

improve program efficiency. Thus, there is no impact on small businesses.

Marketing Order No. 925 regulates the handling of grapes grown in a designated area in southeastern California. The program is effective under the Act. The California Desert Grape Administrative Committee, established under the order, is responsible for its local administration.

At a public meeting on April 9, 1987, the committee recommended changing the fiscal period to allow the committee to operate on a calendar year basis. Under the final rule, the fiscal period will begin January 1 and end December 31. Section 925.12 authorizes the committee, with the Secretary of Agriculture's approval, to set the fiscal period.

Committee management has to maintain two separate sets of bookkeeping and accounting records: one to comply with committee operations for the December through November fiscal period, the other to comply with Federal and State accounting and employee tax reports which are required on a calendar year basis.

This action is necessary in order to allow the committee to simplify and reduce its bookkeeping and accounting procedures on a calendar year basis to coincide with Federal and State accounting procedures. Hence, a change in the fiscal period to coincide with the calendar year (January-December) is considered necessary. This action will enable the committee to operate more efficiently.

Since this action will change the fiscal period under the marketing order (7 CFR 925.12), no action is necessary for table grape imports under section 608e-1 of the Act. A change in the import regulation (7 CFR 944.503) is applicable when there is a change in the grade, size, quality, and maturity of a domestically produced commodity. Therefore, since fiscal period guidelines are not included in the requirements of section 8e, no change is necessary to the applicable import regulations.

Notice was given in the June 1, 1987, *Federal Register* (52 FR 20402), affording interested persons 30 days in which to submit written comments. None were submitted.

It is hereby found that changing the fiscal period from December 1 through November 30 to January 1 through December 31 will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 925

Marketing agreements and orders, Grapes, California.

For the reasons set forth in the preamble, Part 925 is amended as follows:

PART 925—GRAPES GROWN IN A DESIGNATED AREA OF SOUTHEASTERN CALIFORNIA

1. The authority citation for 7 CFR Part 925 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

2. A new heading entitled *Subpart—Rules and Regulations and Section 925.112* are added to read as follows:

Subpart—Rules and Regulations

§ 925.112 Fiscal period.

Beginning January 1, 1988, "fiscal period" will mean January 1 through December 31 of each year.

Dated: July 17, 1987.

Ronald L. Cioffi,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87-16660 Filed 7-21-87; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF COMMERCE

Economic Development Administration

13 CFR Part 309

[Docket No. 60108-7009]

Attorney and Consultant Fees

AGENCY: Economic Development Administration (EDA), Commerce.

ACTION: Final rule.

SUMMARY: This rule adopts as final EDA's interim regulations at 13 CFR 309.7—"Employment of expeditors or administrative employees" at paragraph (c) and adds two references to Pub. L. 99-500 of October 18, 1986. This rule states that fees for services of attorneys and consultants in preparing applications for EDA financial assistance cannot be funded under Pub. L. 99-180 and Pub. L. 99-500; however, attorneys' and consultants' fees used to meet grant requirements, such as conducting a title search or preparing plans and specifications, could be paid for out of funds appropriated or otherwise made available under Pub. L. 99-180 or Pub. L. 99-500.

EFFECTIVE DATE: July 22, 1987.

FOR FURTHER INFORMATION CONTACT: James F. Marten, Deputy Chief Counsel, Economic Development Administration, U.S. Department of Commerce, Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues

NW., Room 7009, Washington, DC 20230, (202) 377-5441.

SUPPLEMENTARY INFORMATION: EDA published an interim rule on fees for employment of attorneys and consultants on July 3, 1986, (51 FR 24303) and allowed interested persons 60 days to comment. No comments were received. EDA is adopting as a final rule, 13 CFR Part 309, "General Requirements for Financial Assistance" § 309.7 "Employment of expeditors or administrative employees" and adding references to Pub. L. 99-500 of October 18, 1986.

Under Executive Order 12291 the Department must judge whether a regulation is "major" within the meaning of section 1 of the order and therefore subject to the requirement that a Regulatory Impact Analysis be prepared. This regulation is not major because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Accordingly, neither a preliminary nor final Regulatory Impact Analysis has to be or will be prepared.

This rule is exempt from all requirements of 5 U.S.C. 553 including notice and opportunity to comment and delayed effective date, because it relates to public property, loans, grants, benefits and contracts.

No other law requires that notice and opportunity for comment be given for the rule.

Accordingly, the Department's General Counsel has determined and so certified to the Office of Management and Budget, that dispensing with notice and opportunity for comment is consistent with the Administrative Procedure Act and all other relevant laws.

Since notice and an opportunity for comment are not required to be given for this rule under section 553 of the APA (5 U.S.C. 553) or any other law, under sections 603(a) and 604(a) of the Regulatory Flexibility Act (5 U.S.C. 603(a), 604(a)), no initial or final Regulatory Flexibility Analysis has to be or will be prepared.

This rule does not contain a collection of information for purposes of the Paperwork Reduction Act (Pub. L. 96-511).

List of Subjects in 13 CFR Part 309

Community development, Grant programs—community development, Loan programs—community development, Penalties.

The interim rule published in the *Federal Register* on July 3, 1986 (51 FR 24303) is adopted as final with the following changes.

PART 309—GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE

1. The authority citation for Part 309 continues to read as follows:

Authority: Sec. 701, Pub. L. 89-136, 79 Stat. 570 (42 U.S.C. 3211); sec. 1-105, DOC Organization Order 10-4, as amended (40 FR 56702, as amended).

2. 13 CFR 309.7 is amended by revising paragraph (e) to read as follows:

§ 309.7 Employment of expeditors or administrative employees; compensation of persons engaged by or on behalf of applicants.

(c) EDA will participate in such costs of facilities receiving financial assistance under the Act as are deemed to be reasonable as fees or compensation for services actually rendered by persons engaged by or on behalf of the EDA applicant for the purpose of rendering professional or other services necessary, as determined by EDA, in connection with such facilities or with the extension of financial assistance by EDA. Provided that, no funds appropriated or otherwise made available under Pub. L. 99-180, December 13, 1985, and Pub. L. 99-500, October 18, 1986, may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by EDA, such as preparing applications for EDA financial assistance; however, attorneys' and consultants' fees for meeting grant requirements, such as conducting a title search or preparing plans and specifications, could be eligible project costs and paid for out of funds appropriated or otherwise made available under Pub. L. 99-180 and Pub. L. 99-500. No fee or compensation will be allowed if it appears that the person charging such fee or compensation has:

Date: July 15, 1987.

Orson G. Swindle, III,

Assistant Secretary for Economic Development.

[FR Doc. 87-16589 Filed 7-21-87; 8:45 am]

BILLING CODE 3510-24-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Social Security Administration****20 CFR Parts 401, 404, and 416**

[Regulation Nos. 1, 4, and 16]

Revision of Authority Citations

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: We are revising the authority citations for the Social Security Administration regulations in 20 CFR Parts 401, 404, and 416 of the Code of Federal Regulations (CFR). These changes ensure conformity with the requirements set out in 1 CFR 21.40, et seq. (50 FR 12462 through 12469, March 28, 1985).

DATE: The effective date of this rule is July 22, 1987. We will consider any comments received by September 21, 1987. We will revise and republish this rule if the public comments warrant.

ADDRESS: Comments should be submitted to the Commissioner of Social Security, Department of Health and Human Services, P.O. Box 1585, Baltimore, Maryland 21203 or delivered to the Office of Regulations, Social Security Administration, 3-B-4 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235 between 8:00 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

FOR FURTHER INFORMATION CONTACT: C.H. Campbell, Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, (301) 597-3408.

SUPPLEMENTARY INFORMATION: We are revising the statutory authority citations for the Social Security Administration regulations under Title 20, Chapter III, of the CFR. The CFR Parts within this title that are being revised by this final rule are:

1. Part 401—*Disclosure of Official Records and Information*;
2. Part 404—*Federal Old-age, Survivors, and Disability Insurance*; and
3. Part 416—*Supplemental Security Income for the Aged, Blind, and Disabled*.

The Administrative Committee of the Federal Register set out new requirements for citing statutory authority in 1 CFR 21.40, et seq. of a final rule published in the *Federal Register* (FR) on March 28, 1985 (50 FR

12462 through 12469). The attached final rule conforms the manner of citing statutory authority to the new FR requirements by following changes:

1. All the authority citations within a subpart are centralized directly after the heading to the subpart and before the regulatory text of the subpart. Any authority citation that now follows a section in a subpart is transferred to the subpart's centralized authority section;

2. The centralized authority consists of the subpart's general authority (i.e., the authority basis for the entire subpart) and the authority citations for the sections within the subpart;

3. The centralized authority citation consists of United States Code (U.S.C.) and Social Security Act (the Act) citations where the authority is codified in the U.S.C. Where the authority is not yet codified (or will not be codified), the authority citations consist of the Pub. L. and United States Statutes at Large citations. Also, where the authority for a section in the subpart is based on nonstatutory authority such as a Presidential Executive Order, agency executive delegation, or other documents showing authority to issue regulations, it will be cited by document designation, FR volume and page and, if possible, a parallel citation to the CFR; and

4. The centralized authority citation also includes Public Law and United States Statutes at Large citations for statutory provisions that are not made part of the Act where those provisions significantly affect a U.S.C. or Act provision or otherwise provide the statutory basis for the regulation.

Regulatory Procedures

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis they are impracticable, unnecessary or contrary to the public interest.

We are publishing these regulations as a final rule with a 60-day comment period. We find good cause for dispensing with notice and public comment procedures under section 553(b)(B) of the Administrative Procedure Act (5 U.S.C. 553(b)(B)). We find prior notice and comment unnecessary because these are purely

technical changes which make no substantive change in the regulations.

Executive Order 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because it does not involve any costs. Therefore, a regulatory impact analysis is not required.

Paperwork Reduction Act

These regulations do not impose recordkeeping or reporting requirements on the public.

Regulatory Flexibility Act

We certify that these regulations will have no economic impact on small entities since they only involve a technical issue of placing and citing statutory authority.

(Catalog of Federal Domestic Assistance Programs: No. 13.802 Social Security Disability Insurance; No. 13.803 Social Security Retirement Insurance; No. 13.804 Social Security—Special Benefits for Persons Aged 72 and Over; No. 13.805 Social Security Survivors Insurance; No. 13.807 Supplemental Security Income)

List of Subjects

20 CFR Part 401

Administrative practice and procedure, Aid to families with dependent children, Black lung benefits, Freedom of information, Medicare, Old-Age, survivors, and disability insurance, Privacy, Social Security Administration, Supplemental security income (SSI).

20 CFR Part 404

Administrative practice and procedure, Death benefits, Disability benefits, Old-Age, survivors, and disability insurance.

20 CFR Part 416

Administrative practice and procedure, Aged; Blind, Disability benefits, Public assistance programs, Social Security Administration, Supplemental security income (SSI).

Dated: June 9, 1987.

Dorcas R. Hardy,
Commissioner of Social Security.

Approved: July 7, 1987.

Otis R. Bowen,
Secretary of Health and Human Services.

PART 401—DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION

For the reasons set out in the preamble, Title 20, Chapter III, Part 401 of the Code of Federal Regulations is amended as follows:

1. The authority following the Part 401 table of contents is deleted.

2. The authority citation for Subpart A is added as follows:

Authority: Secs. 205(a), 1102, and 1106 of the Social Security Act; Sec. 413(b) of the Federal Mine Safety and Health Act of 1977; 5 U.S.C. 552 and 552a, 26 U.S.C. 6103, 30 U.S.C. 923, 42 U.S.C. 405(a), 1302, and 1306.

3. The authority citation for Subpart B is added as follows:

Authority: Secs. 205(a), 1102, and 1106 of the Social Security Act; Sec. 413(b) of the Federal Mine Safety and Health Act of 1977; 5 U.S.C. 552 and 552a, 8 U.S.C. 1360, 26 U.S.C. 6103, 30 U.S.C. 923, 42 U.S.C. 405(a), 1302, and 1306.

4. The authority citation for Subpart C is added as follows:

Authority: Secs. 205(a), 1102, and 1106 of the Social Security Act; Sec. 413(b) of the Federal Mine Safety and Health Act of 1977; 5 U.S.C. 552 and 552a, 8 U.S.C. 1360, 26 U.S.C. 6103, 30 U.S.C. 923, 42 U.S.C. 405(a), 1302, and 1306.

5. The authority citation for Subpart D is added as follows:

Authority: Secs. 205(a), 1102, and 1106 of the Social Security Act; Sec. 413(b) of the Federal Mine Safety and Health Act of 1977; 5 U.S.C. 552 and 552a, 26 U.S.C. 6103, 30 U.S.C. 923, 42 U.S.C. 405(a), 1302, and 1306.

6. The authority citation for Subpart E is added as follows:

Authority: Secs. 205(a), 1102, and 1106 of the Social Security Act; Sec. 413(b) of the Federal Mine Safety and Health Act of 1977; 5 U.S.C. 552 and 552a, 26 U.S.C. 6103, 30 U.S.C. 923, 42 U.S.C. 405(a), 1302, and 1306.

7. The authority citation for Subpart F is revised to read as follows:

Authority: Secs. 402(a)(9), 1102, and 1106 of the Social Security Act; 26 U.S.C. 6103(l)(7), 42 U.S.C. 602(a)(9), 1302, and 1306.

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

For the reasons set out in the preamble, Title 20, Chapter III, Part 404 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Subpart A is revised to read as set forth below and the authority citations following the sections in Subpart A are removed.

Authority: Secs. 203, 205(a), 216(j), 227, and 1102 of the Social Security Act; 42 U.S.C. 403, 405(a), 416(j), 427, and 1302.

2. The authority citation for Subpart B is revised to read as follows:

Authority: Secs. 205(a), 212, 213, 214, 216, 217, 223, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 412, 413, 414, 416, 417, 423, and 1302.

3. The authority citation for Subpart C is revised to read as set forth below and

the authority citations following the sections in Subpart C are removed.

Authority: Secs. 202(a), 205(a), 215, and 1102 of the Social Security Act; 42 U.S.C. 402(a), 405(a), 415 and 1302.

4. The authority citation for Subpart D is revised to read as set forth below and the authority citations following the sections in Subpart D are removed.

Authority: Secs. 202, 203 (a) and (b), 205(a), 216, 223, 228 (a)–(e), and 1102 of the Social Security Act; 42 U.S.C. 402, 403 (a) and (b), 405(a), 416, 423, 428 (a)–(e), and 1302.

5. The authority citation for Subpart E is revised to read as set forth below and the authority citations following the sections in Subpart E are removed.

Authority: Secs. 202, 203, 204 (a) and (e), 205(a), 222(b), 223(e), 224, 227, and 1102 of the Social Security Act; 42 U.S.C. 402, 403, 404 (a) and (e), 405(a), 422(b), 423(e), 424, 427, and 1302.

6. The authority citation for Subpart F is revised to read as set forth below and the authority citations following the sections in Subpart F are removed.

Authority: Secs. 204 (a)–(d), 205(a), and 1102 of the Social Security Act; 42 U.S.C. 404 (a)–(d), 405(a), and 1302.

7. The authority citation for Subpart G is revised to read as set forth below and the authority citations following the sections in Subpart G are removed.

Authority: Secs. 202 (i), (j), (o), (p), and (r), 205(a), 216(i)(2), 223(b), 228(a), and 1102 of the Social Security Act; 42 U.S.C. 402 (i), (j), (o), (p), and (r), 405(a), 416(i)(2), 423(b), 428(a), and 1302.

8. The authority citation for Subpart H is revised to read as set forth below and the authority citations following the sections in Subpart H are removed.

Authority: Secs. 205(a) and 1102 of the Social Security Act; 42 U.S.C. 405(a) and 1302.

9. The authority citation for Subpart I is revised to read as set forth below and the authority citations following the sections in Subpart I are removed.

Authority: Secs. 205 (a), (c)(1), (c)(2)(A), (c)(4), (c)(5), (c)(6), and (p), and 1102 of the Social Security Act; 42 U.S.C. 405 (a), (c)(1), (c)(2)(A), (c)(4), (c)(5), (c)(6), and (p) and 1302.

10. The authority citation for Subpart J is revised to read as set forth below and the authority citations following the sections in Subpart J are removed.

Authority: Secs. 201(j), 205 (a), (b), and (d)–(h), 221(d), and 1102 of the Social Security Act; 42 U.S.C. 401(j), 405 (a), (b), and (d)–(h), 421(d), and 1302; sec. 5 of Pub. L. 97–455, 98 Stat. 2500; sec. 6 of Pub. L. 98–460, 98 Stat. 1802.

11. The authority citation for Subpart K is revised to read as set forth below

and the authority citations following the sections in Subpart K are removed.

Authority: Secs. 205(a), 209, 210, 211, 229(a), 230, 231, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 409, 410, 411, 429(a), 430, 431, and 1302.

12. The authority citation for Subpart M is revised to read as set forth below and the authority citations following the sections in Subpart M are removed.

Authority: Secs. 204, 205 (a) and (c), 218, and 1102 of the Social Security Act; 42 U.S.C. 404, 405 (a) and (c), 418, and 1302.

13. The authority citation for Subpart N is revised to read as follows:

Authority: Secs. 205 (a) and (p), 210 (l) and (m), 215(h), 217, 229, and 1102 of the Social Security Act; 42 U.S.C. 405 (a) and (p), 410 (l) and (m), 415(h), 417, 429, and 1302.

14. The authority citation for Subpart O is revised to read as follows:

Authority: Secs. 202 (l), 205 (a), (c)(5)(D), (i), and (o), 210 (a)(9) and (l)(4), 211(c)(3), and 1102 of the Social Security Act; 42 U.S.C. 402 (l), 405 (a), (c)(5)(D), (i), and (o), 410 (a)(9) and (l)(4), 411(c)(3), and 1302.

15. The authority citation for Subpart P is revised to read as set forth below and the authority citations following the sections in Subpart P are removed.

Authority: Secs. 202, 205 (a), (b), and (d)-(h), 216(i) 221 (a) and (j), 222(c), 223, 225, and 1102 of the Social Security Act; 42 U.S.C. 402, 405 (a), (b), and (d)-(h), 416(i), 421 (a) and (i), 422(c), 423, 425, and 1302; sec. 505(a) of Pub. L. 96-265, 94 Stat. 473; sec. 2(d)(2), 5, 6, and 15 of Pub. L. 98-460, 98 Stat. 1797, 1801, 1802, and 1808.

16. The authority citation for Subpart Q is revised to read as follows:

Authority: Secs. 205(a), 221, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 421, and 1302.

17. The authority citation for Subpart R is revised to read as follows:

Authority: Secs. 205(a), 206, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 406, and 1302.

18. The authority citation for Subpart S is revised to read as follows:

Authority: Secs. 205 (a) and (n), 207, and 1102 of the Social Security Act; 42 U.S.C. 405 (a) and (n), 407, and 1302.

19. The authority citation for Subpart T is revised to read as follows:

Authority: Secs. 205(a), 233, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 433, and 1302.

20. The authority citation for Subpart U is revised to read as set forth below and the authority citations following the sections in Subpart U are removed.

Authority: Secs. 205 (a), (j), and (k), and 1102 of the Social Security Act; 42 U.S.C. 405 (a), (j), and (k), and 1302.

21. The authority citation for Subpart V is revised to read as follows:

Authority: Secs. 205(a), 222, and 1102 of the Social Security Act; 42 U.S.C. 405(a), 422, and 1302.

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

For the reasons set out in the preamble, Title 20, Chapter III, Part 416 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Subpart A is revised to read as set forth below and the authority citations following the sections in Subpart A are removed.

Authority: Secs. 1102 and 1601-1634 of the Social Security Act; 42 U.S.C. 1302 and 1381-1383c; sec. 212 of Pub. L. 93-66, 87 Stat. 155; and sec. 502(a) of Pub. L. 94-241, 90 Stat. 268.

2. The authority citation for Subpart B is revised to read as set forth below and the authority citations following the sections in Subpart B are removed.

Authority: Secs. 1102, 1110(b), 1602, 1611, 1614, 1615(c), 1619(a), 1631, and 1634, of the Social Security Act; 42 U.S.C. 1302, 1310(b), 1381a, 1382, 1382c, 1382d(c), 1382h(a), 1383, and 1383c; sec. 211 and 212 of Pub. L. 93-66, 87 Stat. 154 and 155; sec. 502(a) of Pub. L. 94-241, 90 Stat. 268; and sec. 2 of Pub. L. 99-643, 100 Stat. 3574.

3. The authority citation for Subpart C is revised to read as follows:

Authority: Secs. 1102, 1611, and 1631 (a), (d), and (e) of the Social Security Act; 42 U.S.C. 1302, 1382, and 1383 (a), (d), and (e).

4. The authority citation for Subpart D is revised to read as follows:

Authority: Secs. 1102, 1611 (a), (b), (c), and (e), 1612, 1617, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382 (a), (b), (c), and (e), 1382a, 1382f, and 1383.

5. The authority citation for Subpart E is revised to read as follows:

Authority: Secs. 1102, 1601, 1602, 1611(c), and 1631 (a), (b), (d), and (g) of the Social Security Act; 42 U.S.C. 1302, 1381, 1381(a), 1382(c), and 1383 (a), (b), (d), and (g).

6. The authority citation for Subpart F is revised to read as follows:

Authority: Secs. 1102 and 1631 (a) (2) and (d) (1) of the Social Security Act; 42 U.S.C. 1302 and 1383 (a) (2) and (d) (1).

7. The authority citation for Subpart G is revised to read as follows:

Authority: Secs. 1102, 1611, 1613, 1614, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382, 1382a, 1382b, 1382c, and 1383; sec. 211 of Pub. L. 93-66, 87 Stat. 154.

8. The authority citation for Subpart H is revised to read as follows:

Authority: Secs. 1102, 1601, 1614(a) (1), and 1631 of the Social Security Act; 42 U.S.C. 1302, 1381, 1382(c)(1), and 1383.

9. The authority citation for Subpart I is revised to read as set forth below and the authority citations following the sections in Subpart I are removed.

Authority: Secs. 1102, 1614(a), 1619, 1631 (a) and (d) (1), and 1633 of the Social Security Act; 42 U.S.C. 1302, 1382c(a), 1382h, 1383 (a) and (d) (1), and 1383b; sec. 2, 5, 6, and 15 of Pub. L. 98-460, 98 Stat. 1794, 1801, 1802, and 1808.

10. The authority citation for Subpart J is revised to read as follows:

Authority: Secs. 1102, 1614, 1631, and 1633 of the Social Security Act; 42 U.S.C. 1302, 1382c, 1383, and 1383b.

11. The authority citation for Subpart K is revised to read as set forth below and the authority citations following the sections in Subpart K are removed.

Authority: Secs. 1102, 1602, 1611, 1612, 1613, 1614(f), 1621, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1381a, 1382, 1382a, 1382b, 1382c(f), and 1382j, and 1383; sec. 211 of Pub. L. 93-66, 87 Stat. 154; sec. 2639 of Pub. L. 98-369, 98 Stat. 1144.

12. The authority citation for Subpart L is revised to read as set forth below and the authority citations following the sections in Subpart L are removed.

Authority: Secs. 1102, 1602, 1611, 1612, 1613, 1614(f), 1621, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j, and 1383; sec. 211 of Pub. L. 93-66, 87 Stat. 154.

13. The authority citation for Subpart M is revised to read as set forth below and the authority citations following the sections in Subpart M are removed.

Authority: Secs. 1102, 1611-1615, 1619, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382-1382d, 1382h, and 1383; sec. 2 of Pub. L. 99-643, 100 Stat. 3574.

14. The authority citation for Subpart N is revised to read as set forth below and the authority citations following the sections in Subpart N are removed.

Authority: Secs. 1102, 1631, and 1633 of the Social Security Act; 42 U.S.C. 1302, 1383, and 1383b; sec. 6 of Pub. L. 98-460, 98 Stat. 1802.

15. The authority citation for Subpart O is revised to read as follows:

Authority: Secs. 1102 and 1631(d) of the Social Security Act; 42 U.S.C. 1302 and 1383(d).

16. The authority citation for Subpart P is revised to read as follows:

Authority: Secs. 1102, 1614 (a)(1)(B) and (e), and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382c (a)(1)(B) and (e), and 1383; sec. 502 of Pub. L. 94-241, 90 Stat. 268.

17. The authority citation for Subpart Q is revised to read as follows:

Authority: Secs. 1102, 1611(e)(3)(A), 1615, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382(e)(3)(A), 1382d, and 1383.

18. The authority citation for Subpart R is revised to read as follows:

Authority: Secs. 1102, 1614 (b), (c), and (d), and 1631 (d)(1) and (e) of the Social Security Act; 42 U.S.C. 1302, 1382c (b), (c), and (d), and 1383 (d)(1) and (e).

19. The authority citation for Subpart S is revised to read as follows:

Authority: Secs. 1102 and 1631 of the Social Security Act; 42 U.S.C. 1302 and 1383.

20. The authority citation for Subpart T is revised to read as set forth below and the authority citations following the sections in Subpart T are removed.

Authority: Secs. 1102, 1616, 1618, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382e, 1382g, and 1383; sec. 212 of Pub. L. 93-66, 87 Stat. 155; sec. 401 of Pub. L. 92-603, 86 Stat. 1485; sec. 8 of Pub. L. 93-233, 87 Stat. 956; sec. 1 and 2 of Pub. L. 93-335, 88 Stat. 291.

21. The authority citation for Subpart U is revised to read as follows:

Authority: Secs. 1102, 1631(d)(1), and 1634 of the Social Security Act; 42 U.S.C. 1302, 1383(d)(1), and 1383c.

22. The authority citation for Subpart V is revised to read as follows:

Authority: Secs. 1102, 1615, and 1631 (d)(1) and (e) of the Social Security Act; 42 U.S.C. 1302, 1382d, and 1383 (d)(1) and (e); sec. 2344 of Pub. L. 97-35, 95 Stat. 867.

[FR Doc. 87-16637 Filed 7-21-87; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 74

[Docket No. 86C-0301]

[Phthalocyaninato(2-)] Copper; Listing as a Color Additive for Coloring Monofilament Used in Intraocular Lenses; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of June 2, 1987, for the final rule that amended the color additive regulations to provide for the safe use of [phthalocyaninato(2-)] copper to color polymethylmethacrylate monofilament used as supporting haptics for intraocular lenses.

EFFECTIVE DATE: Effective date confirmed: June 2, 1987.

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 the *Federal Register* of May 1, 1987 (52 FR 15944), FDA amended 21 CFR Part 74 of the color additive regulations in 21 CFR 74.3045 by revising the introductory text of paragraphs (c)(1) and paragraph (c)(1)(i) on the use of [phthalocyaninato(2-)] copper in polymethylmethacrylate monofilament used as supporting haptics for intraocular lenses.

FDA gave interested persons until June 1, 1987, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA had concluded that the final rule published in the *Federal Register* of May 1, 1987, should be confirmed.

List of Subjects in 21 CFR 74

Color additives, Cosmetics, Drugs, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 706, 52 Stat. 1055-1056 as amended, 74 Stat. 399-407 as amended (21 U.S.C. 371, 376)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the May 1, 1987, final rule. Accordingly, the amendments promulgated thereby became effective June 2, 1987.

Dated: July 20, 1987.

John M. Taylor,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 87-16721 Filed 7-20-87; 2:08 pm]

BILLING CODE 4160-01-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Parts 193 and 561

[OPP-300161A]

Daminozide; Revocation and Amendment of Food and Feed Additive Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document revokes the food additive regulation in dried prunes and amends (reduces) the food additive regulations for concentrated tomato products and the animal feed dried tomato pomace concerning residues of daminozide [but anedioic acid mono (2,2-dimethylhydrazide)], resulting from

carryover and concentration of residues in these processed foods and feeds when present therein as a result of application of the plant regulator daminozide to growing plums (fresh prunes) and tomatoes. This action is being taken by EPA to remove one food additive regulation which is no longer necessary, and to amend (reduce) other food additive regulations which specify residue levels that are currently higher than needed.

EFFECTIVE DATE: Effective on July 22, 1987.

ADDRESS: Written objections, identified by the document control number [OPP-300161A], may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Room 3708, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail:

Patricia Critchlow, Registration Division (TS-767), Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Office location and telephone number: Room 716, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-557-1806).

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the *Federal Register* of March 3, 1987 (52 FR 6344), which proposed the revocation of the food additive regulation in dried prunes listed in 21 CFR 193.410 and amendment (reduction) of the food additive regulations in concentrated tomato products and the animal feed dried tomato pomace listed in 21 CFR 193.410 and 561.360, respectively, for residues of the plant regulator daminozide [but anedioic acid mono (2,2-dimethylhydrazide)].

No public comments or requests for referral to an advisory committee were received in response to the notice of proposed rulemaking.

Therefore, based on the information considered by the Agency and discussed in detail in the March 3, 1987 proposal and in this final rule, the Agency is hereby revoking the food additive regulation in dried prunes (21 CFR 193.410) and amending (reducing) the food additive regulations in concentrated tomato products (21 CFR 193.410) and in the animal feed dried tomato pomace (21 CFR 561.360) for residues of daminozide (butanedioic acid mono (2,2-dimethylhydrazide)), resulting from carryover and concentration of residues in these processed foods and feeds when present therein as a result of application of the plant regulator daminozide to growing plums (fresh prunes) and tomatoes.

The existing food additive regulation for residues of daminozide in the animal feed peanut meal, which will remain unchanged, was inadvertently omitted when the proposed rule was published in the *Federal Register* of March 3, 1987. This final rule reflects the unchanged residue level for peanut meal.

Elsewhere in this issue of the *Federal Register*, the Agency has issued a related rule [OPP-300160A] which revokes or amends the tolerances for residues of daminozide in or on various raw agricultural commodities, including plums (fresh prunes) and tomatoes.

Any person adversely affected by this regulation revoking and amending the food additive regulations for daminozide may, within 30 days after the date of publication of this regulation in the *Federal Register*, file written objections with the Hearing Clerk, at the address given above. Such objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

This document has been reviewed by the Office of Management and Budget as required by section 3 of Executive Order 12291.

In order to satisfy requirements for analysis as specified by Executive Order 12291 and the Regulatory Flexibility Act, the Agency has analyzed the costs and benefits of the revocation and amendment of the food additive regulations for daminozide. This analysis is available for public inspection in Rm. 236, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Executive Order 12291

As explained in the proposal published March 4, 1987, the Agency has determined, pursuant to the requirements of Executive Order 12291, that the revocation and amendment of the food additive regulations discussed herein will not cause adverse economic impacts on significant portions of U.S. enterprises.

Regulatory Flexibility Act

This rulemaking has been reviewed under the Regulatory Flexibility Act of 1980 (Pub. L. 96-354; 94 Stat. 1164, 5 U.S.C. 601 *et seq.*) and it has been determined that it will not have a significant economic impact on a substantial number of small businesses, small governments, or small organizations. The reasons for this conclusion are discussed in the March 4, 1987 proposal.

List of Subjects in 21 CFR Parts 193 and 561

Food additives, Animal feeds, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 17, 1987.

Victor J. Kimm,

Assistant Administrator for Pesticides and Toxic Substances.

Therefore, 21 CFR Parts 193 and 561 are amended as follows:

PART 193—[AMENDED]

1. In Part 193:

a. The authority citation for Part 193 continues to read as follows:

Authority: 21 U.S.C. 348.

b. By revising § 193.410 to read as follows:

§ 193.410 Daminozide.

Tolerances are established for residues of the plant regulator daminozide (but anedioic acid mono (2,2-dimethylhydrazide)) in the following processed food commodities, when present therein as a result of the application of the pesticide to the growing crop.

Food commodities	Parts per million
Tomato products, concentrated.....	3

PART 561—[AMENDED]

2. In Part 561:

a. The authority citation for Part 561 continues to read as follows:

Authority: 21 U.S.C. 348.

b. By revising § 561.360 to read as follows:

§ 561.360 Daminozide.

Tolerances are established for residues of the plant regulator daminozide (but anedioic acid mono (2,2-dimethylhydrazide)) in the following animal feed commodities, when present therein as a result of the application of the pesticide to the growing crop.

Food commodities	Parts per million
Peanut meal.....	90
Tomato pomace, dried.....	10

[FR Doc. 87-16696 Filed 7-21-87; 8:45 am]

BILLING CODE 6560-50-M

21 CFR Part 561

[FAP 7H5528/R891; FRL-3236-5]

Tolerance for Pesticides in Feed; 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)-propyl]-3-hydroxy-2-cyclohexen-1-one

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a food additive regulation for the combined residues of the herbicide 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)-propyl]-3-hydroxy-2-cyclohexen-1-one and its metabolites in or on the feed commodity flaxseed meal, when present therein as a result of application of the herbicide to the growing crop. The regulation to establish a maximum permissible level for residues of the herbicide in or on the commodity was requested in a petition submitted by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: July 22, 1987.

ADDRESS: Written objections identified by the document control number (FAP 7H5528/R891) may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Room 3708, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

By mail: Donald R. Stubbs, Emergency Response and Minor Use Section (TS-767C), Registration Division, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Office location and telephone number: Room 716B, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-1806).

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the *Federal Register* of March 18, 1987 (52 FR 8527), that announced that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted a food additive petition (FAP 7H5528) to EPA on behalf of Dr. Robert H. Kupelian, National Director, IR-4 Project and the Agricultural Experiment Station of North Dakota. The petition proposed to amend 21 CFR Part 561 by establishing a feed additive regulation for the combined residues of the herbicide 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)-propyl]-3-hydroxy-2-cyclohexen-1-one and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide) in or on the feed commodity flaxseed meal at 7 parts per million (ppm).