

(b) *Competency.* All staff and fee evaluators, including appraisers, performing evaluations in connection with real, personal, or intangible property taken as collateral in connection with extensions of credit must meet the qualification requirements of this subpart. However, an evaluator may not be considered competent solely by virtue of being certified, licensed, or accredited. Any determination of competency shall be based on the individual's experience and educational background as they relate to the particular evaluation assignment for which such individual is being considered.

Subpart L—Actions on Applications; Review of Credit Decisions

3. Section 614.4440 is revised by redesignating paragraphs (f), (g), and (h) as new paragraphs (g), (h), and (i), respectively, and adding a new paragraph (f) to read as follows:

§ 614.4440 Definitions.

(f) *Independent evaluator*, for the purposes of this subpart, means an individual who is a qualified evaluator and who satisfies the standards established by § 614.4260 of subpart F of this part and by the Farm Credit System institution for the type of property to be evaluated.

The independent evaluator may not be a Farm Credit System institution employee or have a relationship with the institution or any of its officers or directors that contravenes the provisions of part 612, subpart B of this chapter.

4. Section 614.4443 is amended by revising paragraph (c) to read as follows:

§ 614.4443 Review process.

(c) *Independent collateral evaluations.*

(1) An applicant for a loan, or a borrower who has applied for a restructuring, may, as part of the request for a review, request an independent collateral evaluation by an independent evaluator, as defined in § 614.4440 of this subpart, of any interests in property securing the loan (other than the stock or participation certificates of the lender held by the borrower). Within 30 days after a request for a collateral evaluation, the credit review committee shall present the applicant or borrower with a list of three independent evaluators approved by the qualified lender, and the borrower shall select

and engage the services of an evaluator from the list to conduct the collateral evaluation, the cost of which shall be borne by the applicant or borrower. The credit review committee shall consider the results of any such collateral evaluation in any final determination with respect to the loan or restructuring provided the applicant's or borrower's evaluator has provided a copy of the evaluation report to the lender not less than 15 business days prior to any scheduled meeting of the credit review committee, and

(2) Any such collateral evaluations that are not completed in conformance with the collateral evaluation requirements described in subpart F of this part relative to collateral evaluation standards, independence requirements, and qualification requirements need not be considered by the credit review committee. To facilitate the proper completion of such collateral evaluations, a copy of part 614, subpart F, of these regulations shall be provided to the borrower for presentation to the borrower's evaluator, and a copy signed by the borrower's evaluator shall be a required exhibit in the subsequent evaluation report.

* * * * *

Dated: November 12, 1992.

Curtis M. Anderson,
Secretary, Farm Credit Administration Board.
[FR Doc. 92-27961 Filed 11-19-92; 8:45 am]
BILLING CODE 6705-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 172

[Docket No. 90F-0045]

Food Additives Permitted For Direct Addition to Food For Human Consumption: Food Starch-Modified

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of modified food starch prepared using alpha-amylase. This action is in response to a petition filed by the Grain Processing Corp.

DATES: Effective November 20, 1992; objections by December 21, 1992.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug

Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vincent E. Zenger, Center for Food Safety and Applied Nutrition (HFF-333), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9523.

SUPPLEMENTARY INFORMATION: In a notice published in the *Federal Register* of March 19, 1990 (55 FR 10113), FDA announced that a food additive petition (FAP 9A4153) had been filed by the Grain Processing Corp., 1600 Oregon St., P.O. Box 349, Muscatine, IA 52761, proposing that food-starch modified (21 CFR 172.892) be amended to provide for the safe use of alpha-amylase to treat modified food starch. In fact, the food additive under review is modified food starch, not alpha-amylase. Thus, the petition requested, and the agency evaluated, the safety of the use of modified food starch prepared using alpha-amylase.

FDA has evaluated data in the petition and other relevant material. The agency concludes that modified food starch prepared using alpha-amylase is safe and that § 172.892(h) should be amended and a new paragraph (i) should be added as set forth below. The agency also concludes that alpha-amylase should more properly be identified as "alpha-amylase (International Union of Biochemistry Enzyme Commission [E.C. 3.2.1.1.])."

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. FDA 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.

Any person who will be adversely affected by this regulation may at any time on or before December 21, 1992, 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 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, Reporting and recordkeeping requirements.

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, 21 CFR 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, 401, 402, 409, 701, 706 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 348, 371, 376).

2. Section 172.892 is amended in paragraph (h) by removing the phrase "paragraphs (a) and/or (b)" and adding in its place "paragraphs (a), (b), and/or (i)", and by adding new paragraph (i) to read as follows:

§ 172.892 Food starch—modified.

* * * * *

(i) Food starch may be modified by treatment with the following enzyme:

Enzyme	Limitations
Alpha-amylase (E.C. 3.2.1.1).	The enzyme must be generally recognized as safe or approved as a food additive for this purpose. The resulting nonsweet nutritive saccharide polymer has a dextrose equivalent of less than 20.

Dated: October 27, 1992.

Douglas L. Archer,
Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-28178 Filed 11-19-92; 8:45 am]

BILLING CODE 4160-01-F

21 CFR Part 178

[Docket No. 90F-0217]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of decanoic acid, nonanoic acid, phosphoric acid, propionic acid and sodium 1-octanesulfonate, and sulfuric acid as an optional ingredient, as components of a sanitizing solution to be used on food-processing equipment and utensils, including dairy-processing equipment. This action responds to a petition filed by West Agro, Inc.

DATES: Effective November 20, 1992; written objections and requests for a hearing by December 21, 1992.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Sandra L. Varner, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9511.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of July 30, 1990 (55 FR 30983), FDA announced that a food additive petition (FAP 0B4203) had been filed by West Agro, Inc., 11100 North Congress Ave., Kansas City, MO 64153-1222, proposing that § 178.1010 *Sanitizing solutions* (21 CFR 178.1010) be amended to provide for the safe use of decanoic acid, nonanoic acid, phosphoric acid, propionic acid and sodium 1-

octanesulfonate, and sulfuric acid as an optional ingredient, as components of a sanitizing solution to be used in contact with food.

I. Safety and Functional Effect of Petitioned Use of the Additives

Sanitizing solutions are regulated as mixtures of chemicals which function together to sanitize food-contact surfaces. Each listed component in a sanitizing solution has a functional effect. In addition, FDA regulations permit the addition to a sanitizing solution of any component that is generally recognized as safe (GRAS) (§ 178.1010(b)). The subject sanitizing solution contains decanoic acid, nonanoic acid, phosphoric acid, propionic acid and sodium 1-octanesulfonate, and sulfuric acid as an optional ingredient. The function of each component and the basis for FDA's determination of the safety of each component in the subject sanitizer are described below.

A. Decanoic Acid

Decanoic acid functions as an antimicrobial agent in the subject sanitizing solution. Decanoic acid is listed as a component in regulated sanitizing solutions under § 178.1010(b)(27), (b)(35), and (b)(36). On the basis of the data submitted in support of these already regulated uses and the data contained in the food additive petition submitted in support of this sanitizing solution, FDA finds that the use of decanoic acid is safe in the subject sanitizing solution.

B. Nonanoic Acid

Nonanoic acid functions as an antimicrobial agent in the subject sanitizing solution. Nonanoic acid is regulated for use as a direct food additive under 21 CFR 172.515. On the basis of the data submitted in support of this already regulated use and the data contained in the food additive petition submitted in support of this sanitizing solution, FDA finds that the use of nonanoic acid in the subject sanitizing solution is safe.

C. Phosphoric Acid

Phosphoric acid functions as an acidulant in the subject sanitizing solution. Phosphoric acid is listed as GRAS under 21 CFR 182.1073. It is also regulated for use in several sanitizing solutions under § 178.1010. On the basis of the data submitted in support of these already regulated uses, the data contained in the food additive petition submitted in support of this sanitizing solution, and other available data, FDA

finds that the use of phosphoric acid in the subject sanitizing solution is safe.

D. Sodium 1-octanesulfonate

Sodium 1-octanesulfonate functions as a solubilizing and emulsifying agent in the subject sanitizing solution. Sodium 1-octanesulfonate is listed as a component in a regulated sanitizing solution under § 178.1010(b)(27). On the basis of the data submitted in support of this already regulated use and the data contained in the food additive petition submitted in support of this sanitizing solution, FDA finds that the use of sodium 1-octanesulfonate in the subject sanitizing solution is safe.

E. Propionic Acid

Propionic acid functions as a solubilizing agent for the fatty acids in the subject sanitizing solution. Propionic acid is listed as GRAS under 21 CFR 184.1081. On the basis of the data contained in the food additive petition submitted in support of this sanitizing solution and other available data, FDA finds that the use of propionic acid in the subject sanitizing solution is safe.

F. Sulfuric Acid

Sulfuric acid is listed as an optional ingredient that functions as an acidulant. It may optionally be used in the place of a portion of the phosphoric acid. Sulfuric acid is listed as GRAS under 21 CFR 184.1095. On the basis of the data contained in the food additive petition submitted in support of this sanitizing solution and other available data, FDA finds that the use of sulfuric acid in the subject sanitizing solution is safe.

G. Conclusion on Safety

FDA has evaluated the data in the petition and other relevant materials. On the basis of this evaluation, the agency concludes that these data and materials establish the safety of the level of use and the effectiveness of the additive as a sanitizing solution, and that the regulations should be amended in § 178.1010 as set forth below. The agency also finds that the data in this petition support the use of the subject sanitizing solution on dairy-processing equipment as well as on other food processing equipment and utensils.

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 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.

II. Environmental Impact

The agency has carefully considered the potential environmental effects of this action. FDA 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.

III. Objections

Any person who will be adversely affected by this regulation may at any time on or before December 21, 1992, 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 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 178

Food additives, Food packaging. 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, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 706 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 376).

2. Section 178.1010 is amended by adding new paragraphs (b)(42) and (c)(37) to read as follows:

§ 178.1010 Sanitizing solutions.

* * * * *

(b) * * *

(42) An aqueous solution containing decanoic acid (CAS Reg. No. 334-48-5), nonanoic acid (CAS Reg. No. 112-05-0), phosphoric acid (CAS Reg. No. 7664-38-2), propionic acid (CAS Reg. No. 79-09-04), and sodium 1-octanesulfonate (CAS Reg. No. 5324-84-5). Sulfuric acid (CAS Reg. No. 7664-93-9) may be added as an optional ingredient. In addition to use on food-processing equipment and utensils, this solution may be used on dairy-processing equipment.

(c) * * *

(37)(i) The solution identified in paragraph (b)(42) of this section not containing sulfuric acid shall provide when ready for use not less than 45 parts per million and not more than 90 parts per million of decanoic acid; and all components shall be present in the following proportions (weight/weight (w/w)): 1 part decanoic acid to 1 part nonanoic acid to 9.5 parts phosphoric acid to 3.3 parts propionic acid to 3.3 parts sodium 1-octanesulfonate.

(ii) The solution identified in paragraph (b)(42) of this section containing sulfuric acid shall provide when ready for use not less than 45 parts per million and not more than 90 parts per million of decanoic acid; and all components shall be present in the following proportions (w/w): 1 part decanoic acid to 1 part nonanoic acid to 2.8 parts phosphoric acid to 3.3 parts propionic acid to 3.3 parts sodium 1-octanesulfonate to 3.2 parts sulfuric acid.

* * * * *

Dated: October 26, 1992.

Fred R. Shank,
Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 92-28179 Filed 11-19-92; 8:45 am]
BILLING CODE 4160-01-F