responsibility assumed by that director, such that greater or lesser attendance at board and committee meetings and greater or lesser responsibility assumed by a director during a given year will be reflected in the actual compensation received by the director for that year; and

(ii) The maximum compensation for the chair of each Bank's board of directors in a given year shall not be equaled or exceeded by the maximum compensation of any other director for that year and shall not be less than 125 percent of the Bank's ACPD for that year.

(2) The limit on ACPD for each Bank shall be $28,000 for 1997. For 1998 and subsequent years, the limit on ACPD shall be adjusted annually to reflect the preceding year's change in the Consumer Price Index (CPI) for all urban consumers, as published by the Bureau of Labor Statistics. Each year, as soon as practicable after the publication of the previous year's CPI, the Board shall publish notice, by Federal Register, distribution of a memorandum, or otherwise, of the CPI-adjusted limit on ACPD.

(d) *Expenses.* Each Bank may pay its directors for such necessary and reasonable travel, subsistence and other related expenses incurred in connection with the performance of their official duties as are payable to senior officers of the Bank under the Bank's travel policy, except that directors may not be paid for gift or entertainment expenses.

(e) *Disclosure.* Each Bank shall, in its annual report:

(1) State the sum of the total actual compensation paid to its directors in that year;

(2) State the sum of the total actual expenses paid to its directors in that year; and

(3) Summarize its policy on director compensation.

PART 941—OPERATIONS OF THE OFFICE OF FINANCE

1. The authority for part 941 is revised to read as follows:

Authority: 12 U.S.C. 1422b, 1431.

2. Section 941.7(f)(2) is revised to read as follows:

§ 941.7 Office of Finance Board of Directors.

* * * * *

(f) * * *

(2) *Private Citizen member.* The Office of Finance shall pay compensation and expenses to the Private Citizen member of the OF board of directors in accordance with the requirements for payment of compensation and expenses to Bank directors set forth in section 932.27 of this chapter, except that, for these purposes:

(i) The Office of Finance policy on director compensation must be approved by the board of directors of the Finance Board;

(ii) Section 932.27(a)(3) and (c)(1)(ii) of this chapter shall not apply; and

(iii) The terms ''average compensation per director'' and ''ACPD,'' as used in § 932.27 of this chapter, shall mean ''maximum compensation of the Private Citizen member''.

By the Board of Directors of the Federal Housing Finance Board.

Dated: July 25, 1996.

Bruce A. Morrison,

Chairman.

[FR Doc. 96–21187 Filed 8–20–96; 8:45 am]

BILLING CODE 6725–01–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–124–AD; Amendment 39–9687; AD 96–14–05]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This document corrects information that appeared in airworthiness directive (AD) 96–14–05, amendment 39–9687, which was published in the Federal Register on July 9, 1996 (61 FR 35938). This AD is applicable to certain Boeing Model 767 series airplanes. Among other things, it supersedes a previously issued AD, requires inspections of the control rods of the outboard leading edge slat, and requires the installation of a modification that terminates the requirement for repetitive inspections. This action corrects the listed line numbers of airplanes subject to certain parts of the rule.

DATES: Effective August 13, 1996.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the Federal Register as of August 13, 1996 (61 FR 35938, July 9, 1996).

FOR FURTHER INFORMATION CONTACT: Kristin Larson, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–1760; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION: On June 27, 1996, the FAA issued AD 96–14–05, amendment 39–9687; (61 FR 35938, July 9, 1996), which is applicable to certain Boeing Model 767 series airplanes and supersedes AD 90–20–16, amendment 39–6726 (55 FR 37858, September 14, 1990). That AD requires a one-time visual inspection to determine the date of manufacture of the control rods of the outboard leading edge slat, and follow-on actions (i.e., repetitive ultrasonic inspection), if necessary. It also requires replacement of the control rod ends and attach bolts, for certain airplanes. For operators accomplishing the (follow-on) repetitive ultrasonic inspections, the AD requires the replacement of the control rod with a new control rod manufactured after June 1983; this replacement constitutes terminating action for the repetitive inspections.

As published, paragraph (b) of AD 96–14–05 indicated that only certain airplanes were subject to its requirements. Those airplanes were specified as ones having line numbers ''1 through 264 inclusive, and 266 through 273 inclusive.'' However, due to a typographical error, the final number in this sequence of line numbers was incorrect: what was published as line number ''273,'' should have been line number ''272.'' The airplane having line number 273 is not subject to the requirements of paragraph (b) of this AD.

Action is taken herein to correct this typographical error in paragraph (b).

Since no other part of the regulatory information has been changed, the final rule is not being republished.

The effective date of the AD remains August 13, 1996.

Accordingly, the final rule document (FR DOC. 96–16950), which was published on July 9, 1996, at 61 FR 35938, is corrected as follows:

§ 39.13 [Corrected]

On page 35940, in the second column, the text of paragraph (b) of AD 96–14–05, amendment 39–9687, is corrected to read as follows:

* * * * *

(b) For airplanes having line number 1 through 264 inclusive, and 266 through 272 inclusive: Within the next 2,500 landings or 18 months after October 23, 1990 (the effective date of AD 90–20–16, amendment 39–6726, whichever occurs first, replace the control rod end and attach bolt with a new configuration control rod end and attach bolt on each wing, in accordance

with Boeing Service Bulletin 767–57–0021, Revision 1, dated September 14, 1989; Revision 2, dated July 26, 1990; or Revision 5, dated June 15, 1995.

* * * * *

Issued in Renton, Washington, on August 14, 1996.

Neil D. Schalekamp,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–21232 Filed 8–20–96; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 92F–0475]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

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 phosphorylated tall oil fatty acids as pigment dispersants in polymeric films intended for use in contact with food. This action is in response to a petition filed by SCM Chemicals.

DATES: Effective August 21, 1996; written objections and requests for a hearing September 20, 1996.

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

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS–216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3081.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of February 9, 1993 (58 FR 7789), FDA announced that a food additive petition (FAP 3B4350) had been filed by SCM Chemicals, c/o 1001 G St. NW., suite 500 West, Washington, DC 20001 (formerly, 1100 G St. NW., Washington, DC 20001). The petition proposed to amend the food additive regulations to add a new § 178.3725 *Pigment dispersants* (21 CFR 178.3725) to provide for the safe use of phosphorylated tall oil fatty acids as pigment dispersants in polymeric films intended for use in contact with food.

In the FDA evaluation of the safety of this food additive, the agency has reviewed the safety of the additive itself and the chemical impurities that may be present in the additive resulting from its manufacturing process. Although the additive itself has not been shown to cause cancer, it has been found to contain minute amounts of dimethyl hydrogen phosphite, which is a carcinogenic impurity resulting from the manufacture of the additive. Residual amounts of reactants and manufacturing aids, such as dimethyl hydrogen phosphite, are commonly found as contaminants in chemical products, including food additives.

I. Determination of Safety

Under the so-called ''general safety clause'' section 409(c)(A) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348(c)(A)), a food additive cannot be approved for a particular use unless a fair evaluation of the data available to FDA establishes that the additive is safe for that use. FDA's food additive regulations (21 CFR 170.3(i)) define safe as ''a reasonable certainty in the minds of competent scientists that the substance is not harmful under the intended conditions of use.''

The food additive anticancer, or Delaney, clause of the act section 409(c)(3)(A) provides that no food additive shall be deemed safe if it is found to induce cancer when ingested by man or animal. Importantly, however, the Delaney clause applies to the additive itself and not to the impurities in the additive. That is, where an additive itself has not been shown to cause cancer, but contains a carcinogenic impurity, the additive is properly evaluated under the general safety clause using risk assessment procedures to determine whether there is a reasonable certainty that no harm will result from the proposed use of the additive, *Scott* v. *FDA*, 728 F.2d 322 (6th Cir. 1984).

II. Safety of Petitioned Use of the Additive

FDA estimates that the petitioned use of the additive, phosphorylated tall oil fatty acids, will result in exposure to no greater than 2.3 parts per billion (ppb) of the additive in the daily diet (3 kilogram (kg)) or an estimated daily intake (EDI) of 7 microgram per person per day (μg/person/day) (Ref. 1).

FDA does not ordinarily consider chronic toxicological studies to be necessary to determine the safety of an additive whose use will result in such low exposure levels (Ref. 2), and the agency has not required such testing here. However, the agency has reviewed the available toxicological data on the additive and concludes that the estimated small dietary exposure to this additive is safe.

FDA has evaluated the safety of this additive under the general safety clause, considering all available data and using risk assessment procedures to estimate the upper-bound limit of risk presented by dimethyl hydrogen phosphite, the carcinogenic chemical that may be present as an impurity in the additive. The risk evaluation of dimethyl hydrogen phosphite has two aspects: (1) Assessment of the worst-case exposure to the impurity from the proposed use of the additive; and (2) extrapolation of the risk observed in the animal bioassay to the conditions of probable exposure to humans.

A. Dimethyl Hydrogen Phosphite

FDA has estimated the hypothetical worst-case exposure to dimethyl hydrogen phosphite from the petitioned use of the additive as a pigment dispersant in polymeric films to be 0.009 ppb in the daily diet (3 kg), or 27 nanograms/person/day (Ref. 1). The Cancer Assessment Committee (CAC) of the Center for Food Safety and Applied Nutrition (CFSAN) reviewed data from a 103- week carcinogenic bioassay on dimethyl hydrogen phosphite in F344/N rats and $B6C3F_1$ mice conducted by the National Toxicology Program (NTP). The results of the bioassay on dimethyl hydrogen phosphite demonstrated that the material induced lung and forestomach neoplasms in male rats when administered by gavage in corn oil. The agency used the data reviewed by the CAC to estimate the upper-bound limit of lifetime human risk from exposure to this chemical resulting from the proposed use of the additive.

Based on the estimated worst-case exposure to dimethyl hydrogen phosphite of 7 μg/person/day, FDA's CFSAN estimates that a worst-case upper-bound limit of lifetime human risk from the use of the subject additive is 1.4×10^{-9}, or 1.4 in one billion (Refs. 4 and 5). Because of the numerous conservative assumptions used in calculating the exposure estimate, the actual lifetime-averaged individual exposure to dimethyl hydrogen phosphite is likely to be substantially less than the worst-case exposure, and therefore, the upper-bound lifetime human risk would be less. Thus, the agency concludes that there is reasonable certainty that no harm from exposure to dimethyl hydrogen phosphite would result from the proposed use of the additive.