

| Docket No. ¹ | Transporter/seller | Recipient | Date filed | Part 286 subpart | Est. max. daily quantity ² | AFF. Y/A/N ³ | Rate sch. | Date commenced | Projected termination date |
|-------------------------|----------------------|---------------------------|------------|------------------|---------------------------------------|-------------------------|-----------|----------------|----------------------------|
| ST96-194 | U-T Offshore System. | Noble Gas Marketing, Inc. | 11-9-95 | K-S | 40,000 | N | I | 10-1-95 | INDEF. |

¹ Notice of transaction does not constitute a determination that filings comply with commission regulations in accordance with order No. 436 (final rule and notice requesting supplemental comments, 50 FR 42,372, 10/10/85).

² Estimated maximum daily volumes includes volumes reported by the filing company in MMBTU, MCF and DT.

³ Affiliation of reporting company to entities involved in the transaction. A "Y" indicates affiliation, an "A" indicates marketing affiliation, and a "N" indicates no affiliation.

[FR Doc. 95-30428 Filed 12-13-95; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPP-300404; FRL-4986-5]

Benomyl, Propargite, Thiophanate-Methyl, and Triadimefon; Request for Comment on Petitions to Revoke Certain Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; Receipt and Availability of Petitions.

SUMMARY: This document announces the receipt of and solicits comments on three petitions. A petition filed by the International Apple Institute requests revocation of four section 409 feed additive regulations (FARs) established under the Federal Food, Drug and Cosmetic Act (FFDCA) for residues of benomyl, propargite, thiophanate-methyl, and triadimefon in dried apple pomace. A petition filed by Janssen Pharmaceutica requests revocation of the food additive regulation for residues of imazalil in citrus oil. A petition filed by the Mancozeb Task Force requests revocation of the FARs for residues of mancozeb in or on milled feed fractions of barley, oats, rye, and wheat. This notice sets forth the basis for the petitioners' proposals and provides opportunity for public comment.

DATES: Written comments, identified by the document control number [OPP-300304], must be received on or before January 16, 1996.

ADDRESSES: By mail, requests for copies of the petition and comments should be forwarded to Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, 401 M St., SW., Washington, DC 20460. Copies of the petition will be available for public inspection from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays in: Information Services Branch, Program Management and Support Division (7502C), Office of

Pesticide Programs, Environmental Protection Agency, Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, 703-305-5805.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection at the address and hours given above.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-300404]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in [OPP-300304] of this document.

FOR FURTHER INFORMATION CONTACT: By mail: Niloufar Nazmi, Special Review and Reregistration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. WF32C5, Crystal Station #1, 2800 Crystal Drive, Arlington, VA. Telephone: 703-308-8028; e-mail: nazmi.niloufar@epamail.epa.gov.

I. Introduction

Statutory Framework

The Federal Food, Drug and Cosmetic Act (FFDCA) (21 U.S.C. 136 et seq.) authorizes the establishment of tolerances and exemptions from tolerances for the residues of pesticides in or on raw agricultural commodities (RACs), and section 409 of the Act authorizes promulgation of food additive regulations for pesticide residues in processed foods.

Under section 408 of the FFDCA, EPA establishes tolerances, or exemptions from tolerances when appropriate, for pesticide residues in raw agricultural commodities. Food/feed additive regulations (FARs) setting maximum permissible levels of pesticide residues in processed foods are established under section 409. Section 409 FARs are required, however, only for certain pesticide residues in processed food. Under section 402(a)(2) of the FFDCA, no section 409 food additive regulation is required if any pesticide residue in a processed food resulting from use on an RAC has been removed to the extent possible by good manufacturing practices and is below the tolerance for that pesticide in or on that RAC. This exemption in section 402(a)(2) is commonly referred to as the "flow-through" provision because it allows the section 408 raw food tolerance to flow through to processed food. Thus, a section 409 food additive regulation is only necessary to prevent foods from being deemed adulterated when despite the use of good manufacturing practices the concentration of the pesticide residue in a processed food is greater than the tolerance prescribed for the raw agricultural commodity, or if the processed food itself is treated or comes in contact with a pesticide. Monitoring and enforcement are carried out by the Federal Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA).

The establishment of a food additive regulation under section 409 requires a finding that use of the pesticide will be "safe" (21 U.S.C. 348(C)(3)). Section 409 also contains the Delaney clause, which specifically provides that, with limited

exceptions, no additive may be approved if it has been found to induce cancer in man or animals (21 U.S.C. 348(C)(5)).

In setting both section 408 tolerances and section 409 FARs, EPA reviews residue chemistry and toxicology data. To be acceptable, tolerances and FARs must be both high enough to cover residues likely to be left when the pesticide is used in accordance with its labeling, and low enough to protect the public health. With respect to section 408 tolerances, EPA determines the highest levels of residues that might be present in an RAC based on controlled field trials conducted under the conditions allowed by the product's labeling that are expected to yield maximum residues. Generally, EPA's policy concerning whether a section 409 FAR is needed depends on whether there is a possibility that the processing of an RAC containing pesticide residues would result in residues in the processed food at a level greater than the raw food tolerance. EPA makes these determinations based on processing studies.

II. International Apple Institute Petition

The International Apple Institute (IAI) has submitted a petition requesting the revocation of the FAR established under section 409 of the FFDCA for residues of benomyl, propargite, thiophanate-methyl, and triadimefon in dried apple pomace. The FARs for residues of benomyl, propargite, thiophanate-methyl, and triadimefon in dried apple pomace are codified in 40 CFR 186.350, 186.5000, 186.5700, and 186.800, respectively.

Background

EPA requires processing data and sets tolerances and FARs only on animal feeds that are consumed in significant amounts in the United States. Table II of the Pesticide Assessment Guidelines, Subdivision O, Residue Chemistry, provides a listing of all significant food and feed commodities, both raw and processed, for which residue data are collected and tolerances or FARs are established. On September 21, 1995, EPA announced the availability of the updated Table II and modified its guidelines regarding which raw commodities and processing byproducts EPA will consider as animal feeds requiring FARs (60 FR 49150). The general cutoff point used by EPA in deciding which feed items are considered "significant", is whether the feed item constitutes greater than 0.04 percent, by weight, of the total feed available to livestock in the U.S.

Based on the above criteria, the Agency has determined that dried apple pomace is not a significant feed item and has removed it from Table II. Subsequently, in the Federal Register of September 21, 1995 (60 FR 49141), EPA issued a proposed rule to revoke the FARs for residues of benomyl, propargite, thiophanate-methyl, and triadimefon in dried apple pomace.

III. Janssen Pharmaceutica Petition

Janssen Pharmaceutica is petitioning EPA to revoke the section 409 FAR for imazalil in citrus oil on the grounds that, in the ready-to-eat form, the residue levels are below the section 408 tolerance level established for imazalil in the RAC. The Petitioner argues that by the virtue of the flow-through provision of section 402(a)(2) of the FFDCA, the FAR is unnecessary. The FAR for residues of imazalil in citrus oil is codified in 40 CFR 185.3650.

The Petitioner maintains that citrus oil is used as a flavoring agent in minuscule amounts, and if used in excess, it renders food unpalatable. Included in the petition is a survey of flavoring ingredient usage levels conducted by the Flavoring Extract Manufacturers' Association. These values allegedly represent the quantity of citrus oil added to food to accomplish its intended physical effect. The data presented show that maximum residues of imazalil in ready-to-eat foods are below the section 408 tolerance. Therefore, Janssen Pharmaceutica argues that the section 409 FAR is not needed and should be revoked on the basis that it is not necessary.

Background

In the Federal Register of January 18, 1995 (60 FR 3607), EPA issued a proposed rule to revoke the section 409 FAR for imazalil in citrus oil because the Agency has determined that imazalil induces cancer in animals and therefore violates the Delaney clause in section 409 of the FFDCA.

In the Federal Register of June 14, 1995 (60 FR 31300), EPA issued its response to a petition filed by the National Food Processors Association that sought the revision of many EPA policies. In that notice, EPA announced its revised approach to the term ready-to-eat (RTE). EPA believes that a food should be considered ready to eat only if it is consumed "as is" or added to other ready-to-eat foods. If EPA finds that a processed food form is not ready to eat, and once diluted to its RTE form the residues are below that of the RAC, then a section 409 FAR would not be needed and the Delaney clause would not apply. The Agency's final rule

regarding the residues of imazalil in citrus oil will be published by July 1996.

IV. Mancozeb Task Force Petition

The Mancozeb Task Force (DuPont, Elf Atochem North America, Inc., and Rohm & Haas Co.) has submitted a petition requesting the revocation of the FARs established under section 409 of the FFDCA for residues of mancozeb in or on milled feed fractions of barley, oats, rye, and wheat. This FAR is codified in 40 CFR 186.6300.

As explained in section II above, EPA recently updated Table II of the Pesticide Assessment Guidelines, Subdivision O, Residue Chemistry. EPA has determined that milled fractions of barley, oats, and rye are not significant feed items, and therefore the section 409 FAR is no longer necessary. In the Federal Register of September 21, 1995 (60 FR 4915), EPA issued a proposed rule to revoke the FAR for residues of mancozeb on milled fractions of barley, oats, and rye.

As explained in section III above, on June 14, 1995, EPA announced its revised approach to the term ready-to-eat. Based on this policy, EPA has determined that milled fractions of wheat is not a ready-to-eat feed item, and once diluted, the residues of mancozeb in the RTE animal feeds are unlikely to exceed the section 408 tolerance level. Therefore, a section 409 FAR is unnecessary. On this basis, in the Federal Register of September 21, 1995 (60 FR 49150), EPA revoked the section 409 FAR on milled fractions of wheat.

Pursuant to 40 CFR 177.125 and 177.30, EPA may issue an order ruling on the petitions or may issue a proposal in response to the petitions and seek further comment. If EPA issues an order in response to the petitions, any person adversely affected by the order may file written objections and a request for a hearing on those objections with EPA on or before the 30th day after date of the publication of the order (40 CFR 178.20).

A record has been established for this notice under docket number [OPP-300404] (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs,

Environmental Protection Agency,
Crystal Mall #2, 1921 Jefferson Davis
Highway, Arlington, VA.

Electronic comments can be sent
directly to EPA at:
opp-Docket@epamail.epa.gov

Electronic comments must be
submitted as an ASCII file avoiding the
use of special characters and any form
of encryption.

The official record for this notice, as
well as the public version, as described
above will be kept in paper form.
Accordingly, EPA will transfer all
comments received electronically into
printed, paper form as they are received
and will place the paper copies in the
official record which will also include
all comments submitted directly in
writing. The official record is the paper
record maintained at the address in
"ADDRESSES" at the beginning of this
document.

List of Subjects

Environmental protection,
Agricultural commodities, Feed
additives, Food additives, Pesticides
and pests, Reporting and recordkeeping
requirements.

Dated: November 13, 1995.

Daniel M. Barolo,
Director, Office of Pesticide Programs.

[FR Doc. 95-30502 12-11-95; 3:28 pm]

BILLING CODE 6560-50-F

FEDERAL RESERVE SYSTEM

Fulton Financial Corporation, 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 January
10, 1996.

A. Federal Reserve Bank of
Philadelphia (Michael E. Collins, Senior
Vice President) 100 North 6th Street,
Philadelphia, Pennsylvania 19105:

1. *Fulton Financial Corporation*,
Lancaster, Pennsylvania; to merge with
Gloucester County Bankshares, Inc.,
Woodbury, New Jersey, and thereby
indirectly acquire The Bank of
Gloucester County, The Deptford
Township, New Jersey.

B. Federal Reserve Bank of Cleveland
(John J. Wixted, Jr., Vice President) 1455
East Sixth Street, Cleveland, Ohio
44101:

1. *Pittsburgh Home Financial Corp.*,
Pittsburgh, Pennsylvania; to become a
bank holding company by acquiring 100
percent of the voting shares of
Pittsburgh Home Savings Bank,
Pittsburgh, Pennsylvania.

C. Federal Reserve Bank of Atlanta
(Zane R. Kelley, Vice President) 104
Marietta Street, N.W., Atlanta, Georgia
30303:

1. *FABP Bancshares, Inc.*, Pensacola,
Florida; to become a bank holding
company by acquiring 100 percent of
the voting shares of First American
Bank of Pensacola, N.A., Pensacola,
Florida.

D. Federal Reserve Bank of Chicago
(James A. Bluemle, Vice President) 230
South LaSalle Street, Chicago, Illinois
60690:

1. *Crestmark Bancorp, Inc.*,
Bloomfield Hills, Michigan; to become a
bank holding company by acquiring 100
percent of the voting shares of
Crestmark Bank, Troy, Michigan (in
organization).

E. Federal Reserve Bank of Kansas
City (John E. Yorke, Senior Vice
President) 925 Grand Avenue, Kansas
City, Missouri 64198:

1. *Baxter Bancshares, Inc.*, Baxter
Springs, Kansas; to become a bank
holding company by acquiring 100
percent of the voting shares of The
Baxter State Bank, Baxter Springs,
Kansas, and 24.99 percent of the voting
shares of People's National Bank,
Seneca, Missouri (in organization).

F. Federal Reserve Bank of Dallas
(Genie D. Short, Vice President) 2200
North Pearl Street, Dallas, Texas 75201-
2272:

1. *Cullen/Frost Bankers, Inc.*, San
Antonio, Texas, and The New Galveston
Company, Wilmington, Delaware; to

acquire 100 percent of the voting shares
of Park National Bank of Houston,
Houston, Texas.

2. *Sabine Bancshares, Inc.*, Many,
Louisiana; to merge with First
Community Bancshares, Inc., Winnfield,
Louisiana, and thereby indirectly
acquire Winn Bancshares, Inc.,
Winnfield, Louisiana, and First
Community Bank, Winnfield, Louisiana.

Board of Governors of the Federal Reserve
System, December 8, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-30439 Filed 12-13-95; 8:45 am]

BILLING CODE 6210-01-F

Spencer Bancorporation, Inc., Employee Stock Ownership Plan & Trust; Change in Bank Control Notice

Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has
applied under the Change in Bank
Control Act (12 U.S.C. 1817(j)) and §
225.41 of the Board's Regulation Y (12
CFR 225.41) to acquire a bank or bank
holding company. The factors that are
considered in acting on notices are set
forth in paragraph 7 of the Act (12
U.S.C. 1817(j)(7)).

The notice is available for immediate
inspection at the Federal Reserve Bank
indicated. Once the notice 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 indicated
for the notice or to the offices of the
Board of Governors. Comments must be
received not later than December 29,
1995.

A. Federal Reserve Bank of Chicago
(James A. Bluemle, Vice President) 230
South LaSalle Street, Chicago, Illinois
60690:

1. *Spencer Bancorporation, Inc.*
*Employee Stock Ownership Plan &
Trust*, Spencer, Wisconsin; to acquire an
additional 5.40 percent, for a total of
12.25 percent of the voting shares of
Spencer Bancorporation, Inc., Spencer,
Wisconsin, and thereby indirectly
acquire Spencer State Bank, Spencer,
Wisconsin.

Board of Governors of the Federal Reserve
System, December 8, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-30440 Filed 12-13-95; 8:45 am]

BILLING CODE 6210-01-F