provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Agency organization matters such as this are exempt from consideration under Executive Order 12866.

Drafting Information: The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Harbors, Organization and functions (Government agencies), Seals and insignia, Vessels.

Amendments to the Regulations

For the reasons set forth in the preamble, part 101 of the Customs Regulation is amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 and the specific authority citations for §§ 101.3 and 101.4 continue to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

* * * * *

§ 101.3 [Amended]

2. Section 101.3(b) is amended by adding ''San Jose'' to the list of ports of entry in appropriate alphabetical order in the State of California and by adding ''T.D. 95–80'' in the adjacent ''Limits of Port'' column.

§ 101.4 [Amended]

3. Section 101.4(c) is amended by removing ''Monterey'' from the ''Customs station'' column and ''San Francisco-Oakland'' from the adjacent ''Supervisory Port of Entry'' column.

Michael H. Lane,

Acting Commissioner of Customs.

Approved: September 20, 1995.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 95–24705 Filed 10–6–95; 8:45 am]

BILLING CODE 4820–02–P o

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. 95C–0091]

Listing of Color Additives Exempt From Certification; Fruit Juice Color Additive and Vegetable Juice Color Additive

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the color additive regulations to provide for the safe use in food of dried fruit juice color additive, dried vegetable juice color additive, and vegetable juice color additive prepared by water infusion of the dried vegetable. This action is in response to a petition filed by GNT Gesellshaft für Nahrungsmitteltechnologie mbH.

DATES: Effective November 13, 1995, except as to any provisions that may be stayed by the filing of proper objections; written objections and request for a hearing by November 9, 1995.

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: Aydin Örstan, Center for Food Safety and Applied Nutrition (HFS–217), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3076.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of April 28, 1995 (60 FR 20997), FDA announced that a color additive petition (CAP 5C0245) had been filed by GNT Gesellshaft für Nahrungsmitteltechnologie mbH c/o Burditt & Radzius, Chtd., 333 West Wacker Dr., suite 2600, Chicago, IL 60606–1218. The petition proposed to amend the color additive regulations in § 73.250 *Fruit juice* (21 CFR 73.250) to provide for the safe use of dried fruit juice color additive and in § 73.260 *Vegetable juice* (21 CFR 73.260) to provide for the safe use of dried vegetable juice color additive and vegetable juice color additive prepared by water infusion of the dried vegetable. The petition was filed under section 721(b)(5) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 379e(b)(5)). The agency now notes that this action is more accurately covered under section 721(d) of the act (21 U.S.C. 379e(d)). The agency finds that because the regulatory action was described properly in the filing notice, however, the error in citation was not misleading, and thus, an amended notice is not necessary.

In two notices published in the **Federal Register** of May 18, 1965 (30 FR 6735), FDA proposed to list fruit juice color additive and vegetable juice color additive for food use. The proposed fruit juice regulation provided for the preparation of fruit juice color additive either by expression of fresh fruits or by water infusion of the dried fruit; the proposed vegetable juice regulation provided for the preparation of vegetable juice color additive only by expression of fresh vegetables. In the **Federal Register** of January 27, 1966 (31 FR 1063), FDA published a final rule permanently listing fruit juice color additive and vegetable juice color additive for food use. In the preamble to the final rule, the agency indicated that it had received a comment that the regulation for vegetable juice color additive also provide for the use of a water infusion of vegetables. However, the agency declined to revise the proposed rule for the vegetable juice regulation as suggested because the comment presented no evidence that water infusions of vegetables were being manufactured or distributed in the United States for coloring purposes or that authorization for such water infusions was needed. The current color additive petition (CAP 5C0245) contains information that shows that water infusions of dried vegetables are being manufactured and that authorization for use of water infusions of dried vegetables to color food is needed.

FDA has evaluated the data in the petition and other relevant information and concludes that the petitioned uses of the color additives fruit juice and vegetable juice in food are safe. Therefore, the agency is amending § 73.250 to provide for the safe use of dried fruit juice color additive and § 73.260 to provide for the safe use of dried vegetable juice color additive and of vegetable juice color additive prepared by water infusion of the dried vegetable. Also, to prevent any potential misunderstanding of the amended identity statements in §§ 73.250 and 73.260, the agency is revising the wording of these statements.

In accordance with § 71.15(a) (21 CFR 71.15(a)), 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 § 71.15(b), 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 previously considered the environmental effects of this rule and announced its conclusion in the Notice of Filing for CAP 5C0245 (60 FR 20997). No new information or comments have been received that would affect the agency's conclusion that there is no significant impact on the human environment and that an environmental impact statement is not required.

Any person who will be adversely affected by this regulation may at any time on or before November 9, 1995, 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. FDA will publish notice of the objections that the agency has received or lack thereof in the **Federal Register**.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Medical devices.

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 73 is amended as follows:

PART 73—LISTING OF COLOR ADDITIVES EXEMPT FROM CERTIFICATION

1. The authority citation for 21 CFR part 73 continues to read as follows:

Authority: Secs. 201, 401, 402, 403, 409, 501, 502, 505, 601, 602, 701, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e).

2. Section 73.250 is amended by removing the first sentence of paragraph (a)(1) and adding two new sentences in its place to read as follows:

§ 73.250 Fruit juice.

(a) *Identity.* (1) The color additive fruit juice is prepared either by expressing the juice from mature varieties of fresh, edible fruits, or by the water infusion of the dried fruit. The color additive may be concentrated or dried. * * *

* * * * *

3. Section 73.260 is amended by removing the first sentence of paragraph (a)(1) and adding two new sentences in its place to read as follows:

§ 73.260 Vegetable juice.

(a) *Identity.* (1) The color additive vegetable juice is prepared either by expressing the juice from mature varieties of fresh, edible vegetables, or by the water infusion of the dried vegetable. The color additive may be concentrated or dried. * * *

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Dated: September 28, 1995.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 95–24953 Filed 10–6–95; 8:45 am]

BILLING CODE 4160–01–F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–5306–1]

Oregon: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule and public comment period.

SUMMARY: Oregon has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Oregon's application and has made a decision, subject to public review and comment, that Oregon's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA approves Oregon's hazardous waste program revisions. Oregon's application for program revision is available for public review and comment.

DATES: Authorization of the revised program shall become effective on December 7, 1995, unless significant adverse comments on Oregon's program revision application are received by the close of business on November 8, 1995.

If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Copies of Oregon's program revision application are available, Monday to Friday, from 9 AM to 4 PM at the following addresses for inspection and copying: Oregon Department of Environmental Quality, Eighth Floor Reception, 811 SW Sixth Avenue, Portland, Oregon 97204. Telephone number: (503) 229–6534. U.S. EPA Region 10 Library, 1200 Sixth Avenue, Seattle, Washington 98101. Telephone number: (206) 553–1259. Written comments and questions should be directed to René Dagseth, HW 107, EPA, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Renée Dagseth, 206–553–1889.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of the Resource Conservation and Recovery Act (''RCRA'' or ''the Act''), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR Parts 260–266, 268, 124 and 270. In this case, Oregon has applied for authorization of its corrective action program, including rules which are equivalent to the Federal program described in 40 CFR 264.100. Oregon also has requested authorization for the use of corrective action management units (CAMUs). As a result of this action, the majority of future RCRA permits will be issued by Oregon.