

intended for sheltering persons or property will be designed with appropriate seismic safety provisions in compliance with the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 *et seq.*), and Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction (3 CFR, 1990 Comp., p. 269). Designs of components essential for system operation and substantial rehabilitation of structures that are used for sheltering persons or property should incorporate seismic safety provisions to the extent practicable. RUS implementing regulations for seismic safety are in 7 CFR part 1972, subpart C.

Subpart D—Information Pertaining to Preparation of Notes or Bonds and Bond Transcript Documents for Public Body Applicants

11. Revise § 1780.94(j)(3) to read as follows:

§ 1780.94 Minimum bond specifications.

* * * * *

(j) * * *

(3) Provisions that amend covenants contained in RUS Bulletins 1780–27 or 1780–28.

* * * * *

Dated: May 18, 1999.

Jill Long Thompson,

Under Secretary for Rural Development.

[FR Doc. 99–13931 Filed 6–3–99; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 91

[Docket No. 98–078–1]

Ports Designated for Exportation of Horses; New Jersey and New York

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Direct final rule.

SUMMARY: We are amending the “Inspection and Handling of Livestock for Exportation” regulations by changing the lists of approved ports of embarkation and export inspection facilities for horses in New Jersey and New York. In New Jersey, we are removing Deep Hollow Farm in Woodstown, NJ, as the export inspection facility for horses exported from the ocean port of Salem, NJ, and adding Mannington Meadows Farm in Woodstown, NJ, in its place. We are adding Elizabeth and Newark

International Airport, NJ, as ports of embarkation, and Tolleshunt Horse Farm in Whitehouse, NJ, and the U.S. Equestrian Team’s headquarters in Gladstone, NJ, as export inspection facilities for horses for those ports. We are also adding Tolleshunt Horse Farm and the U.S. Equestrian Team’s headquarters as export inspection facilities for horses for the currently approved port of New York, NY. These actions will update the regulations by adding two ports of embarkation and three export inspection facilities through which horses may be processed for export.

DATES: This rule will be effective on August 3, 1999 unless we receive written adverse comments or written notice of intent to submit adverse comments on or before July 6, 1999.

ADDRESSES: Please send your comment and three copies to: Docket No. 98–078–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737–1238. Please state that your comment refers to Docket No. 98–078–1.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS rules, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: Dr. Michael David, Senior Staff Veterinarian, Animals Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231; (301) 734–8354; or e-mail: michael.j.david@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 91, “Inspection and Handling of Livestock for Exportation” (referred to below as the regulations), prescribe conditions for exporting animals from the United States. The regulations state, among other things, that all animals, except animals being exported by land to Canada or Mexico, must be exported

through designated ports of embarkation, unless the exporter could show that the animals would suffer undue hardship.

Section 91.14(a) contains a list of designated ports of embarkation and export inspection facilities. To receive designation as a port of embarkation, a port must have export inspection facilities available for inspecting, holding, feeding, and watering animals prior to exportation to ensure that the animals meet certain requirements specified in the regulations. To receive approval as an export inspection facility, the regulations provide that a facility must meet specified standards in § 91.14(c) concerning materials, size, inspection implements, cleaning and disinfection, feed and water, access and approval of arrangements, testing and treatment, location, disposal of animal wastes, lighting, office and restroom facilities, and walkways.

Deep Hollow Farm, an export inspection facility for horses listed in § 91.14(a) for the ocean port of Salem, NJ, is no longer being used as an export inspection facility. However, we believe that Mannington Meadows Farm, 60 Oechsle Road, Woodstown, NJ 08098, (609) 769–2009, meets the requirements of § 91.14(c) as an export inspection facility for horses. Mannington Meadows Farm is located 6 miles from the ocean port of Salem, NJ. Exporters using Mannington Meadows Farm will be able to transport their horses to the ocean port of Salem, NJ, in approximately 15 minutes. This rule will amend § 91.14(a) in accordance with the procedures explained below under “Dates.” The amendments will remove Deep Hollow Farm as an export inspection facility for horses for the port of Salem, NJ, and add Mannington Meadows Farm in its place.

The amendments will also add two new ports, Elizabeth and Newark International Airport, NJ, to the list of designated ports of embarkation in § 91.14(a). Elizabeth, NJ, will be added as an ocean port. Newark International Airport, NJ, will be added as an airport. We believe that Tolleshunt Horse Farm, 10 Island Road, Box 469, Whitehouse, NJ 08888–0469, (908) 534–7738, and the U.S. Equestrian Team’s headquarters, Pottersville Road, Gladstone, NJ 07934, (908) 234–1251, meet the requirements of § 91.14(c) as export inspection facilities for horses. Exporters using the Tolleshunt Horse Farm and the U.S. Equestrian Team’s headquarters will be able to transport their horses to a port of embarkation in approximately 1 hour. Therefore, we will add Tolleshunt Horse Farm and the U.S. Equestrian Team’s

headquarters as export inspection facilities for horses for the ports of Elizabeth and Newark International Airport, NJ.

We will also add Tolleshunt Horse Farm and the U.S. Equestrian Team's headquarters as export inspection facilities for horses for the port of New York, NY, which is already listed in § 91.14(a) as a designated airport and ocean port of embarkation. Tolleshunt Horse Farm is located 1½ hours from the airport of New York, NY, and the U.S. Equestrian Team's headquarters is located 1½ to 2 hours from the airport of New York, NY. Tolleshunt Horse Farm and the U.S. Equestrian Team's headquarters may also be used as export inspection facilities for horses for the ocean port of New York, NY, but we do not expect this to happen frequently because travel by airplane is much faster than by ship. Importers of horses usually like the travel to take less than a day, which can be done by air.

When this rule becomes effective, veterinarians of the Animal and Plant Health Inspection Service will conduct export inspections of horses at the newly approved export inspection facilities by appointment.

Dates

We are publishing this rule without a prior proposal because we view this action as noncontroversial and anticipate no adverse public comment. This rule will be effective, as published in this document, 60 days after the date of publication in the **Federal Register** unless we receive written adverse comments or written notice of intent to submit adverse comments within 30 days of the date of publication of this rule in the **Federal Register**.

Adverse comments are comments that suggest the rule should not be adopted or that suggest the rule should be changed.

If we receive written adverse comments or written notice of intent to submit adverse comments, we will publish a notice in the **Federal Register** withdrawing this rule before the effective date. We will then publish a proposed rule for public comment. Following the close of that comment period, the comments will be considered, and a final rule addressing the comments will be published.

As discussed above, if we receive no written adverse comments nor written notice of intent to submit adverse comments within 30 days of publication of this direct final rule, this direct final rule will become effective 60 days following its publication. We will publish a notice to this effect in the **Federal Register**, before the effective

date of this direct final rule, confirming that it is effective on the date indicated in this document.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

In this rule, we are removing Deep Hollow Farm as an export inspection facility for horses for the ocean port of Salem, NJ, because it is no longer being used as an animal export inspection facility. In its place, we are adding Mannington Meadows Farm in Woodstown, NJ. Mannington Meadows Farm is located in southwest New Jersey and is within 6 miles of the ocean port of Salem, NJ, from which many horses are exported to Bermuda. We anticipate that Mannington Meadows Farm will be used as an export inspection facility for approximately 112 horses annually. We do not expect that removing Deep Hollow Farm and adding Mannington Meadows Farm in its place will have any effect on the number of horses that are exported annually through the port of Salem, NJ.

We are also designating Elizabeth and Newark International Airport, NJ, as ports of embarkation and are adding two export inspection facilities for horses for these ports: Tolleshunt Horse Farm in Whitehouse, NJ, and the U.S. Equestrian Team's headquarters in Gladstone, NJ. We are also adding these same export inspection facilities for horses for the already listed port of New York, NY. We project that approximately 36 horses will be exported annually through the port of Elizabeth, and approximately 120 horses will be exported annually through the port of Newark. Adding the U.S. Equestrian Team's headquarters as an export inspection facility will allow the Team to use its own facilities for horse inspections. We estimate that 120 horses will be inspected each year at the U.S. Equestrian Team's headquarters. The addition of Tolleshunt Horse Farm as an export inspection facility will make it logistically easier for other exporters in New Jersey to export their horses from the United States because they will be able to transport their horses from Tolleshunt Horse Farm to a port of embarkation in approximately 1 hour. We estimate that 12 horses will be inspected for export each year at Tolleshunt Horse Farm.

Until now the only designated port of embarkation in New Jersey has been the ocean port of Salem in southwest New Jersey. Once this rule becomes effective, individuals exporting horses from New

Jersey will have a choice of using either the northeast (Elizabeth and Newark) or the southwest (Salem) ports and either an airport or an ocean port. Exporters will also have two additional export inspection facilities for horses for the port of New York, NY, in addition to the already approved facility at J. F. Kennedy International Airport.

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), APHIS is required to consider the effects of the rule on small entities. APHIS expects a positive economic impact on small businesses, due to the increase in transportation alternatives and the decrease in transportation costs.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 9 CFR part 91 as follows:

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 continues to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 136, 136a, 612, 613, 614, and 618; 46 U.S.C. 466a and 466b; 49 U.S.C. 1509(d); 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 91.14, paragraphs (a)(11) and (a)(12) are revised to read as follows:

§ 91.14 Ports of embarkation and export inspection facilities.

(a) * * *

(11) *New Jersey.*

(i) Elizabeth—ocean port.

(A) Tolleshunt Horse Farm (horses only), 10 Island Road, Box 469, Whitehouse, NJ 08888-0469, (908) 534-7738.

(B) The U.S. Equestrian Team's headquarters (horses only), Pottersville Road, Gladstone, NJ 07934, (908) 234-1251.

(ii) Newark International Airport.

(A) Tolleshunt Horse Farm (horses only), 10 Island Road, Box 469, Whitehouse, NJ 08888-0469, (908) 534-7738.

(B) The U.S. Equestrian Team's headquarters (horses only), Pottersville Road, Gladstone, NJ 07934, (908) 234-1251.

(iii) Salem—ocean port.

(A) Mannington Meadows Farm (horses only), 60 Oechsle Road, Woodstown, NJ 08098, (609) 769-2009.

(12) *New York.*

(i) New York—airport and ocean port.

(A) Tolleshunt Horse Farm (horses only), 10 Island Road, Box 469, Whitehouse, NJ 08888-0469, (908) 534-7738.

(B) The U.S. Equestrian Team's headquarters (horses only), Pottersville Road, Gladstone, NJ 07934, (908) 234-1251.

(C) Vetport, Inc., Bldg. 189, J.F. Kennedy International Airport (Cargo Area), Jamaica, NY 11430, (212) 656-6042.

* * * * *

Done in Washington, DC, this 28th day of May 1999.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-14186 Filed 6-3-99; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 172

[Docket No. 91F-0228]

Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucrose Acetate Isobutyrate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of sucrose acetate isobutyrate (SAIB) as a stabilizer of emulsions of flavoring oils used in nonalcoholic beverages. This action is in response to a petition filed by Eastman Chemical Co.

DATES: Effective June 4, 1999; written objections and requests for a hearing by July 6, 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 certain publications in § 172.833(b) (21 CFR 172.833(b)), effective June 4, 1999.

ADDRESS: Written objections may be sent to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Blondell Anderson, Center for Food Safety and Applied Nutrition (HFS-206), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3106.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

II. Evaluation of Safety

A. Estimated Daily Intake for SAIB

B. Evaluation of Safety Studies on SAIB

1. Pharmacokinetics and Metabolism Studies

2. Genotoxicity Studies

3. Reproduction and Developmental

Toxicity Studies

a. Three-generation reproduction with teratology phase in rats (Appendix 86)

b. Teratology study in rabbits (Appendix 87)

c. Agency conclusions regarding reproduction and developmental toxicity studies on SAIB

4. Two-Year Carcinogenicity Studies

a. Rat study (Appendix 95)

b. Mouse study (Appendix 96)

5. Concerns Regarding Altered Liver Function

a. Liver effects in the SAIB-treated animals

i. Short-term studies

ii. Subchronic oral toxicity studies on SAIB (Appendices 63, 64, 65, 67, 68, 69, and 700)

iii. Specific liver function tests

b. Studies resolving the altered liver function issue

i. One-Year chronic toxicity studies

ii. Human clinical studies

c. Agency conclusions regarding the altered liver function issue

C. Acceptable Daily Intake for SAIB

III. Conclusion

IV. Environmental Effects

V. Paperwork Reduction Act of 1995

VI. References

VII. Objections

I. Introduction

In a notice published in the **Federal Register** of September 5, 1991 (56 FR 43927), FDA announced that a food additive petition (FAP 1A4266) had been filed by Eastman Chemical Co. (Eastman), P.O. Box 511, Kingsport, TN 37662, proposing that the food additive regulations be amended in part 172 (21 CFR part 172) to provide for the safe use of SAIB as a stabilizer of emulsions of flavoring oils used in nonalcoholic carbonated and noncarbonated beverages.

SAIB is the chemical *alpha*-D-glucopyranoside, O-acetyl-tris-O-(2-methyl-1-oxopropyl)-*beta*-D-fructofuranosyl, acetate tris(2-methyl propanoate). It is also referred to as sucrose diacetate hexaisobutyrate, sugar esters of fatty acids, and sucrose esters of fatty acids.

SAIB is a slightly yellow, clear, viscous liquid, practically odorless, with a bitter taste (not apparent at the levels used in the regulated application). The compound is produced by reaction of food grade sucrose with acetic anhydride and isobutyric anhydride in the presence of a catalyst. The product is purified by molecular distillation.

In support of safety for the proposed use of SAIB, Eastman submitted toxicity studies performed in a variety of species. Those studies included: Absorption, metabolism, and elimination studies (rats, dogs, rabbits, monkeys, and humans); short-term (7 to 56 days) studies (rats, dogs, and monkeys); a palatability study (mice); subchronic (90 days) studies (rats and dogs); chronic studies (rats and monkeys); carcinogenicity studies (rats and mice); reproduction studies (rats); teratology studies (rats and rabbits); genotoxicity tests; liver function studies (rats, dogs, monkeys, and humans); and clinical studies (humans).

The one concern raised by FDA's evaluation of the SAIB data base was some liver effects, which were observed in the short-term and subchronic studies. These effects were observed primarily in SAIB-treated dogs; for example, decreased clearance rates for bromosulphophthalein (BSP) and indocyanine green (ICG) from the blood, and increased serum alkaline phosphatase. To further evaluate these liver effects, the petitioner performed special liver function tests (BSP and ICG clearance tests) in rats, dogs, monkeys, and humans. The BSP clearance test was also performed in monkeys and rats after exposure to SAIB for 1 year in order to demonstrate that the liver effects were not observed in these SAIB-