

The General Counsel states that the request does not require the Authority to determine: (1) Whether there is a duty to bargain over matters set forth in section 7106(b)(1); or (2) the legal impact of Executive Order 12871 on such duty. The General Counsel states further that the "existence of the mandate of Executive Order 12871 to negotiate over subsection (b)(1) matters" and the decision of the United States Court of Appeals for District of Columbia Circuit in *Association of Civilian Technicians, Montana Air Chapter No. 29 v. FLRA*, 22 F.3d 1150 (DC Cir. 1994), have "rendered the relationship between subsections (a) and (b) a major policy issue \* \* \*."

The issues before the Authority are whether a general ruling on the issue raised in the General Counsel's request is warranted and, if it is, what the ruling should be. Under § 2429.4 of the Authority's regulations, the Authority solicits views on these matters in writing. Written comments received in the Authority's Case Control Office by close of business on Friday, April 14, 1995, will be considered.

To assist the Authority in determining whether a general ruling on the issue raised by the General Counsel is warranted and, if so, what the ruling should be, the Authority invites comments regarding the following questions. In answering the questions, examples of proposals and matters that illustrate the views presented may be helpful.

1. Are matters and proposals which are within the bargaining subjects set forth in section 7106(b)(1) of the Statute negotiable at the election of agency management at the level of exclusive recognition even though those matters and proposals also may be within the subjects set forth in section 7106(a) of the Statute?

2. What is the proper meaning to be accorded the phrase in section 7106(a) stating that it is "[s]ubject to subsection (b)," as it relates to subsection (b)(1)?

3. What is the proper meaning to be accorded the phrase in section 7106(b) stating that "Nothing in this section shall preclude any agency and any labor organization from negotiating—"? For example, does it operate with respect to section 7106(b)(1) as a "clarification" or a "limitation," a distinction raised by the court in *American Federation of Government Employees, Local 2782 v. FLRA*, 702 F.2d 1183, 1186-87 (DC Cir. 1983) (*dicta*)?

4. What matters or proposals, if any, within the subjects set forth in section 7106(b)(1) are not also within (i.e., do not also affect) one or more subjects set forth in section 7106(a)?

5. Does the relationship between section 7106(a) and (b)(1) depend on the particular section 7106(a) subject which is affected?

6. Does the relationship between section 7106(a) and (b)(1) depend on whether parties are bargaining over proposals for an agreement or whether an agency head is exercising authority under section 7114(c) of the Statute to review an agreement already reached?

Dated: March 13, 1995.

Federal Labor Relations Authority.

**Phyllis N. Segal,**

*Chair.*

**Pamela Talkin,**

*Member.*

**Tony Armendariz,**

*Member.*

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## FEDERAL RESERVE SYSTEM

### First Security Bancorp, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than April 10, 1995.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Security Bancorp*, Searcy, Arkansas; to acquire 100 percent of the voting shares of Farmers Investment

Corporation, Little Rock, Arkansas, and thereby indirectly acquire Farmers Bank & Trust Company, Clarksville, Arkansas.

**B. Federal Reserve Bank of Minneapolis** (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *First Community Bancorp, Inc.*, Glasgow, Montana; to acquire 100 percent of the voting shares of Wolf Point Acquisition Bank, Wolf Point, Montana, a *de novo* bank.

**C. Federal Reserve Bank of San Francisco** (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. *Westamerica Bancorporation*, San Rafael, California; to merge with North Bay Bancorp, Novato, California, and thereby indirectly acquire Novato National Bank, Novato, California.

Board of Governors of the Federal Reserve System, March 10, 1995.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 95F-0040]

#### Chemie Research and Manufacturing Co., Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that Chemie Research and Manufacturing Co., Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of a glycerin extract of dried grapefruit seeds and pulp as an antimicrobial agent in the processing of fresh or frozen poultry, fish, or shellfish. **DATES:** Written comments on the petitioner's environmental assessment by April 17, 1995.

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

**FOR FURTHER INFORMATION CONTACT:** Dennis M. Keefe, Center for Food Safety and Applied Nutrition (HFS-206), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3102.

**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 food additive petition (FAP 2A4336) has been filed by Chemie Research and Manufacturing Co., Inc., 160 Concord Dr., P.O. Box 181279, Casselberry, FL 32718-1279. The petition proposes that the food additive regulations be amended to provide for the safe use of a glycerin extract of dried grapefruit seeds and pulp as an antimicrobial agent in the processing of fresh or frozen poultry, fish, or shellfish.

The potential environmental impact of this action is being reviewed. To encourage public participation consistent with regulations promulgated under the National Environmental Policy Act (40 CFR 1501.4(b)), the agency is placing the environmental assessment submitted with the petition that is the subject of this notice on public display at the Dockets Management Branch (address above) for public review and comment. Interested persons may, on or before April 17, 1995, submit to the Dockets Management Branch (address above) written comments. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday. FDA will also place on display any amendments to, or comments on, the petitioners' environmental assessment without further announcement in the **Federal Register**. If, based on its review, 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: March 6, 1995.

**Alan M. Rulis,**

*Acting Director, Office of Premarket Approval, Center for Food Safety and Applied Nutrition.*

[FR Doc. 95-6428 Filed 3-15-95; 8:45 am]

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[Docket No. 94N-0136]

### **New Monographs and Revisions of Certain Food Chemicals Codex Monographs; Opportunity for Public Comment**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing an opportunity for public comment on pending changes to certain Food Chemicals Codex specifications monographs from the third edition and its four supplements. New monographs and additions, revisions, and corrections to current monographs are being prepared for certain substances used as food ingredients, by the National Academy of Sciences/Institute of Medicine (NAS/IOM) Committee on Food Chemicals Codex (the committee). This material will be published in the fourth edition of the Food Chemicals Codex, which is scheduled for release in March 1996. When the committee completes its review of the comments, the agency will announce the availability of copies of the new and revised monographs in a future issue of the **Federal Register**.

**DATES:** Written comments by April 17, 1995. The committee advises that comments received after this date cannot be considered for the fourth edition but will be considered for later supplements.

**ADDRESSES:** Submit written comments and supporting data and documentation to the NAS/IOM Committee on Food Chemicals Codex, National Academy of Sciences, 2101 Constitution Ave. NW., Washington, DC 20418. Submit written request for copies of the proposed new monographs and/or revisions to current monographs to NAS (address above) or the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:**

Fatima N. Johnson, Committee on Food Chemicals Codex, Food and Nutrition Board, National Academy of Sciences, 2101 Constitution Ave. NW., Washington, DC 20418, 202-334-2580; or

Paul M. Kuznesof, Center for Food Safety and Applied Nutrition (HFS-247), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3009.

**SUPPLEMENTARY INFORMATION:** FDA provides contracts to NAS/IOM to support the preparation of the Food Chemicals Codex, which is a compendium of specifications for substances used as food ingredients. Before any specifications are included in a Food Chemicals Codex publication, public announcement is made in the **Federal Register**.

FDA has previously announced that the committee was considering new

monographs and monograph revisions for inclusion in the fourth edition of the Food Chemicals Codex, which is now being prepared. In addition, notice and opportunity for public comment have been given on policies adopted by the committee for the fourth edition on lead and heavy metals specifications (58 FR 38129, July 15, 1993), and on arsenic specifications (59 FR 11789, March 14, 1994).

The committee will continue to provide the opportunity for public comment on intended changes in monographs by means of **Federal Register** notices before their inclusion in the fourth edition. If notice of changes is not provided, the monographs will be carried into the fourth edition unchanged from the third edition or subsequent supplements, except for minor editorial changes. Therefore, interested parties are invited to review all monographs in the third edition of the Food Chemicals Codex and its four supplements in preparation for their inclusion in the fourth edition. Interested parties should submit all suggestions with supporting documentation to the National Academy of Sciences at the above address.

FDA now gives notice that the committee is soliciting comments and information on certain proposed new monographs and revisions to certain additional current monographs. These new monographs and revisions will be published in the fourth edition of the Food Chemicals Codex. The proposed new monographs and revisions to current monographs may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. Copies of the new monographs and proposed revisions to current monographs may be obtained from NAS or the Dockets Management Branch. Requests for copies should be identified with the docket number found in brackets in the heading of this document, and it should specify the monographs desired.

FDA emphasizes, however, that it will not consider adopting and incorporating any of the committee's new monographs or monograph revisions into FDA regulations without ample opportunity for public comment. If FDA decides to propose the adoption of new monographs and changes that have received final approval of the committee, such opportunity for public comment will be announced in a future issue of the **Federal Register**.

The committee invites comments and suggestions on specifications by all interested parties on the proposed new monographs and revisions of current monographs, that follow: