DEPARTMENT OF ENERGY

FEDERAL ENERGY REGULATORY COMMISSION

18 CFR Part 385

[Docket No. RM98–1–000]

Regulations Governing Off-the-Record Communications; Correction

October 12, 1999.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule: correction.

SUMMARY: This document makes corrections to several footnotes in a final rule published in the **Federal Register** of September 22, 1999 (64 FR 51222) regarding regulations governing off-the-record communications.

DATES: Effective October 22, 1999.

FOR FURTHER INFORMATION CONTACT: David R. Dickey, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 (202) 208–2140.

SUPPLEMENTARY INFORMATION: In rule FR Doc. 99–24616 published on September 22, 1999 (64 FR 51223), make the following corrections:

1. On page 51223, in the first column, correct footnote 6 to the preamble to read as follows:

[6] 18 CFR 385.1404

2. On page 51223, in the first column, correct footnote 7 to the preamble to read as follows:

[7] *Id.*

3. On page 51234, in the second column, correct amendatory instruction 5 to read as follows:

5. Section 385.1404 is removed.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99–27040 Filed 10–15–99; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 173

[Docket No. 98F–0749]

Secondary Direct Food Additives Permitted in Food for Human Consumption; Ion Exchange Resins

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 the ion exchange resin, methylacrylate-divinyl benzene diethylene glycol divinyl ether terpolymer containing not less than 3.5 percent by weight of divinyl benzene and not more than 0.6 percent by weight of diethylene glycol divinyl ether, aminolyzed with dimethylaminopropylamine (DMAPA) to treat water and aqueous foods without limits on the conditions of use, and with a specification for DMAPA, an impurity in the ion exchange resin. This action is in response to a petition filed by Rohm and Haas Co.

DATES: This regulation is effective October 18, 1999; written objections and requests for a hearing by November 17, 1999. The Director of the Office of the Federal Register approves the incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 of a certain publication in 173.25(b)(2) (21 CFR 173.25(b)(2)), effective October 18, 1999.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: James C. Wallwork, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3078.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of September 15, 1998 (63 FR 49360), FDA announced that a food additive petition (FAP 8A4609) had been filed by Rohm and Haas Co., 100 Independence Mall West, Philadelphia, PA 19106–2399. The petition proposed to amend the food additive regulations in § 173.25 *Ion exchange resins* to provide for the safe use of the ion exchange resin, methylacrylate-divinyl benzene diethylene glycol divinyl ether terpolymer, identified in § 173.25(a)(16), to treat water and aqueous foods as described in § 173.25(b)(2), without limits on the conditions of use, and with a specification for DMAPA, an impurity in the ion exchange resin.

The ion exchange resin is currently approved in § 173.25(a)(16) and (b)(2) as an ion exchange resin used to treat water and aqueous food only of the types identified under categories I, II, and VI–B in Table 1 of § 176.170(c), provided that the temperature of the water or food passing through the resin bed is maintained at 50 °C or less and the flow rate of the water or food passing through the beds is not less than 0.5 gallon per cubic foot per minute. Rohm and Haas Co. has requested that the regulation in § 173.25(b)(2) be amended to provide for use of the ion exchange resin bed without the restrictions on temperature and flow rate, but with establishment of a specification of no more than 1 milligram (mg)/kilogram of DMAPA when extracted into a food-simulating solvent and when measured by the method that is incorporated by reference.

FDA estimates that the petitioned use of the ion exchange resin will result in an estimated daily intake for DMAPA of 0.2 mg per person per day (p/d) for the 90th percentile consumer, assuming that all foods will be processed with this resin. This exposure is well below the acceptable daily intake of 30 mg/p/d established by toxicology studies submitted with the previous petitions for this resin.

FDA has evaluated data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of the ion exchange resin, methylacrylate-divinyl benzene diethylene glycol divinyl ether terpolymer containing not less than 3.5 percent by weight of divinyl benzene and not more than 0.6 percent by weight of diethylene glycol divinyl ether, aminolyzed with DMAPA, to treat water and aqueous foods without limits on the conditions of use, and with a specification for DMAPA, an impurity in the ion exchange resin, is safe, the ion exchange resin will achieve its intended effect, and therefore, that the regulations in § 173.25 should be amended as set forth below.

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 § 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 previously considered the environmental effects of this rule as announced in the Notice of Filing for FAP 8A4609 (63 FR 49360). No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human