

Beach Harbor Department ("Respondent"). Complainants allege that Respondent has violated sections 10 (d)(1), and (b)(12) of the Shipping Act of 1984, 46 U.S.C. app. 1709 (d)(1) and (b)(12), by instituting and enforcing procedures for identifying and collecting damages to berthing premises and by reinstating vicarious liability upon agents for physical loss and damage claims in breach of the settlement agreement and in violation of the Commission's final order approving said settlement agreement in Commission Docket No. 83-48.

This proceeding has been assigned to Administrative Law Judge Norman D. Kline ("Presiding Officer"). Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the Presiding Officer in this proceeding shall be issued by October 11, 1991, and the final decision of the Commission shall be issued by February 10, 1992.

Joseph C. Polking,
Secretary.

[FR Doc. 90-24361 Filed 10-16-90; 8:45 am]
BILLING CODE 6730-01-M

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Employee Thrift Advisory Council; Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), a notice is hereby given of the following committee meeting:

Name: Employee Thrift Advisory Council.

Time and date: 10 a.m., October 30, 1990.

Place: Fifth Floor Conference Room, Federal Retirement Thrift Investment Board, 805 Fifteenth Street, NW., Washington, DC.

Status: Open

Matters to be considered: Approval of the minutes of the July 10, 1990, meeting; report of the Executive Director on the status of the Thrift Savings Plan; changes in, and distribution of, new

Thrift Savings Plan materials; status of Voice Response System (VRS); status of implementation of new legislation and regulations; and new business.

Any interested person may attend, appear before, or file statements with the Council. For further information contact John J. O'Meara, Committee Management Officer, on (202) 523-6367.

Dated: October 12, 1990.

Francis X. Cavanaugh,
Executive Director.

[FR Doc. 90-24476 Filed 10-16-90; 8:45 am]
BILLING CODE 6710-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

ENVIRONMENTAL PROTECTION AGENCY

[ATSDR-27]

Fourth List of Hazardous Substances That Will Be the Subject of Toxicological Profiles

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Public Health Service (PHS), Department of Health and Human Services (DHHS), and Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), as amended by the Superfund Amendments and Reauthorization Act (SARA), establishes certain requirements for ATSDR (of DHHS) and EPA with regard to hazardous substances that are most commonly found at facilities on the CERCLA National Priorities List (NPL). Section 104(i)(2) of CERCLA (42 U.S.C. 9604(i)(2)) requires the two agencies to prepare a list of at least 100 hazardous substances most commonly found at NPL sites or facilities that pose the most significant potential threat to human health (52 FR 12866, April 17, 1987). CERCLA also requires the agencies to revise the priority list to include 100 or more additional hazardous substances (53 FR 41280, October 20, 1988), and to include at least 25 additional hazardous substances in each of the three successive years following the 1988 revision (54 FR 43615, October 26, 1990).

This notice contains the required list of 25 additional substances and provides a summary of the procedure used to generate this list. The ATSDR is

developing a data base containing additional information on the frequency of occurrence of substances at NPL sites and potential for human exposure at these sites. The agencies intend to revise the algorithm used in the ranking activity in order to incorporate new information. The lists of hazardous substances will be reevaluated using the revised algorithm and the substances will be re-ranked if appropriate. Upon completion, the list that results from this evaluation will be published in the Federal Register.

ADDRESSES: Comments on this notice should bear the docket control number [ATSDR-27], and should be submitted to:

ATSDR, Division of Toxicology, Mail Stop E-29, 1600 Clifton Rd., NE., Atlanta, GA 30333.

All comments will be placed in a publicly accessible docket; therefore please do not send confidential business information.

FOR FURTHER INFORMATION CONTACT: The Division of Toxicology, ATSDR, Atlanta, GA 404-639-6000 or FTS 236-6000.

LIST OF SUBSTANCES: The following newly listed 25 hazardous substances are shown in the order of their Chemical Abstract Service (CAS) numbers.

CAS Number	Name of compound (Synonym)
50-31-7	Trichlorobenzene.
71-36-3	1-Butanol (n-Butyl alcohol).
77-73-6	Dicyclopentadiene.
87-61-6	1,2,3-Trichlorobenzene.
88-85-7	2-sec-Butyl-4,6-dinitrophenol (Dinoseb).
95-94-3	1,2,4,5-Tetrachlorobenzene.
98-82-8	1-(methylene)-benzene (Cumene).
99-65-0	1,3-Dinitrobenzene.
99-99-0	4-Nitrotoluene.
00-44-7	Benzyl chloride.
103-65-1	n-Propyl benzene.
106-48-9	4-Chlorophenol.
107-92-6	Butanoic acid (Butyric acid).
108-60-1	Bis(2-chloro-1-methylethyl) ether.
109-06-8	2-Methylpyridine.
110-00-9	Furan.
121-69-7	Dimethyl aniline (N,N-Dimethylaniline).
123-86-4	n-Butyl acetate (Acetic acid, butyl ester).
141-78-6	Ethyl acetate (Acetic acid, ethyl ester).
622-97-9	p-Methyl styrene.
637-50-3	Propenyl benzene.
3268-87-9	Octachlorodibenzo-p-dioxin.
7647-10-0	Hydrochloric acid.
7664-38-2	Phosphoric acid.
39638-32-9	Bis(2-chloroisopropyl) ether.

SUPPLEMENTARY INFORMATION:

I. Background

Section 104(i) of CERCLA (42 U.S.C. 9604(i)), as amended, requires the preparation of: (1) A list of hazardous substances found at NPL sites (in order

of priority, (2) toxicological profiles of those substance, and (3) the initiation of a research program to fill data gaps associated with the substances.

A priority list of the first 100 substances was published (52 FR 12866, April 17, 1987), with a short summary of the procedure used by ATSDR and EPA to compile the list. In that notice, the agencies solicited public comment on the approach adopted for evaluating and ranking hazardous substances found at NPL sites, and announced the intention to refine the listing process in response to these comments and ongoing efforts by the agencies to improve the listing process.

A second priority list of 100 additional substances was published (53 FR 41280, October 20, 1988). At that time, the procedure used to prepare the second priority list was summarized.

For the most part, the same procedure was used in the activity initiated to generate the third list of 25 substances (54 FR 43615, October 26, 1989) and the fourth list of 25 substances that appears in this notice. The approach used in the activity initiated to generate the third and fourth lists is summarized below.

ATSDR and EPA solicit public comment on this approach; such comments should be submitted in accordance with the instructions given in this notice. ATSDR and EPA will continue to seek improvements in the listing process as future revisions of the list are prepared. All comments previously received are in the public file for this notice. A more detailed description of the revised listing methodology is contained in support documents which have been placed in the public file and are available for public review (see unit V of this notice).

II. Review of Methodology for Selecting Substances on the First List

A. General Approach for the First List

To obtain the first list of 100 hazardous substances, ATSDR and EPA defined a subset of the 717 hazardous substances which formed the CERCLA list (under section 102 of CERCLA). The subset was defined as those hazardous substances which EPA has identified at National Priorities List (NPL) sites. To rank the substances within this subset, three criteria were considered: (1) Toxicity, (2) frequency of occurrence at NPL sites or facilities, and (3) potential for human exposure. These criteria reflect the requirements of section 104(i)(2) of CERCLA (42 U.S.C. 9604(i)(2)). To develop a detailed ranking system employing these criteria, ATSDR and EPA first reviewed a number of hazard scoring systems for

their applicability to the ranking criterion of toxicity. From all the approaches considered, the Reportable Quantity (RQ) scoring scheme was selected for ranking toxicity of the 100 priority substances. The RQ scoring scheme is described in several Federal Register documents (50 FR 13456, April 4, 1985; 51 FR 34534, September 29, 1986; and 52 FR 8140, March 16, 1987).

The second criterion used by ATSDR and EPA to prepare the first priority list of hazardous substances was the frequency of occurrence at NPL sites. Data from the Contract Laboratory Program (CLP) statistical data base was used for determining frequency of occurrence. The CLP is an EPA program which provides a range of chemical analysis services at hazardous waste sites. The CLP statistical data base represents a random, stratified sample of sites and waste samples from those sites that were analyzed under CLP Routine Analytical Services (RAS) contracts from 1980 to 1984. The data base provides information on the percentage of sites at which a substance was detected at least once in any medium (i.e., frequency of occurrence) and the average and range of concentration for each medium or matrix (e.g., soil, ground water, drums).

The third criterion used to prepare the first priority list of hazardous substances was the potential for human exposure. ATSDR and EPA evaluated various sources of data associated with this criterion, and selected the CLP survey data to derive a rough estimate of potential for human exposure to hazardous substances at NPL sites. Three types of exposure-related data from the CLP survey were used: the average concentration of the candidate substances detected in ground water and surface water across the 358 NPL sites included in the CLP survey; the frequency detection of those substances in ground water and surface water across the 358 sites; and whether the substances has been selected for detailed exposure and risk assessment at Superfund Remedial sites.

B. Generation of the First List

Using the ranking factors described above, as well as some minor criteria, ATSDR and EPA developed an algorithm incorporating these criteria to calculate a hazard index value for each candidate substance. This algorithm served as the basis for generating the rank of the first 100 substances.

The starting point for the hazard index calculation was the subset of hazardous substances which EPA had identified at NPL sites based on the site percent data from the CLP survey. The

agencies divided the site percent data value for each substance (representing frequency of occurrence) by the lowest RQ value for the substance (based on acute toxicity, chronic toxicity, or potential carcinogenicity) to generate a site index for each substance. ATSDR and EPA ranked the candidate substances based on their site indices. The agencies then calculated an exposure index for each substance by ranking them based on the three exposure-related factors (with each factor receiving equal weight). The final step in the algorithm was to combine the site index rank and the exposure index value to obtain a hazard index for each substance. The substances were prioritized based on their hazard indices.

For purposes of assessing hazardous substances in toxicity profiles, ATSDR and EPA combined some of the candidate substances into groups. If substances are stereoisomers of one another, are readily metabolized to other substances on the list, or generally are characterized as mixtures with respect to toxicity and/or frequency of occurrence, they were grouped together and occupy only one position on the priority list. Examples of these types of substances include: heptachlor and heptachlor epoxide; endrin and endrin aldehyde; and PCBs.

III. Methodology for Selecting Substances on the Second, Third, and Fourth Lists

A. Bases for Improvements in Methodology for Selecting Substances

After publication of the first priority list of hazardous substances, ATSDR and EPA solicited public comment and conducted critical reviews of the above-described prioritizing method in order to identify potential improvements. The procedure used to generate the second 100 substances was a modified version of that used to rank the first 100. The modifications reflect an effort to: (1) Improve data acquisition for data-poor substances of the second list, and (2) adapt the method to data sources that provide a more complete description of exposure to substances found at NPL sites. The ranking algorithm used to generate the third and fourth lists is the same version as that used for the second list. However, several new sources of exposure and frequency of occurrence data were used as inputs for the algorithm.

B. Determination of the Frequency of Occurrence Criterion of the Ranking Methodology

In the procedure for selection of the first 100 priority substances, the number of NPL sites at which a substance is found was estimated from the CLP statistical data base. For selection of the second 100 priority substances, two additional estimates of frequency of occurrence were employed, the NPL technical (NPLt) data base, and the CLP Special Analytical Services (SAS) data base. For the development of the third and fourth lists, the View data base (described below) was substituted for NPLt, and the CLP Analytical Results data base (CARD) was added to supplement the CLP statistical data base (described above). The View, CARD, and SAS data bases are described below.

The View data base has been developed by ATSDR's Exposure and Disease Registry Branch (EDRB) for use in selecting sites for Exposure Registry development. View is built upon EPA's NPLt data base supplemented with information from ATSDR Health Assessment and Health Consultation documents. View currently contains updated verified frequency of occurrence data for all of the 1,177 NPL sites. The View data base was used as a replacement for the NPLt data base as a source of frequency of occurrence data for the algorithm.

CARD contains information generated by recent CLP Routine Analytical Services (RAS) contracts. Only CARD data from NPL sites was used as a source of frequency of occurrence data for the algorithm.

The final source of additional information used to estimate frequency of occurrence was the SAS data base. This data base contains information on the occurrence of substances which do not appear in the CLP statistical data base for methodological reasons. Most of the information in the CLP statistical data base is obtained under the RAS program, in which samples submitted for analysis are screened for certain target chemicals; additional substances are then determined by matching their mass spectra to known standards. A request for determination of a substance under SAS may occur when there is reason to believe that a specific hazardous compound is present in a sample at a concentration below the detection limit of the RAS, or when there is reason to believe that a specific hazardous substance which is not a target substance may be present in a sample.

The SAS data files were examined to identify substances with five or more

requests for SAS which are not present in the CLP statistical data base. Those substances were then examined further to determine the number of NPL sites at which the substance had actually been detected. This number was then divided by the total number of NPL sites to obtain a site percent frequency.

The overall site percent value used for a particular substance was the highest of the CLP statistical data base site percent (as determined by either RAS or SAS data), the View data base site percent, and the CARD site percent.

C. Determination of the Exposure Component of the Ranking Methodology

For the preparation of the second list, ATSDR and EPA expanded the bases for evaluating the potential for human exposure to the priority substances in two ways: (1) By considering the air and soil as additional routes of potential exposure, and (2) by considering additional data bases reflecting the potential for human exposure to the substances.

The potential for exposure to candidate substances through soil was considered by incorporating data on soil concentrations from the CLP statistical data base in the calculation of an exposure index for each substance. To estimate the potential for air exposure, ATSDR and EPA used an indirect method, since no data are readily available on actual air concentrations of the candidate substances at NPL sites. Retention time on a gas chromatography column was used to estimate the potential for air migration since these values correlate positively with boiling point, which in turn correlates negatively with volatility. For the development of the third and fourth lists, the agencies used boiling points as a correlate of potential for air migration because they were more readily available for the substances to be ranked. The potential for air exposure was included in the calculation of an overall exposure index.

Exposure potential also was represented in the second 100 ranking procedure through the incorporation of eight separate data sources. The data sources used were:

CLP statistical data base (CLPs)
NPL Technical data base (NPLt)
National Human Adipose Tissue Survey (NHATS)
Department of Transportation Hazardous Materials Information System (DOT/HMIS)
Acute Hazardous Events data base (AHE)
National Response Center data base (NRC)
Removal Tracking System data base (RTC)
NEXIS

This source list was modified for the development of the third and fourth lists

to exclude NPLt and include the following additional sources:

CLP Analytical Results data base (CARD)
View data base
Toxic Release Inventory (TRI)

Information from these sources was incorporated in one of two ways: (1) As part of the water, soil and air exposure potential rank (boiling point, and CARD and CLP concentration data) or (2) as a weighting factor applied to the overall exposure rank (NHATS, DOT/HMIS, AHE, NRC, NEXIS, RTS, TRI). When no NPL site soil or water concentration data were available to determine the exposure potential rank, information on frequency of occurrence at sites was used as an alternate. The ten data bases used to estimate exposure potential in the activity initiated to generate the third and fourth lists are described below.

CLP Statistical Data Base

The CLPs contains data on the frequency of occurrence and media concentration of chemicals found at NPL and other hazardous waste sites. The data base was derived from CLP Routine Analytical Service (RAS) analyses and contains concentrations of specific chemicals found in soil, ground water, and surface water from a subset of the total NPL sites. Only the information from NPL sites was used to estimate exposure potential in the activity initiated to generate the third and fourth lists.

National Human Adipose Tissue Survey

The NHATS data base contains chemical analysis data of human adipose tissue collected from individuals in hospitals across the United States. Information is available for 372 substances, derived from 800 individual adipose tissue samples that were pooled into 46 composite samples (approximately 17 individual samples per composite). This data base gives some indication of the degree to which the population of the United States has been exposed to the substances detected. The ATSDR and EPA considered occurrence of a substance in human tissue to be an indication of potential for significant human exposure, and therefore assigned greater weight to the exposure index for such substances.

Department of Transportation Hazardous Materials Information System

The DOT/HMIS data base contains information concerning accidental release of hazardous substances during transportation. A written report must be

submitted to HMIS within 15 days of the accidental release. The reports contain an identification of the substance released and an accounting of any injuries or fatalities resulting from the release. The ATSDR and EPA considered occurrence of a substance in the HMIS data base to be an indication of potential for significant human exposure at facilities on the NPL, and therefore ATSDR and EPA assigned greater weight to the exposure index for such candidate substances.

Acute Hazardous Events Data Base

The AHE data base was developed by the EPA, following the tragic release of a toxic substance in Bhopal, India, to provide information concerning sudden, accidental releases of toxic chemicals in the United States. The main purpose of the data base is to characterize the kinds of events releasing acutely toxic substances, the substances involved, and the causative factors leading to their release. The ATSDR and EPA considered occurrence of a substance in the AHE data base to be an indication of potential for significant human exposure at facilities on the NPL; therefore, ATSDR and EPA assigned greater weight to the exposure index for such candidate substances.

National Response Center Data Base

The NRC data base contains information concerning hazardous substance releases exceeding the RQ, pipeline failures and certain transportation incidents involving hazardous substances, and certain releases of toxic or flammable gases. ATSDR and EPA considered the occurrence of a candidate substance in this data base for any releases that resulted in death, injury, or evacuation, to be an indication of potential for significant human exposure at facilities on the NPL. Consequently the agencies increased the weight of the exposure index for any candidate substances listed in the NRC.

Removal Tracking System Data Base

The RTS data base describes activities undertaken to clean up a site under the Superfund removal program. It lists the materials of concern that triggered a removal action and frequently lists other major contaminants being addressed at a site. ATSDR and EPA considered that the occurrence of a candidate substance in this data base indicates potential for significant human exposure. Consequently the agencies increased the weight of the exposure index for any candidate substances listed in the RTS.

NEXIS

The NEXIS information system contains full-text articles reporting the release of toxic substances in over 125 newspapers, newsletters, and wire services. ATSDR and EPA considered the reporting in this data base of release of a candidate substance which led to human death, injury, or evacuation, to be a significant indicator of potential for significant human exposure at facilities on the NPL. Consequently, the agencies increased the weight of the exposure index for any such substance.

CLP Analytical Results Data Base

The CARD contains soil and water monitoring information generated by all CLP RAS contracts starting on or after January 1, 1988. Substance geometric mean soil and water concentration data from NPL sites in CARD was used to estimate exposure potential for development of the third and fourth lists.

View Data Base

The View data base is built upon EPA's NPLt data base supplemented with information from ATSDR Health Assessment and Health Consultation documents. View currently contains updated verified frequency of occurrence data for all of the 1,177 NPL sites.

Toxic Release Inventory

Section 313 of the Emergency Planning and Community Right-To-Know Act (also known as SARA title III) requires EPA to establish a computerized national data base of toxic chemical emissions from manufacturing facilities throughout the United States. This Toxic Release Inventory is a composite of over 70,000 submissions of toxic release inventory reports filed on section 313 chemicals. Industry is required to submit these forms annually to EPA and the states. The data currently available represent releases in 1987. Information in the data base includes quantitative estimates of releases to air, water, and soil, facility information including storage data, and waste treatment data. Reported release in the TRI data base were used to weight the exposure index for candidate substances.

D. Determination of the Toxicity Component of the Ranking Methodology

ATSDR and EPA decided to continue to use the Reportable Quantity (RQ) approach as a hazard scoring system, for the same reasons that guided its choice for the first and second priority list of hazardous substances. This approach provides the most complete

characterization of toxicity of all hazard scoring systems reviewed by the agencies.

The reportable quantity ranking scheme was developed by EPA to set RQs for hazardous substances as required by CERCLA. Each RQ category corresponds to a weight, in pounds, for which releases must be reported to the Coast Guard's NRC. Section 103 of CERCLA (42 U.S.C. 9603) requires immediate notification from any person in charge of a vessel or an offshore or onshore facility that releases an amount of a hazardous substance equal to or greater than its RQ. RQs are developed for individual chemicals and waste streams that have already been designed under CERCLA as hazardous substances.

Each CERCLA hazardous substance is assigned to one of five RQ categories based on chronic toxicity, acute toxicity, carcinogenicity, aquatic toxicity, and ignitability and reactivity. RQs are determined for each criterion separately, and the lowest of these is selected as the RQ for the substance. Only values for acute and chronic mammalian toxicity or carcinogenicity were considered for developing the third and fourth lists of 25 hazardous substances.

Some of the candidate hazardous substances have not yet been assigned RQ values. In these cases, the ATSDR and EPA used the expertise of EPA's Office of Toxic Substances (OTS) to evaluate the potential health hazards associated with new chemicals submitted to the Premanufacture Notice Program. OTS employs a panel of toxicologists to assign a level of concern for the potential for toxicity, based upon the available experimental data, physical-chemical properties, toxicities of analogous substances, and toxicities of possible metabolites of the substance, or the substance, or of substances analogous to possible metabolites. On this basis, the level of concern for potential toxicity was adjusted to a five-point scale to coincide with the five-point RQ scale. This value was then used to represent the RQ value in the ranking algorithm.

IV. Generation of the Third and Fourth Lists

The ATSDR and the EPA generated an algorithm to rank the hazard potential of each candidate substance. The starting point for the hazard index calculation was the subset of hazardous substances which EPA had identified at NPL sites by means of the View data base, the CARD, the CLPSD or the SAS data base. The agencies divided the site percent value for each substance

(representing frequency-of-occurrence) by the lowest RQ value for the substance (based on acute toxicity, chronic toxicity, or potential carcinogenicity) to generate a site index for each substance. ATSDR and EPA ranked the candidate substances based on their site indices, then calculated an exposure potential index for each substance. This index was based upon water concentration, soil concentration, and the boiling point of each substance, or frequency of occurrence (if no other information was available). The final step in the algorithm was to combine the site index rank and the exposure index value to obtain a hazard index for each candidate substance. The activity resulted in the ranking of substances; substances in the third and fourth lists were selected from this ranking. The fourth list of substances is composed of the 25 previously unlisted substances which have the highest hazard potential based on their hazard indices.

The algorithm for calculating the hazard index is described in greater detail in the support document of this notice, which is contained in the public file.

V. Administrative Record

ATSDR and EPA are establishing a single administrative record entitled ATSDR-27 for materials pertaining to this notice. All materials received as a result of this notice will be included in the public file which is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays, at the Agency for Toxic Substances and Disease Registry, Building 33, Executive Park Drive, Atlanta, GA.

For the Agency for Toxic Substances and Disease Registry.

Dated: September 27, 1990.

William L. Roper,

Administrator, Agency for Toxic Substances and Disease Registry.

For the Environmental Protection Agency
Linda J. Fisher,

Assistant Administrator, Office of Pesticides and Toxic Substances.

[FR Doc. 90-24362 Filed 10-16-90; 8:45 am]

BILLING CODE 4160-70-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 90P-0271]

Eggnog Deviating From Identity Standard; Temporary Permit for Market Testing

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a temporary permit has been issued to Pevely Dairy Co. to market test a product designated as "light eggnog" that deviates from the U.S. standard of identity for eggnog (21 CFR 131.170). The purpose of the temporary permit is to allow the applicant to measure consumer acceptance of the product.

DATES: This permit is effective for 15 months, beginning on the date the food is introduced or caused to be introduced into interstate commerce, but not later than January 15, 1991.

FOR FURTHER INFORMATION CONTACT: Joanne Travers, Center for Food Safety and Applied Nutrition (HFF-414), Food and Drug Administration, 200 C St., SW., Washington, DC 20204, 202-485-0106.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 130.17 concerning temporary permits to facilitate market testing of foods deviating from the requirements of the standards of identity promulgated under section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), FDA is giving notice that a temporary permit has been used to Pevely Dairy Co., 1001 South Grand Blvd., St. Louis, MO 63104-1084.

The permit covers limited interstate marketing tests of a product that deviates from the U.S. standard of identity for eggnog in 21 CFR 131.170 in that: (1) The fat content of the product is reduced from 8 grams to 2 grams, and (2) sufficient vitamin A palmitate is added to ensure that 4-fluid-ounce (118.5-milliliter) serving of the product contains 8 percent of the U.S. Recommended Daily Allowance for vitamin A. The product meets all requirements of the standard with the exception of these deviations. The purpose of the variation is to offer consumers a product that is nutritionally equivalent but contains fewer calories and less fat.

For the purpose of this permit, the name of the product is "light eggnog." The principal display panel of the label must include the statements "reduced calories" and "reduced fat" following the name. In addition, the label must bear the comparative statements "1/3 less calories" and "75% less fat than regular eggnog".

The product complies with the reduced calories labeling requirements in 21 CFR 105.66(d). In accordance with FDA's current views, reduced fat food labeling is acceptable because there is at least a 50-percent reduction in the fat content of the product. The information panel of the label will bear nutrition

labeling in accordance with 21 CFR 101.9.

This permit provides for the temporary marketing of 21,980 cases, containing 16 one-quart (1946-milliliter) containers each, of the test product. The test product is to be manufactured at Pevely Dairy Co., 1001 South Grand Blvd., St. Louis, MO 63104, Plant No. 29-498, and will be distributed in St. Louis, MO, eastern Missouri, Illinois, Indiana, Kentucky, and Tennessee.

Each of the ingredients used in the food must be stated on the label as required by the applicable sections of 21 CFR part 101. This permit is effective for 15 months, beginning on the date the food is introduced or caused to be introduced into interstate commerce, but not later than January 15, 1991.

Dated: October 5, 1990.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90-24411 Filed 10-16-90; 8:45 am]

BILLING CODE 4160-01-M

Advisory Committees; Notice of Meetings

AGENCY: Food and Drug Administration, HHS.

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:

Anti-Infective Drugs Advisory Committee

Date, time, and place. November 1 and 2, 1990, 8 a.m., Conference Rms. D and E, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.

Type of meeting and contact person. Open public hearing, November 1, 1990, 8 a.m. to 9 a.m., unless public participation does not last that long; open committee discussion, 9 a.m. to 5 p.m.; open public hearing, November 2, 1990, 8 a.m. to 9 a.m., unless public participation does not last that long; open committee discussion, 9 a.m. to 4 p.m.; closed committee deliberations, 4 p.m. to 5 p.m.; Gretchen Hascall, Center for Drug Evaluation and Research (HFD-9), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4695. A meeting agenda and list