Appendix A to reflect the estimated service rates in 1988 dollars for TDRSS standard services, based on NASA escalation estimates. 14 CFR Part 1215 sets forth the policy governing the Tracking and Data Relay Satellite System (TDRSS) services provided to non-U.S. Government users and the reimbursement for rendering such services. The TDRSS represents a major investment by the U.S. Government with the primary goal of providing improved tracking and data acquisition services to spacecraft in low earth orbit or to terrestrial users.

EFFECTIVE DATE: April 6, 1987.

ADDRESS: Office of Space Operations, Code T, NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Eugene Ferrick, 202–453–2030.

SUPPLEMENTARY INFORMATION: The existing regulation was published in the **Federal Register** on March 9, 1983 (48 FR 9845). Each year since that time, 14 CFR Part 1215 has been amended by revising Appendix A to reflect the rate changes for the appropriate calendar years (CY). Since this revision of Appendix A to 14 CFR Part 1215 reflects the rate changes for CY 1988 and involves NASA management procedures and decisions, no public comment is required.

The National Aeronautics and Space Administration has determined that this rule is not subject to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 through 612, since it will not exert a significant economic impact on a substantial number of small entities, and it is not a major rule as defined in Executive Order 12291.

List of Subjects in 14 CFR Part 1215

Satellites, Tracking and Data Relay Satellite System, Communications equipment, Government contract.

PART 1215—TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS)

For reasons set out in the Preamble, 14 CFR Part 1215 is amended to read as follows:

1. The authority citation for Part 1215 continues to read as follows:

Authority: Sec. 203, Pub. L. 85–568, 72 Stat. 429, as amended; 42 U.S.C. 2473.

2. Appendix A is revised to read as follows:

Appendix A—Estimated Service Rates in 1988 Dollars for TDRSS Standard Services (Based on NASA Escalation Estimate)

TDRSS user service rates for services rendered in CY–88 based on current projections in 1988 dollars are as follows:

Single Access Service

Forward command, return telemetry, or tracking, or any combination of these, the base rate is $128.00 per minute for non-U.S. Government users.

Multiple Access Forward Service

Base rate is $:.8.00 per minute for non-U.S. Government users.

Multiple Access Return Service

Base rate is $9.00 per minute for non-U.S. Government users.

Charles T. Force,

Deputy Associate Administrator for Space Operations.

[FR Doc. 87–7449 Filed 4–3–87; 8:45 am]

BILLING CODE 7510–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; Center for Drugs and Biologics

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority by adding a new delegation to officials in the Center for Drugs and Biologics from the Commissioner of Food and Drugs. The authority relates to the submission of and effective approval dates for abbreviated new drug applications and certain new drug applications.

EFFECTIVE DATE: April 6, 1987.

FOR FURTHER INFORMATION CONTACT: Marjorie J. Shandruk, Office of Management and Operations (HFA–340), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: FDA is amending the regulations in 21 CFR Part 5 by adding § 5.93 to clarify that the Director and Deputy Director, Center for Drugs and Biologics (CDB), and the Director and Deputy Director, Office of Drug Standards, CDB, are delegated the authority to perform all of the functions of the Commissioner of Food and Drugs with regard to the submission of and effective approval dates for abbreviated new drug applications and certain new drug applications under section 505 (c) and (j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (c) and (j)).

Further redelegation of the authority delegated is not authorized. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs, Part 5 is amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. The authority citation for 21 CFR Part 5 continues to read as follows:

Authority: 5 U.S.C. 504, 552; 7 U.S.C. 2217; 15 U.S.C. 638, 1451 *et seq.*; 21 U.S.C. 41 *et seq.*, 61–63, 141 *et seq.*, 301–392, 467f(b), 679(b), 801 *et seq.*, 823(f), 1031 *et seq.*; 35 U.S.C. 156; 42 U.S.C. 219, 241, 242(a), 242a, 242l, 242o, 243, 262, 263, 263b through 263m, 264, 265, 300u *et seq.*, 1395y and 1395y note, 3246b(b)(3), 4831(a), 10007, and 10008; Federal Caustic Poison Act (44 Stat. 1406); Federal Advisory Committee Act (Pub. L. 92–463); E.O. 11490, 11921.

2. Subpart B is amended by adding § 5.93 to read as follows:

§ 5.93 Submission of and effective approval dates for abbreviated new drug applications and certain new drug applications.

The following officials are authorized to perform all of the functions of the Commissioner of Food and Drugs with regard to decisions made under section 505(c)(3)(D) and (j)(4)(D) of the Federal Food, Drug, and Cosmetic Act (the act) concerning the date of submission or the date of effective approval of abbreviated new drug applications including supplements thereto submitted under section 505(j) of the act and of new drug applications including supplements thereto submitted under 505(b)(1) of the act and described under section 505(b)(2) of the act:

(a) The Director and Deputy Director, Center for Drugs and Biologics (CDB).

(b) The Director and Deputy Director, Office of Drug Standards, CDB.

Dated: March 27, 1987.

John M. Taylor,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 87–7508 Filed 4–3–87; 8:45 am]

BILLING CODE 4160–01–M

21 CFR Part 81

[Docket No. 76N-0366]

Provisional Listing of FD&C Yellow No. 6, D&C Red No. 8, and D&C Red No. 9; Postponement of Closing Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is postponing the closing date for the provisional listing of D&C Red No. 8 and D&C Red No. 9 for use as color additives in drugs and cosmetics, and for the provisional listing of FD&C Yellow No. 6 for use as a color additive in food, drugs, and cosmetics. The new closing date will be June 5, 1987. FDA has decided that this postponement is necessary to provide time for evaluation of objections submitted in response to the final rule, published in the **Federal Register** of December 5, 1986 (51 FR 43877), permanently listing the drug and cosmetic uses of D&C Red. No. 8 and D&C Red. No. 9, and the final rule published in the **Federal Register** of November 19, 1986 (51 FR 41765), permanently listing the food, drug, and cosmetic uses of FD&C Yellow No. 6.

EFFECTIVE DATE: April 6, 1987, the new closing date for FD&C Yellow No. 6, D&C Red No. 8, and D&C Red No. 9 will be June 5, 1987.

FOR FURTHER INFORMATION CONTACT: Gerald L. McCowin, Center for Food Safety and Applied Nutrition (HFF-330), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5676.

SUPPLEMENTARY INFORMATION: FDA established the current closing date of April 6, 1987, for the provisional listing of FD&C Yellow No. 6, D&C Red No. 8, and D&C Red No. 9 by regulation published in the **Federal Register** of February 3, 1987 (52 FR 3224). In the **Federal Register** of December 5, 1986 (51 FR 43877), FDA permanently listed the drug and cosmetic uses of D&C Red No. 8 and D&C Red No. 9. A final rule permanently listing the food, drug, and cosmetic uses of FD&C Yellow No. 6 was published in the **Federal Register** of November 19, 1986 (51 FR 41765). FDA has received numerous comments objecting to the permanent listing of D&C Red No. 8, D&C Red No. 9, and FD&C Yellow No. 6.

FDA believes that it is reasonable to postpone the closing date for these color additives until June 5, 1987, to provide time for evaluation of these comments. FDA concludes that this extension is consistent with the public health and the standards set forth for continuation of provisional listing in *McIlwain* v. *Hayes*, 690 F.2d 1041 (D.C. Cir. 1982).

Because of the shortness of time until the April 6, 1987, closing date, FDA concludes that notice and public procedure on this regulation are impracticable and that good cause exists for issuing the postponement as a final rule and for an effective date of April 6, 1987. This regulation will permit the uninterrupted use of these color additives until further action is taken. In accordance with 5 U.S.C. 553(b) and (d) (1) and (3), this postponement is issued as a final regulation, effective on April 6, 1987.

List of Subjects in 21 CFR Part 81

Color additives, Cosmetics, Drugs.

Therefore, under the Transitional Provisions of the Color Additive Amendments of 1960 to the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 81 is amended as follows:

PART 81—GENERAL SPECIFICATIONS AND GENERAL RESTRICTIONS FOR PROVISIONAL COLOR ADDITIVES FOR USE IN FOODS, DRUGS, AND COSMETICS

1. The authority citation for 21 CFR Part 81 continues to read as follows:

Authority: Secs. 701, 706, 52 Stat. 1055-1056 as amended, 74 Stat. 399-407 as amended (21 U.S.C. 371, 376); Title II, Pub. L. 86-618; sec. 203, 74 Stat. 404-407 (21 U.S.C. 376, note); 21 CFR 5.10.

§ 81.1 [Amended]

2. In § 81.1 *Provisional lists of color additives* by revising the closing dates for "FD&C Yellow No. 6" in paragraph (a) and for "D&C Red No. 8" and "D&C Red No. 9" in paragraph (b) to read "June 5, 1987."

§ 81.27 [Amended]

3. In § 81.27 *Conditions of provisional listing* by revising the closing dates for "FD&C Yellow No. 6," "D&C Red No. 8," and "D&C Red No. 9" in paragraph (d) to read "June 5, 1987."

Dated: March 20, 1987.

John M. Taylor,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 87-7504 Filed 4-3-87; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 172

[Docket No. 86F-0221]

Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucrose Fatty Acid Esters

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulation for sucrose fatty acid esters to provide for the safe use of vegetable oils in their manufacture. This action responds to a petition filed by the Nebraska Department of Economic Development.

DATES: Effective April 6, 1987; objections by May 6, 1987.

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: John W. Gordon, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C Street, SW., Washington, DC 20204, 202-426-5487.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of July 22, 1986 (51 FR 26308), FDA announced that a petition (FAP 5A3859) had been filed by the Nebraska Department of Economic Development, c/o Commonwealth Bldg., 1625 K Street NW., Washington, DC 20006, proposing that 21 CFR 172.859(a) be amended to provide for the safe use of vegetable oils in the manufacture of sucrose fatty acid esters.

FDA has evaluated the data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe, and that the regulation should be amended as set forth below.

In the **Federal Register** of November 5 1986 (51 FR 40160), FDA published an amendment of § 172.859 that would permit the use of additional solvents in the manufacture of sucrose fatty acid esters. The agency received an objection to this amendment and is currently evaluating this objection. However, the current action to expand the source of fatty acids that may be used in the manufacture of sucrose fatty esters is not related to the prior amendment or to the objection to that amendment. Therefore, the agency is proceeding with the current amendment to this regulation. The agency notes that this action has no bearing on its evaluation

of the objection to the November 5, 1986, amendment.

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 determined under 21 CFR 25.24(a)(9) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required

Any person who will be adversely affected by this regulation may at any time on or before May 6, 1987 file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularly the provisions of the regulation to which objection is made and the grounds for the objection. 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 document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 172

Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director of the Center for Food Safety and Applied Nutrition, Part 172 is amended as follows:

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

1. The authority citation for 21 CFR Part 172 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. In § 172.859 by revising the first sentence in paragraph (a) to read as follows:

§ 172.859 Sucrose fatty acid esters.

* * * * *

(a) Sucrose fatty acid esters are the mono-, di-, and tri-esters of sucrose with fatty acids and are derived from sucrose and edible tallow or hydrogenated edible tallow or edible vegetable oils.

* * *

Dated: March 24, 1987.

Sanford A. Miller,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 87–7506 Filed 4–3–87; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 175

[Docket No. 85F–0302]

Indirect Food Additives; Adhesives and Components of Coatings

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 poly(ethyloxazoline) as a component of adhesives. This action responds to a food additive petition filed by The Dow Chemical Co.

DATES: Effective April 6, 1987; objections by May 6, 1987.

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: Marvin D. Mack, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of July 11, 1985 (50 FR 28264), FDA announced that a food additive petition (FAP 5B3869) had been filed by The Dow Chemical Co., Midland, MI 48674, proposing that § 175.105 *Adhesives* (21 CFR 175.105) be amended to provide for the safe use of polyethyloxazoline as a component of adhesives.

FDA has evaluated the data in the petition and other relevant material. The agency concludes that the proposed use of the additive as a component of adhesives is safe, and that the regulations should be amended as set forth below. The agency also concludes that the additive is more accurately identified as "poly(ethyloxazoline)." The agency is therefore adopting this modified nomenclature in this final rule.

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, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. This action was considered under FDA's final rule implementing the National Environmental Policy Act (21 CFR Part 25).

Any person who will be adversely affected by this regulation may at any time on or before May 6, 1987, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. 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