such applications will be evaluated with reference to the standards set forth in subpart V implementation cases such as *Office of Special Counsel*, 10 DOE ¶ 85,048 at 88,220 (1982), and refund application cases such as *OKC Corp./Town & Country Markets, Inc.*, 12 DOE ¶ 85,094 (1984); *Marathon Petroleum Co./Research Fuels, Inc.*, 19 DOE ¶ 85,575 (1989), *action for review docketed*, C.A.–3–89–2983–G (N.D. Tex. November 22, 1989). These standards generally require an allocation claimant to demonstrate the existence of a supplier/purchaser relationship with the consent order firm and the likelihood that the consent order firm unlawfully failed to furnish petroleum products that it was obliged to supply to the claimant under 10 CFR part 211. In addition, the claimant must provide evidence that it had contemporaneously notified the DOE or otherwise sought redress from the alleged allocation violation. Finally, the claimant must establish that it was injured and document the extent of the injury. Claimants who make a reasonable and non-spurious demonstration of an allocation violation may receive a refund based on the profit lost as a result of their failure to receive the allocated product.[14]

It is therefore ordered, That: The refund amount remitted to the Department of Energy by Agway Petroleum Corporation pursuant to the Consent Order executed on March 20, 1987, will be distributed in accordance with the foregoing decision.

Appendix—Subsidiaries and Affiliates presumptively Ineligible for Refunds

All members of the Agway Cooperative
All members of the Southern States Cooperative
Agway Data Services, Inc.
Agway Financial Corporation
Agway Insurance Co.
Agway Indemnity Insurance Co.
Agway General Agency
Agway Petroleum Corporation
Texas City Refining, Inc.
H.P. Hood Inc.
Telmark, Inc.
Empire Cheese Co., Inc.
Merchants Produce Co., Inc.
Mid-State Potato Distributors
Seedway Inc.
Curtice-Burns Foods, Inc.
Comstock Foods
Comstock Michigan Fruit Division
Nalley's Fine Foods
Lucca Packing Div., Nalley's Fine Foods
National Brands Beverage Div.
National Oats Co.
Snyder Potato Chips
Southern Frozen Foods
Farman's Pickle Company
Smoke Craft
Brooks Foods
Adams Natural Peanut Butter
Blevins Popcorn
Wilderness Foods
Calypso Foods
Tropic Isle
Southern States Financial Corp.
Southern States Underwriters
SSC Insurance Agency Inc.

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[14] If we receive numerous allocation claims, we may adopt a more general formula for calculating refunds based on alleged allocation violations.

ENVIRONMENTAL PROTECTION AGENCY

[FRL–3756–3]

Stratospheric Ozone Advisory Committee

ACTION: Announcement of advisory committee meeting.

SUMMARY: The next meeting of the U.S. Environmental Protection Agency (EPA) Federal Advisory Council on Stratospheric Ozone Protection (STOPAC) will be held on Tuesday, April 24, 1990. The meeting will take place from 9 a.m. to 12 p.m., at the Holiday Inn Capital, 550 C Street SW., Washington, DC. The public is invited to attend. Seating will be limited and will therefore be on a first come, first served basis.

The purpose of the meeting will be to provide an overview of the March 1990 Working Group meeting of the Parties to the Montreal Protocol and the scheduled May and June meetings on issues related to both financial assistance for developing countries and control measures. EPA's actions related to a domestic recycling program will also be discussed.

FOR FURTHER INFORMATION CONTACT: Karla Perri, at (202) 475–7496 or write to the Division of Global Change, Office of Air and Radiation, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Dated: April 9, 1990.

Robert Axelrad,

Acting Director, Office of Atmospheric and Indoor Air Programs.

[FR Doc. 90–8779 Filed 4–13–90; 8:45 am]
BILLING CODE 6560–50–M

FEDERAL RESERVE SYSTEM

Federal Open Market Committee; Domestic Policy Directive of February 6–7, 1990

In accordance with § 217.5 of its rules regarding availability of information, there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on February 6–7, 1990.[1] The directive was issued to the Federal Reserve Bank of New York as follows:

The information reviewed at this meeting suggests that economic activity is continuing to expand despite weakness in the industrial sector. Total nonfarm payroll employment increased substantially in January after growing at a reduced pace on average in previous months; a surge in the service-producing sector and a weather-related rebound in construction were only partly offset by a large decline in the manufacturing sector. The civilian unemployment rate was unchanged at 5.3 percent. Partial data suggest that industrial production in January was appreciably below its average in the fourth quarter. Adjusted for inflation, strong gains in consumer spending on services in the fourth quarter offset declines in consumers purchases of goods, especially motor vehicles. Unusually cold weather depressed housing starts appreciably in December, and residential construction in the fourth quarter was little changed from its third-quarter level. Business capital spending, adjusted for inflation, declined in the fourth quarter as a result of lower expenditures on motor vehicles and strike activity in the aircraft industry; spending on other types of capital goods was strong, however, and new orders for equipment picked up toward the end of the year. The nominal U.S. merchandise trade deficit widened in October-November from the third-quarter rate. Consumer prices had risen somewhat more rapidly toward the end of 1989, and prices of food and energy apparently increased substantially further in January. The latest data on labor compensation suggest no significant change in prevailing trends.

Interest rates have risen in intermediate- and long-term debt markets since the Committee meeting on December 18–19; in short-term markets, the federal funds rate has declined, and other short-term rates show mixed changes over the period. In foreign exchange markets, the trade-weighted value of the dollar in terms of the other G–10 currencies declined further over the intermeeting period; most of the depreciation was against the German mark and related European currencies, and there was little change against the yen.

Growth of M2 slowed in January, almost entirely reflecting a drop in transaction deposits. Growth of M3 also slowed in January as assets of thrift institutions and their associated funding needs apparently continued to contract. For the year 1989, M2 expanded at a rate a little below the middle of the Committee's annual range, and M3 grew at a rate slightly below the lower bound of its annual range.

The Federal Open Market Committee seeks monetary and financial conditions that will foster price stability, promote growth in output on a sustainable basis, and contribute

[1] Copies of the Record of policy actions of the Committee for the meeting of February 6–7, 1990, are available upon request to The Board of Governors of the Federal Reserve System, Washington, DC 20551.

to an improved pattern of interntional transactions. In furtherance of these objectives, the Committee at this meeting established ranges for growth of M2 and M3 of 3 to 7 percent and 2½ to 6½ percent respectively, measured from the fourth quarter of 1989 to the fourth quarter of 1990. The monitoring range for growth of total domestic non-financial debt was set at 5 to 9 percent for the year. The behavior of the monetary aggregates will continue to be evaluated in the light of progress toward price level stability, movements in their velocities, and developments in the economy and financial markets.

In the implementation of policy for the immediate future, the Committee seeks to maintain the existing degree of pressure on reserve positions. Taking account of progress toward price stability, the strength of the business expansion, the behavior of the monetary aggregates, and developments in foreign exchange and domestic financial markets, slightly greater reserve restraint or slightly lesser reserve restraint would be acceptable in the intermeeting period. The contemplated reserve conditions are expected to be consistent with growth of M2 and M3 over the period from December through March at annual rates of about 7 and 3½ percent respectively. The Chairman may call for Committee consultation if it appears to the Manager for Domestic Operations that reserve conditions during the period before the next meeting are likely to be associated with a Federal funds rate persistently outside a range of 6 to 10 percent.

By order of the Federal Open Market Committee, April 9, 1990.

Normand Bernard,

Assistant Secretary, Federal Open Market Committee.

[FR Doc. 90–8721 Filed 4–13–90; 8:45 am]

BILLING CODE 6210–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 90F–0115]

General Foods USA; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that General Foods USA has filed a petition proposing that the food additive regulations be amended to include the use of aspartame in all nonalcoholic beverages where it is not currently permitted.

FOR FURTHER INFORMATION CONTACT: Carl L. Giannetta, 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) (21 U.S.C. 348(b)(5))), notice is given that General Foods USA, 250 North St., White Plains, NY 10625, has filed a petition (FAP OA4198) proposing that § 172.804 *Aspartame* (21 CFR 172.804) be amended to include the safe use of aspartame in all nonalcoholic beverages where it is not currently permitted.

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: April 5, 1990.

Douglas L. Archer

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90–8735 Filed 4–13–90; 8:45 am]

BILLING CODE 4160–01–M

[Docket No. 90F–0116]

Minnesota Mining and Manufacturing Co.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Minnesota Mining and Manufacturing Co. has filed a petition seeking to amend the food additive regulations to permit the additional use of ammonium bis(*N*-ethyl-2-perfluoroalkylsulfonamido ethyl) phosphates in contact with nonalcoholic foods at high temperatures, including the use in microwave heat susceptor packaging.

FOR FURTHER INFORMATION CONTACT: Edward J. Machuga, 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: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition FAP OB4197 has been filed by Minnesota Mining and Manufacturing Co., 3M Center, St. Paul, MN 55144–1000, proposing that the food additive regulations be amended to permit the additional use of ammonium bis(*N*-ethyl-2-perfluoroalkylsulfonamido ethyl) phosphates in contact with nonalcoholic foods at high temperatures, including the use in microwave heat susceptor packaging.

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: April 5, 1990.

Douglas L. Archer,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90–8736 Filed 4–13–90; 8:45 am]

BILLING CODE 4160–01–M

Advisory Committees; Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also summarizes the procedures for the meetings and methods by which interested persons may participate in open public hearings before FDA's advisory committees.

MEETINGS: The following advisory committee meetings are announced:

Fertility and Maternal Health Drugs Advisory Committee

Date, time, and place. May 3 and 4, 1990, 9 a.m., Conference rms. D and E, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and contact person. Open public hearing, May 3, 1990, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 5 p.m.; open committee discussion; May 4, 1990, 9 a.m. to 3 p.m.; Philip A. Corfman, Center for Drug Evaluation and Research (HFD–510), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3510.

General function of the committee. The committee reviews and evaluates available data on the safety and effectiveness of marketed and investigational human drugs for use in the practice of obstetrics and gynecology.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally in writing, on issues pending before the committee Those desiring to make formal presentations should notify the contact

person before April 18, 1990, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss the bioequivalence of conjugated estrogens.

Dental Products Panel

Date, time, and place. May 17, 1990, 9 a.m., First Floor Conference rm., Piccard Bldg., 1390 Paccard Dr., Rockville, MD.

Type of meeting and contact person. Open public hearing, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 4 p.m.; Gregory Singleton, Center for Devices and Radiological Health (HFZ–470), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301–427–1160.

General function of the committee. The committee reviews and evaluates available data on the safety and effectiveness of devices and makes recommendations for their regulation. Reviews and evaluates data concerning the safety and effectiveness of over-the-counter (OTC) drug products for human use and makes appropriate recommendations to the Commissioner of Food and Drugs.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before May 1, 1990, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss a premarket approval application for a periodontal test kit.

Gastrointestinal Drugs Advisory Committee

Date, time, and place. May 24 and 25, 1990, 9 a.m., Conference rms. D and E, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and contact person. Open public hearing, May 24, 1990, 9 a.m. to 10 a.m., unless public participation does not last that long; open committee discussion, 10 a.m. to 5 p.m.; open committee discussion, May 25, 1990, 9 a.m. to 5 p.m.; Joan C. Standaert, Center for Drug Evaluation and Research (HFD–180), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4730 or 419–259–6211.

General function of the committee. The committee reviews and evaluates data on the safety and effectiveness of marketed and investigational human drugs for use in gastrointestinal diseases.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before May 10, 1990, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. On May 24, 1990, the committee will discuss Zofran, ondansetron HC1, new drug application (NDA) 20–007, Glaxo, Inc., to be indicated for the prevention of nausea and vomiting associated with emetogenic cancer chemotherapy, incuding high-dose cis-platin and multi-day cis-platin. On May 25, 1990, the committee will discuss Losec, omeprazole, delayed release capsules, NDA 19–810, Merck and Co., to be indicated for the short-term treatment of poorly responsive active duodenal ulcers.

FDA public advisory committee meetings may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed commitee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. There are no closed portions for the meetings announced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this **Federal Register** notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

Details on the agenda, questions to be addressed by the committee, and a current list of committee members are available from the contact person before and after the meeting. Transcripts of the open portion of the meeting will be available from the Freedom of Information Office (HFI–35), Food and Drug Administration, rm. 12A–16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 a.m. and 4 p.m., Monday through Friday. Summary minutes of the open portion of the meeting will be available from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

This notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: April 10, 1990

Alan L. Hoeting,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 90–8737 Filed 4–13–90; 8:45 am]

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