of the weight of the raw cane or raw beets.

(5) Combination for cane-sugar mills:

	Parts per million
n-Dodecyl dimethyl benzyl ammonium chloride	0.05 ± 0.005
n-Dodecyl dimethyl ethylbenzyl ammonium chloride	0.68 ± 0.068
n-Hexadecyl dimethyl benzyl ammonium chloride	0.30 ± 0.030
n-Octadecyl dimethyl benzyl ammonium chloride	0.05 ± 0.005
n-Tetradecyl dimethyl benzyl ammonium chloride	0.60 ± 0.060
n-Tetradecyl dimethyl ethylbenzyl ammonium chloride	0.32 ± 0.032

**Limitations.** Byproduct molasses, bagasse, and pulp containing residues of these quaternary ammonium salts are not authorized for use in animal feed.

Any person who will be adversely affected by the foregoing regulation may at any time on or before February 28, 1985 submit to the Dockets Management Branch (address above), written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any

particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

**Effective date.** This regulation is effective January 29, 1985.

(Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348))

Dated: January 22, 1985.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 85-2137 Filed 1-28-85; 8:45 am]

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#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

##### 24 CFR Part 203

[Docket No. R-85-1175: FR-1501]

#### Mutual Mortgage Insurance and Insured Home Improvement Loans; Issue Date of Debentures

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Final rule.

**SUMMARY:** This final rule changes the method by which debenture interest is computed when a one- to four-family property is conveyed to the Secretary in exchange for insurance benefits. This final rule adopts the proposed rule issued earlier, except for a minor textual change that is made to improve the rule's clarity.

**EFFECTIVE DATE:** March 11, 1985.

**FOR FURTHER INFORMATION CONTACT:** Richard B. Buchheit, Director, Single Family Servicing Division, Department of Housing and Urban Development, Room 9180, 451 Seventh Street, SW., Washington, D.C. 20410. Telephone number (202) 755-6672. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** The Department issued a proposed rule on August 7, 1984 (49 FR 31444) which informed the public that HUD contemplated revising the then-existing regulation on the issue date of debentures.

The Department asserted in that rule that the change was necessary to correct the procedure, used in the settlement of reimbursable expenses incurred by a mortgagee in foreclosing on a one- to four-family property, of dating debentures as of the date of default, rather than as of the actual date on which the reimbursable expense was incurred. The Department recognized in the proposed rule that the change would result in a small reduction of insurance benefits to mortgagees (the rule applies both to contracts in effect and to future contracts). However, the Department continues to adhere to the position that a practice that gives mortgagees undeserved interest payments at the expense of the insurance fund must be discontinued.

The proposed rule invited public comment for a 60-day period ending October 9, 1984. One comment was received. The commenter agreed that HUD should not "pay interest on expenditures to lenders for the period before the expenditure actually was incurred," but questioned the Department's characterization of such payments, in the preamble of the proposed rule, as a "windfall".

The comment also referred to what it called "defects" in other regulations governing payment of foreclosure expenses. The Department disagrees that the regulations mentioned by the commenter are defective. As an example of a "defective" regulation, the commenter cites 24 CFR 203.402(f), which provides, in part, that "insurance benefits shall include foreclosure costs. . . . In an amount not in excess of two-thirds of such costs." The commenter argues that this provision "ensure[s] that mortgagees [will] suffer significant financial losses on every claim for insurance benefits." The definition of "date of default" in 24 CFR 203.331 led the commenter to cite this regulation, too, as defective, and as one which causes a financial loss to lenders.

HUD recognizes that lenders share a portion of the costs involved when property is foreclosed. Nonetheless, HUD believes that these regulations should not be changed if they act as a disincentive to hasty foreclosures and are protective of the insurance fund.

The comment also criticized the provision of existing regulations requiring that the interest portion of an