15 CFR Chapter IX

PART 902—NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

1. The authority citation for part 902 continues to read as follows:

Authority: 44 U.S.C. 3501 *et seq.*

§ 902.1 [Amended]

2. In § 902.1, paragraph (b) table, under 50 CFR, in the left column, the entry ''622.17'' is removed and the corresponding entry in the right column, ''–0205'', is also removed.

50 CFR Chapter VI

PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

3. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

4. In § 622.4, paragraph (a)(2)(x) is added to read as follows:

§ 622.4 Permits and fees.

(a) * * *

(2) * * *

(x) For a person aboard a vessel to fish for golden crab in the South Atlantic EEZ, possess golden crab in or from the South Atlantic EEZ, off-load golden crab from the South Atlantic EEZ, or sell golden crab in or from the South Atlantic EEZ, a commercial vessel permit for golden crab must be issued to the vessel and must be on board. It is a rebuttable presumption that a golden crab on board a vessel in the South Atlantic or off-loaded from a vessel in a port adjoining the South Atlantic was harvested from the South Atlantic EEZ. See § 622.17 for limitations on the use, transfer, and renewal of a commercial vessel permit for golden crab.

* * * * *

§ 622.5 [Amended]

5. In § 622.5, in paragraph (a)(1)(v), the reference to ''§ 622.17(a)'' is removed and ''§ 622.4(a)(2)(x)'' is added in its place.

§ 622.6 [Amended]

6. In § 622.6, in paragraph (a)(1)(i) introductory text, the phrase ''or § 622.17'' is removed.

§ 622.7 [Amended]

7. In § 622.7, in paragraph (a), the phrase ''or § 622.17'' is removed, in paragraph (b), the phrase ''or in § 622.17,'' is removed, in paragraph (c), the phrase ''or § 622.17(g)'' is removed, and in paragraph (z), the reference to ''§ 622.17(h)'' is removed and ''§ 622.17(b)'' is added in its place.

§ 622.8 [Amended]

8. In § 622.8, in paragraph (a), the reference to ''§ 622.17(a)'' is removed and ''§ 622.4(a)(2)(x)'' is added in its place.

9. Section 622.17 is revised to read as follows:

§ 622.17 South Atlantic golden crab controlled access.

(a) *General.* In accordance with the procedures specified in the Fishery Management Plan for the Golden Crab Fishery of the South Atlantic Region, initial vessel permits have been issued for the fishery. No additional permits may be issued.

(b) *Fishing zones.* (1) The South Atlantic EEZ is divided into three fishing zones for golden crab. A permitted vessel may fish for golden crab only in the zone shown on its permit. A vessel may possess golden crab only in that zone, except that other zones may be transited if the vessel notifies NMFS, Office of Enforcement, Southeast Region, St. Petersburg, FL, by telephone (813–570–5344) in advance and does not fish in an unpermitted zone. The designated fishing zones are as follows:

(i) Northern zone—the South Atlantic EEZ north of 28° N. lat.

(ii) Middle zone—the South Atlantic EEZ from 25° N. lat. to 28° N. lat.

(iii) Southern zone—the South Atlantic EEZ south of 25° N. lat.

(2) An owner of a permitted vessel may request that NMFS change the zone specified on a permit from the middle or southern zone to the northern zone. A request for such change and the existing permit must be submitted from an owner of a permitted vessel to the RD.

(c) *Transfer.* (1) An owner of a vessel with a valid golden crab permit may request that NMFS transfer the permit to another vessel by returning the existing permit(s) to the RD with an application for a permit for the replacement vessel.

(2) To obtain a commercial vessel permit via transfer, the owner of the replacement vessel must submit to the RD a valid permit for a vessel with a documented length overall, or permits for vessels with documented aggregate lengths overall, of at least 90 percent of the documented length overall of the replacement vessel.

(3) In addition to the provisions of paragraph (c)(2) of this section, the owner of a permitted vessel who has requested that NMFS transfer that permit to a smaller vessel (i.e., downsized) may subsequently request NMFS transfer that permit to a vessel of a length calculated from the length of the permitted vessel immediately prior to downsizing.

(d) *Renewal.* In addition to the procedures and requirements of § 622.4(h) for commercial vessel permit renewals, for a golden crab permit to be renewed, the SRD must have received reports for the permitted vessel, as required by § 622.5(a)(1)(v), documenting that at least 5,000 lb (2,268 kg) of golden crab were landed from the South Atlantic EEZ by the permitted vessel during at least one of the two 12-month periods immediately prior to the expiration date of the vessel permit.

§ 622.31 [Amended]

10. In § 622.31, in paragraph (a) the phrase ''or 622.17'' is removed.

§ 622.35 [Amended]

11. In § 622.35, in paragraph (f), the reference to ''§ 622.17(h)'' is removed and ''§ 622.17(b)'' is added in its place.

12. In § 622.40, in paragraph (c)(3)(ii), the reference to ''§ 622.17(h)'' is removed and ''§ 622.17(b)'' is added in its place, and paragraph (d)(2)(ii) is revised to read as follows:

§ 622.40 Limitations on traps and pots.

* * * * *

(d) * * *

(2) * * *

(ii) Rope is the only material allowed to be used for a buoy line or mainline attached to a golden crab trap, except that wire cable is allowed for a mainline through December 31, 2000.

§ 622.45 [Amended]

13. In § 622.45, in paragraph (f)(2), the reference to ''§ 622.17(a)'' is removed and ''§ 622.4(a)(2)(x)'' is added in its place.

[FR Doc. 98–28862 Filed 10–27–98; 8:45 am]

BILLING CODE 3510–22–F

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

RIN 0960–AE30

Application of State Law in Determining Child Relationship

AGENCY: Social Security Administration (SSA).

ACTION: Final rules.

SUMMARY: These final regulations revise our rules on determining whether a natural child has inheritance rights under appropriate State law and therefore may be entitled to Social

Security benefits as the child of an insured worker. Specifically, they revise our rules to explain which version of State law we will apply, depending on whether the insured is living or deceased, how we will apply State law requirements on time limits for determining inheritance rights, and how we will apply State law requirements for a court determination of paternity. They also clarify our current rule on determining an applicant's status as a legally adopted child of an insured individual.

EFFECTIVE DATE: These regulations are effective November 27, 1998.

FOR FURTHER INFORMATION CONTACT: Lois Berg, Legal Assistant, Office of Process and Innovation Management, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–1713 or TTY (410) 966–5609. For information on eligibility, claiming benefits, or coverage of earnings, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778.

SUPPLEMENTARY INFORMATION:

Time for Determining Relationship of Natural Child

Section 216(h)(2)(A) of the Social Security Act (the Act) states in part that in determining whether an applicant is the child of a deceased insured individual, the Commissioner of Social Security (the Commissioner) shall apply such law as would be applied in determining the devolution of intestate personal property by the courts of the State in which the insured individual was domiciled at the time of his or her death.

A child of a valid marriage has inheritance rights under the laws of all States. When determining the relationship of a child born out of wedlock to a deceased insured person under section 216(h)(2)(A), we have always looked to the law that was in effect in the insured's State of domicile at the time he or she died. Some Federal courts have also interpreted the provision this way. See Schaefer on behalf of *Schaefer* v. *Heckler,* 792 F.2d 81 (7th Cir. 1986); *Ramon* v. *Califano,* 493 F. Supp. 158 (W.D. Tex. 1980); and *Allen* v. *Califano,* 452 F. Supp. 205 (D. Md. 1978).

Other courts have adopted different interpretations. For example, in *Owens* v. *Schweiker,* 692 F.2d 80 (9th Cir. 1982), the court held that section 216(h)(2)(A) should be read to require the use of the State law of domicile that was in effect at the time of our determination on the child's claim. We, therefore, published a final rule (49 FR 21512) on May 22, 1984, amending § 404.354 of our regulations to clarify and reinforce our policy on applying State inheritance laws. However, after we amended our regulations, we also published Acquiescence Ruling (AR) 86–17(9) to clarify that we would apply the *Owens* decision to claims of children residing in the 9th Circuit. (We are publishing a notice today to rescind AR 86–17(9) effective with the effective date of these final regulations.)

Still other courts have held that the relevant law is the law in force at the time the child applies for benefits (see Cox on behalf of *Cox* v. *Schweiker, 684 F.2d 310 (5th Cir. 1982); and Hart by and through Morse* v. *Bowen,* 802 F.2d 1334 (11th Cir. 1986)).

Recognizing that the language in section 216(h)(2)(A) could be viewed as ambiguous and has not been interpreted the same by all courts, we are amending our policy as stated in § 404.354(b). We believe that a policy that permits us to apply any of several potentially applicable State inheritance laws would best effectuate Congress' intent with regard to serving the interests of a surviving child born out of wedlock. Therefore, when the insured is deceased, we will determine the status of such a child by applying the State inheritance law that is in effect when we adjudicate the child's claim for benefits. If the child does not have inheritance rights under that version of State law, we will apply the State law that was in effect when the insured died, or any version of State law in effect from the time the child first could be entitled to benefits based on his or her application until the time we make our final decision on the claim, whichever version is more beneficial to the child.

We also explain in these final regulations how we will determine which law was in effect as of the date of death. First we will look to the inheritance law that was in effect on the date of the insured's death. Then, if a law enacted after the insured's death is retroactive to the date of his or her death, we will apply that law. However, if a law in effect at the time of death was later declared unconstitutional, we will apply the State law which superseded the unconstitutional law.

Regarding the child of a living insured worker, our rule in § 404.354(b) provided that the Commissioner will apply the inheritance law that was in effect when the child's claim was filed. We are amending §§ 404.354 and 404.355 to clarify that we will look to the versions of State inheritance laws that were in effect from the first month for which the child could be entitled to benefits up to and including the time of our final decision and we will apply the version most beneficial to the child.

State Law Time Limits

As previously stated, section 216(h)(2)(A) of the Act provides that, in determining whether an applicant is the child of a deceased insured individual, the Commissioner shall apply such law as would be applied in determining the devolution of intestate personal property by the courts of the State in which the insured individual was domiciled at the time of his or her death. That section further states that an applicant who, according to such law, would have the same status relative to taking intestate personal property as a child or parent shall be deemed such respective child or parent.

Many State laws impose time limits within which someone must act to establish paternity for purposes of intestate succession. Such time limits are intended to provide for an orderly and expeditious settlement of estates. Since this is not the purpose of Social Security benefits for children, we provide in these final regulations that we will not apply a State's time limits within which a child's relationship must be established when we determine the child's status under section 216(h)(2)(A). Not applying time limits is consistent with our belief that such a policy on applying State inheritance laws will best serve the interests of the children Congress sought to protect when it enacted section 216(h)(2)(A) of the Act.

Court Order Requirements

Some State laws require a court determination of paternity for a child born out of wedlock to have inheritance rights. In determining a child's status under section 216(h)(2)(A), our policy has been to require that a claimant submit a court determination of paternity if one is required under State inheritance law. However, we are revising this policy by stating in these rules that, regarding a State that requires a court determination of paternity, we will use the standard of proof that the State court would use as the basis for such a determination, but we will not actually require a determination by a State court. Of course, if a State court with jurisdiction over the matter declares that a child can take a child's share of an insured individual's estate under intestate inheritance laws, or if a State court determines a child's paternity and such determination would prevail in that State's intestacy proceedings, SSA could generally rely on such State court findings. So, while we will not require an applicant to

obtain a State court's determination, we will be guided by such determination that an applicant has obtained, subject to the prerequisites stated in Social Security Ruling 83–37c for accepting State court determinations. Those prerequisites are: (1) an issue in a claim for Social Security benefits previously has been determined by a State court of competent jurisdiction; (2) this issue was genuinely contested before the State court by parties with opposing interests; (3) the issue falls within the general category of domestic relations law; and (4) the resolution by the State trial court is consistent with the law enunciated by the highest court in the State.

If we evaluate paternity by using the same standards that the appropriate State court would use if the issue were properly before it, we believe we will satisfy the intent of section 216(h)(2)(A) that we apply ''such law as would be applied'' by the State court to determine inheritance rights. We believe that the requirement of section 216(h)(2)(A) to apply State law will be satisfied if we apply the same substantive standard as a State court would apply to determine paternity.

Legally Adopted Child

The provisions for paying benefits to children of an insured individual were added to the Act by the Social Security Act Amendments of 1939 (Public Law 76–379). Our policy for determining whether an applicant qualifies as the ''child'' of an insured individual has always been that we apply State law on inheritance rights to determine the status under the Act of a natural child, i.e., biological child, and State law on adoption to determine the status of a child legally adopted by the insured. To avoid any uncertainty about our policy, we are amending our regulations to state more clearly how we determine a child's status as an individual's natural child or adopted child.

Section 202(d)(1) of the Act provides for benefits to a child as defined in section 216(e) of the Act. Section 216(e) states, in part, that the term ''child'' means the child or legally adopted child of an individual. Section 216(e) further states the requirements for a person to be deemed the legally adopted child of a deceased individual. Section 216(e) thus distinguishes between a natural child and an adopted child.

Further, section 216(h)(2)(A) provides that the status of an applicant for benefits as a child (as opposed to a legally adopted child, a stepchild, or other type of individual who can qualify under section 216(e) of the Act as a ''child'' for purposes of section 202(d) of the Act) is determined by applying the law on devolution of intestate personal property that would be applied by the courts in the State of the insured individual's domicile. This is a test for the status of a natural child.

The legislative history of sections 216(e) and 216(h)(2)(A) shows that Congress intended us to use section 216(h)(2)(A) to determine the status of natural children. Section 209(k), enacted in 1939, provided the first definition of ''child'' by stating in part that the term means the child of an individual, the stepchild of an individual, and a child legally adopted by an individual before the adopting individual attained age 60 and prior to the beginning of the twelfth month before the month in which he or she died. Section 209(m), also enacted in 1939, contained language that is the same as the present section 216(h)(2)(A) and described how we determine whether an applicant is the child of the insured individual.

Then in 1946, Congress amended section 209(k) to allow some children adopted by individuals aged 60 or older to receive benefits. Congress' explanation of the amended section 209(k) was that under existing provisions of the Act, a stepchild or an adopted child is not a ''child'' for benefit purposes unless certain conditions are met. H.R. Rep. No. 2526, 79th Cong., 2d Sess. 26 (1946); S. Rep. No. 1862, 79th Cong., 2d Sess. 34 (1946). Thus, since the first provision for paying benefits to children of an insured worker, there has been a clearly defined distinction between natural children and adopted children and clearly defined conditions for determining the status of an adopted child, which conditions are not affected by section 216(h)(2)(A).

Along with the structure of the Act and the legislative history of provisions defining ''child,'' we have consistently interpreted the State intestacy law provisions of section 216(h)(2)(A) as not applying to children legally adopted by the insured individual. Our first regulation on the status of a child was published in 1940. That regulation defined a ''child'' as a son or daughter (by blood) of a wage earner and then went on to define ''adopted children.'' 5 FR 1880 (May 21, 1940). We have maintained that position from the first regulation to the present. In the present § 404.354, we state that a child may be related to the insured as a natural child, legally adopted child, stepchild, grandchild, stepgrandchild, or equitably adopted child. In § 404.355, we explain the conditions for eligibility as a natural child, which include applying State inheritance law, and in § 404.356 we state the requirement for eligibility as a legally adopted child.

In these final regulations, we are amending § 404.356 to explicitly provide that we will determine an applicant's status as a legally adopted child by applying the adoption laws of the State or foreign country where the adoption took place.

Addition of Northern Mariana Islands

Further, we are adding the Northern Mariana Islands to the names of entities whose laws we will use to determine a child's relationship to the insured individual, depending on his or her permanent home.

Comments on Notice of Proposed Rulemaking (NPRM)

On January 30, 1997, we published proposed rules in the **Federal Register** at 62 FR 4494 and provided a 60-day period for interested individuals to comment. We received three letters with comments. One commenter said the proposed regulations' use of the law most beneficial to the interests of the child is a positive change which is consistent with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193). Following are summaries of the other two comments and our responses to them.

Comment: One commenter suggested that a mechanism be implemented whereby SSA would notify the State Child Support Enforcement agency of all paternity determinations we make.

Response: A determination of paternity made by SSA is not the equivalent of an administrative order of paternity required by the States. Paternity determinations made by SSA are used only for SSA purposes.

Comment: One commenter was concerned that proposed § 404.355 might be interpreted such that a child born out of wedlock for whom paternity was not established while the insured was alive would not qualify as the child of the insured. The commenter suggested that we add clarifying language to § 404.355(a)(3) to address this issue.

Response: We have revised § 404.355(a) to clarify that paragraphs 1 through 4 are alternative means of establishing a child's status under the Act. As revised, subsection (a) provides that a child may be eligible for benefits as the insured's natural child if the child qualifies under *any* of the four paragraphs.

After considering the comments on the proposed regulations, we have revised § 404.355(a), as discussed in the response to the public comment. We

have also revised paragraph (b)(3) of § 404.355 to clarify the rule on selecting the State law that we apply in determining the relationship between a child and an insured individual when the insured is alive at the time the child applies for benefits on the insured's earnings record. As revised, paragraph (b)(3) provides that we determine the State where the insured individual had his or her permanent home when the child applies for child's insurance benefits, and we apply the law of that State. In addition, we have made several minor, nonsubstantive revisions to the rules. With these exceptions, we are publishing the proposed regulations unchanged as final regulations.

Regulatory Procedures

Regulatory Flexibility Act

We certify that these final regulations will not have a significant economic impact on a substantial number of small entities because they affect only individuals. Therefore, a regulatory flexibility analysis as provided in the Regulatory Flexibility Act, as amended, is not required.

Executive Order 12866

We have consulted with the Office of Management and Budget (OMB) and determined that these final rules do not meet the criteria for a significant regulatory action under Executive Order 12866. Thus, they were not subject to OMB review.

Paperwork Reduction Act

These final regulations impose no additional reporting or recordkeeping requirements necessitating clearance by OMB.

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

(Catalog of Federal Domestic Assistance Program Nos. 96.001 Social Security-Disability Insurance; 96.002 Social Security-Retirement Insurance; 96.004 Social Security-Survivors Insurance)

Dated: October 20, 1998.

Kenneth S. Apfel,

Commissioner of Social Security.

For the reasons set out in the preamble, we are amending subpart D of part 404 of chapter III of title 20 of the Code of Federal Regulations as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

Subpart D—[Amended]

1. The authority citation for subpart D of part 404 continues to read as follows:

Authority: Secs. 202, 203(a) and (b), 205(a), 216, 223, 225, 228(a)–(e), and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 403(a) and (b), 405(a), 416, 423, 425, 428(a)–(e), and 902(a)(5)).

2. Section 404.354 is revised to read as follows:

§ 404.354 Your relationship to the insured.

You may be related to the insured person in one of several ways and be entitled to benefits as his or her child, i.e., as a natural child, legally adopted child, stepchild, grandchild, stepgrandchild, or equitably adopted child. For details on how we determine your relationship to the insured person, see §§ 404.355 through 404.359.

3. Section 404.355 is revised to read as follows:

§ 404.355 Who is the insured's natural child?

(a) *Eligibility as a natural child.* You may be eligible for benefits as the insured's natural child if any of the following conditions is met:

(1) You could inherit the insured's personal property as his or her natural child under State inheritance laws, as described in paragraph (b) of this section.

(2) You are the insured's natural child and the insured and your mother or father went through a ceremony which would have resulted in a valid marriage between them except for a ''legal impediment'' as described in § 404.346(a).

(3) You are the insured's natural child and your mother or father has not married the insured, but the insured has either acknowledged in writing that you are his or her child, been decreed by a court to be your father or mother, or been ordered by a court to contribute to your support because you are his or her child. If the insured is deceased, the acknowledgment, court decree, or court order must have been made or issued before his or her death. To determine whether the conditions of entitlement are met throughout the first month as stated in § 404.352(a), the written acknowledgment, court decree, or court order will be considered to have occurred on the first day of the month in which it actually occurred.

(4) Your mother or father has not married the insured but you have evidence other than the evidence described in paragraph (a)(3) of this section to show that the insured is your natural father or mother. Additionally, you must have evidence to show that the insured was either living with you or contributing to your support at the time you applied for benefits. If the insured is not alive at the time of your application, you must have evidence to show that the insured was either living with you or contributing to your support when he or she died. See § 404.366 for an explanation of the terms ''living with'' and ''contributions for support.''

(b) *Use of State Laws*—(1) *General.* To decide whether you have inheritance rights as the natural child of the insured, we use the law on inheritance rights that the State courts would use to decide whether you could inherit a child's share of the insured's personal property if the insured were to die without leaving a will. If the insured is living, we look to the laws of the State where the insured has his or her permanent home when you apply for benefits. If the insured is deceased, we look to the laws of the State where the insured had his or her permanent home when he or she died. If the insured's permanent home is not or was not in one of the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Northern Mariana Islands, we will look to the laws of the District of Columbia. For a definition of permanent home, see § 404.303. For a further discussion of the State laws we use to determine whether you qualify as the insured's natural child, see paragraphs (b)(3) and (b)(4) of this section. If these laws would permit you to inherit the insured's personal property as his or her child, we will consider you the child of the insured.

(2) *Standards.* We will not apply any State inheritance law requirement that an action to establish paternity must be taken within a specified period of time measured from the worker's death or the child's birth, or that an action to establish paternity must have been started or completed before the worker's death. If applicable State inheritance law requires a court determination of paternity, we will not require that you obtain such a determination but will decide your paternity by using the standard of proof that the State court would use as the basis for a determination of paternity.

(3) *Insured is living.* If the insured is living, we apply the law of the State where the insured has his or her permanent home when you file your application for benefits. We apply the version of State law in effect when we make our final decision on your

application for benefits. If you do not qualify as a child of the insured under that version of State law, we look at all versions of State law that were in effect from the first month for which you could be entitled to benefits up until the time of our final decision and apply the version of State law that is most beneficial to you.

(4) *Insured is deceased.* If the insured is deceased, we apply the law of the State where the insured had his or her permanent home when he or she died. We apply the version of State law in effect when we make our final decision on your application for benefits. If you do not qualify as a child of the insured under that version of State law, we will apply the version of State law that was in effect at the time the insured died, or any version of State law in effect from the first month for which you could be entitled to benefits up until our final decision on your application. We will apply whichever version is most beneficial to you. We use the following rules to determine the law in effect as of the date of death:

(i) If a State inheritance law enacted after the insured's death indicates that the law would be retroactive to the time of death, we will apply that law; or

(ii) If the inheritance law in effect at the time of the insured's death was later declared unconstitutional, we will apply the State law which superseded the unconstitutional law.

4. Section 404.356 is amended by adding a sentence at the end to read as follows:

§ 404.356 Who is the insured's legally adopted child?

* * * We apply the adoption laws of the State or foreign country where the adoption took place, not the State inheritance laws described in § 404.355, to determine whether you are the insured's legally adopted child.

[FR Doc. 98–28707 Filed 10–27–98; 8:45 am]

BILLING CODE 4190–29–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 97N–0524]

Food Labeling: Warning and Notice Statement; Labeling of Juice Products; Technical Scientific Workshops; Requests for Additional Time to Achieve the Pathogen Reduction Standard

AGENCY: Food and Drug Administration, HHS.

ACTION: Technical scientific workshops; requests for additional time to achieve the pathogen reduction standard; rule related.

SUMMARY: The Food and Drug Administration (FDA) is announcing two technical scientific workshops to discuss and clarify issues related to the implementation of the agency's rule requiring a warning statement for certain juice products. In particular, the workshops will address the pathogen reduction interventions that have been developed for citrus juice production and the methods for measuring and validating such systems. FDA is also announcing a process by which individual manufacturers of citrus juices may request additional time, beyond the current compliance date of November 5, 1998, to implement a validated system of control measures that achieves the required reduction in pathogenic microorganisms. Manufacturers who implement such control measures will not be required to use the warning statement on their juice products. These actions are being taken in response to requests from several fresh citrus juice manufacturers that have indicated they want to implement improved controls but need additional time to do so.

DATES: The technical scientific workshops will be held on November 12, 1998, and on November 19, 1998. Both workshops will be from 8:30 a.m. to 5:30 p.m. Registration for the workshops will be provided on a first come, first served basis and must be received by November 6, 1998.

Individual fresh citrus juice producers may request additional time to comply with the pathogen reduction standard in § 101.17(g)(7)(i) (21 CFR 101.17(g)(7)(i)) until December 19, 1998. For requests for additional time, see the FDA District Directors listed under the **SUPPLEMENTARY INFORMATION** section of this document.

ADDRESSES: The technical scientific workshops will be held at the following locations:

The November 12, 1998, workshop will be held at the Citrus Research and Education Center, University of Florida, Lake Alfred, FL 33850, 941–956–1151 and

the November 19, 1998, workshop will be held at the FDA District Office, 19900 MacArthur Blvd., suite 300, Irvine, CA 90015–2486, 949–252–7592.

For requests for additional time, see the FDA District Directors listed under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: To register for a technical workshop, please contact Catherine M. DeRoever, Center for Food Safety and Applied Nutrition (CFSAN) (HFS–22), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4251, FAX 202–205–4970 or e-mail ''cderoeve@bangate.fda.gov''. Registration information (including name, title, firm name, address, telephone and fax numbers) must be received no later than November 6, 1998.

For information on requests for additional time to achieve the pathogen reduction standard, please contact, as listed in the **SUPPLEMENTARY INFORMATION** section of this document, the Director of the FDA District Office in which the firm is located.

If you need special accommodations due to a disability, please contact Catherine M. DeRoever at the previous address at least 7 days in advance.

Interested persons should note that additional information regarding the technical scientific workshops, making requests for additional time and other relevant information will be posted on CFSAN's web site, ''www.cfsan.fda.gov,'' as it becomes available. Accordingly, such persons may wish to visit that web site on a regular basis until the workshop convenes.

SUPPLEMENTARY INFORMATION: Requests by individual citrus firms for additional time to implement control measures and validate that the process achieves the pathogen reduction in § 101.17(g)(7)(i) should be addressed to the Director of the FDA District in which the firm is located. For firms in Florida, Texas, Arizona, and California the addresses are:

Douglas Tolen, District Director, FDA Florida District Office, 7200 Lake Ellenor Dr., suite 120, Orlando, FL 32809, 407–475–4700;