required to meet the exception to Government Pension Offset (applicable in claims for spouse's benefits). Respondents: Individuals or households; Number of Respondents: 18,000; Frequency of Response: 15 minutes; Estimated Annual Burden: 4,500 hours.

2. Request for Earnings and Benefit Estimate Statement—0960–7004—The information will be used to provide a statement of earnings, quarters of coverage and future benefit estimates to individuals in response to requests. Respondents: Individuals or households; Number of Respondents: 6,000,000; Frequency of Response: 1; Average Burden Per Response: 5 minutes; Estimated Annual Burden: 500,000 hours.

OMB Desk Officer: Justin Kopca

As mentioned above, copies of the information collection clearance packages can be obtained by calling the Reports Clearance Officer, on one of the following numbers:
PHS: (202) 245–2100
HCFA: (301) 966–2088
FSA: (202) 252–5605
SSA: (301) 965–4149
OS: (202) 245–6511
OHDS: (202) 472–4415

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, Room 3208, Washington, DC 20503.

Date: January 3, 1989.

James E. Larson,

Acting Deputy Assistant Secretary for Information Business Management.

[FR Doc. 89–283 Filed 1–5–89; 8:45 am]

BILLING CODE 4150–04–M

Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Department of Health and Human Services (HHS) publishes a list of information collection packages it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). The following are those packages submitted to OMB since the last list was published on December 30, 1988.

Health Care Financing Administration

(Call Reports Clearance Officer on 301–966–2088 for copies of package)

1. Request for Termination of Premium Hospital and/or Supplementary Medical Insurance—0938–0025—The HCFA–1763 is the form an individual completes when he/she wishes to terminate Medicare coverage. This form is the vehicle by which the SSA Program Services Center is made aware of the beneficiary's desire to withdraw from Medicare. Respondents: Individuals or households; Number of Respondents: 30,000; Frequency of Response: 1; Average Burden Per Response: .166; Estimated Annual Burden: 5,000 hours.

2. Application for Health Insurance Benefits under Medicare for Individuals with Chronic Renal Disease—0938–0080—The law requires the filing of an application to establish Medicare entitlement based on end-stage renal disease. The HCFA–43 is the application form used to obtain information needed to determine Medicare eligibility. It guides district office personnel in securing the required development and becomes a permanent part of the claims. Respondent: Individuals or households; Number of Respondents: 13,500; Frequency of Response: 1; Average Burden Per Response: .43; Estimated Annual Burden: 5,850.

Public Health Service

(Call Reports Clearance Officer on 202–245–2100 for copies of package)

1. Registration of Cosmetic Product Establishment—0910–0027—The registration of cosmetic manufacturers and repackers supplies FDA with current locations for onsite inspection, addresses for information and regulatory mailings, business trading names supplying product distribution sources, and aids FDA in responding to Freedom of Information requests. Respondents: Small businesses; Number of Respondents: 50; Number of Responses Per Respondent: 1; Average Burden Per Response: 0.4; Estimated Annual Burden: 20 hours.

2. Notice of Discontinuance of Commercial Distribution or Cosmetic Product or Cosmetic Raw Material—0910–0029—The purpose of Form FDA 2514 is to notify the FDA of removal from commercial distribution of a cosmetic product or raw material previously filed with the FDA under 21 CFR 730 thereby allowing that data to be maintained in a current state. Respondents: Businesses or other for-profit, Small businesses or organizations; Number of Respondents: 850; Number of Responses Per Respondent: 3; Average Burden Per Response: 0.2; Estimated Annual Burden: 510 hours.

3. Cosmetic Product Ingredient Statement (21 CFR 720)—0910–0030—This information collection assists FDA in evaluating alleged injuries and adverse reactions from use of cosmetic products. It is also utilized in defining and planning analytical and toxicological studies. Data on ingredients and formulations is also available to other government agencies such as GAO, NCI, NIOSH, and the public and industry may access it through FOI. Respondents: Businesses or other for-profit, and small businesses or organizations.

	1st Information Collection	2nd Information Collection
	Title: Registration/ Amended product brand name/ ingredient change	Request for Confidentiality
Number of Respondents	280	12.5
Number of Responses Per Respondent	10	1
Average Burden Per Response	0.5	
Burden Hours	1,400	

As mentioned above, copies of the information collection clearance packages can be obtained by calling the Reports Clearance Officer, on one of the following numbers:
PHS: (202) 245–2100
HCFA: (301) 966–2088
FSA: (202) 252–5605
SSA: (301) 965–4149
OS: (202) 245–6511
OHDS: (202) 472–4415

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, Room 3208, Washington, DC 20503.

Date: January 3, 1989.

James E. Larson,

Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 89–284 Filed 1–5–89; 8:45 am]

BILLING CODE 4150–04–M

Food and Drug Administration

[Docket No. 88F–0381]

Betz Laboratories, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing

that a food additive petition has been filed by Betz Laboratories, Inc., proposing that the food additive regulations be amended to provide for the safe use of poly(isopropenylphosphonic acid), sodium salt in the manufacture of paper and paperboard for food-contact use.

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

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 9B4114) has been filed by Betz Laboratories, Inc., Somerton Rd., Trevose, PA 19047, proposing that § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 176.170) be amended to provide for the safe use of poly(isopropenylphosphonic acid), sodium salt in the manufacture of paper and paperboard for food-contact use.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: December 22, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89–188 Filed 1–5–89; 8:45 am]

BILLING CODE 4160–01–M

[Docket No. 88F–0427]

Cryovac Division of W.R. Grace & Co.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Cryovac Division, W.R. Grace & Co., has filed a petition proposing that the food additive regulations be amended by raising the limitation on the maximum absorbed dose of radiation that may be used to produce molecular crosslinking of ethylene-vinyl acetate copolymers.

FOR FURTHER INFORMATION CONTACT: Laura M. Tarantino, Center for Food Safety and Applied Nutrition (HFF–330), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5740.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that Cryovac Division of W.R. Grace & Co., P.O. Box 464, Duncan, SC 29334, has filed a petition (FAP 9M4117) proposing that § 177.1350 *Ethylene-vinyl acetate copolymers* (21 CFR 177.1350) of the food additive regulations be amended by raising the limitation, in paragraph (d)(1) and (d)(3), on the maximum absorbed dose of radiation that may be used to produce molecular crosslinking of ethylene-vinyl acetate copolymers.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: December 27, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89–184 Filed 1–5–89; 8:45 am]

BILLING CODE 4160–01–M

[Docket No. 88F–0404]

Mitsui Petrochemical Industries, Ltd.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Mitsui Petrochemical Industries, Ltd., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of ethylene/1,3-phenyleneoxyethylene isophthalate/terephthalate copolymer as a nonfood contact layer of food packaging laminates intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Gillian Robert-Baldo, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that Mitsui Petrochemical Industries, Ltd., Kasumigaseki Bldg., P.O. Box 90, 2–5 Kasumigaseki 3-chrome, Chiyoda-Ku, Tokyo 100, Japan, has filed a petition (FAP 8B4107), proposing that § 177.1395 *Laminate structures for use at temperatures between 120 °F and 250 °F* (21 CFR 177.1395) be amended to provide for the safe use of ethylene/1,3-phenyleneoxyethylene isophthalate/terephthalate copolymer as a nonfood contact layer of food packaging laminates intended for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: December 27, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89–185 Filed 1–5–89; 8:45 am]

BILLING CODE 4160–01–M

[Docket No. 82F–0309]

Monsanto Chemical Corp.; Withdrawal of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the withdrawal, without prejudice to a future filing, of food additive petition 2B3655 proposing that the food additive regulations be amended to provide for the safe use of a mixture of partially hydrogenated terphenyl and quaterphenyl as components of adhesives for food-contact use.

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

SUPPLEMENTARY INFORMATION: In the **Federal Register** of October 19, 1982 (47 FR 46576), FDA published a notice that it had filed a petition (FAP 2B3655) submitted by Monsanto Industrial Chemicals Co. (later named Monsanto Chemical Co.), 800 North Lindberg Blvd., St. Louis, MO 63167, proposing to amend § 175.105 *Adhesives* (21 CFR 175.105) of the food additive regulations to provide for the safe use of a mixture of partially hydrogenated terphenyl and quarterphenyl as components of adhesives for food-contact use. Monsanto Chemical Co. has now

withdrawn the petition without prejudice to a future filing (21 CFR 171.7).

Dated: December 28, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89-187 Filed 1-5-89; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 88F-0382]

Springborn Testing Institute, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a food additive petition has been filed by Springborn Testing Institute, Inc., on behalf of Enka bv, proposing that the food additive regulations be amended to provide for the safe use of carbethoxymethly-diethyl phosphonate as a stabilizer in polyethylene terephthalate and related polyesters for food-contact use.

FOR FURTHER INFORMATION CONTACT: Marvin D. Mack, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 8B4087) has been filed by Springborn Testing Institute, Inc., 20 Springborn Center, Enfield, CT 06082, on behalf of Enka bv, proposing that § 178.2010. *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) be amended to provide for the safe use of carbethoxymethyl-diethyl phosphonate as a stabilizer in polyethylene terephthalate and related polyesters for food-contact use.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: December 22, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89-186 Filed 1-5-89; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

Medicaid Program; Hearing to Reconsider Disapproval of a Colorado State Plan Amendment

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on February 22, 1989, in Denver, Colorado to reconsider our decision to disapprove Colorado State Plan Amendment 88-11.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the Docket Clerk by January 23, 1989.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, HCFA Hearing Staff, 300 East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207, Telephone: (301) 966-4471.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove Colorado State Plan Amendment 88-11 (SPA 88-11).

Section 1116 of the Social Security Act and 42 CFR Part 430 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues that will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained in 42 CFR 430.76(b)(2). Any interested person or organization that wants to participate as amicus curiae must petition the Hearing Officer before the hearing begins in accordance with the requirements contained in 42 CFR 430.76(c).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

Colorado SPA 88-11 consists of three separate attachment pages containing methods and standards for establishing payment rates for crossover situations involving institutional services, noninstitutional services and nursing home care. Crossover situations occur when a Medicaid recipient is also eligible for Medicare.

The issue in this matter is whether the methods and standards in the amendment violate sections 1902(a)(13)(A) and 1902(a)(30) of the Social Security Act and the implementing regulations at 42 CFR Part 447, Subparts B, C and D, which require that payments for services be consistent with efficiency, economy, and quality of care.

HCFA has determined that the methods and standards for inpatient and outpatient hospital claims cannot be approved because of the State's proposal to make no Medicaid payment where Medicare makes a payment. Section 3909 of the State Medicaid Manual provides that the minimum amount for which a State is responsible in crossover claims is the rate established in the State plan that is paid when a recipient is not also a Medicare beneficiary. In the case of a Medicaid recipient who is also entitled to Medicare, this amount may be satisfied, in whole or in part, by the Medicare payment. The provision in SPA 88-11 dealing with Medicaid payments on Part A inpatient and outpatient hospital service crossover claims limits reimbursement to the Medicare reimbursement. The State would have that option as long as Medicaid rates for these services, applicable to all recipients, including those who have Medicare, are established at equal to or below Medicare's reimbursement amount. The plan amendment does not provide for this and therefore, HCFA has determined that it is not consistent with 42 CFR Part 447, Subpart B. Under the amendment, reimbursement would be limited to the Medicare reimbursement even in cases where the Medicaid rate for the services exceeds the Medicare reimbursement.

HCFA has determined the methods and standards for other institutional services, non-institutional services and nursing home care cannot be approved. HCFA believes it is not clear from the language in these provisions that the Medicaid rate for services proposed for dual eligibles is at or above the established Medicaid rate for Medicaid eligibles who do not also have Medicare. The ambiguity arises from the use of the term Medicare maximum allowable "*reimbursement limit*" rather than payment rate (prior to application of deductibles and copayments). Therefore, HCFA has determined that the amendment does not establish the Medicaid rate as required by section 1902(a)(13)(A) of the Social Security Act and the implementing regulations at 42 CFR Part 447, Subparts C and D.

The notice to Colorado announcing an administrative hearing to reconsider the disapproval of its State plan amendment reads as follows: