involved. There are no closed portions for the meetings announced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of the meeting(s) shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this Federal Register notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The agenda, the questions to be addressed by the committee, and a current list of committee members will be available at the meeting location on the day of the meeting.

Transcripts of the open portion of the meeting may be requested in writing from the Freedom of Information Office (HFI–35), Food and Drug Administration, rm. 12A–16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 a.m. and 4 p.m., Monday through Friday. Summary minutes of the open portion of the meeting may be requested in writing from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

This notice is issued under section 10(a)(1) and (a)(2) of the Federal Advisory Committee Act (5 U.S.C. app. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: October 21, 1996.

Michael A. Friedman,

Deputy Commissioner for Operations.

[FR Doc. 96–27612 Filed 10–25–96; 8:45 am]

BILLING CODE 4160–01–F

[FDA 225–96–2006]

Memorandum of Understanding Between the Food and Drug Administration and the Agricultural Marketing Service, United States Department of Agriculture

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is providing notice of a memorandum of understanding (MOU) between FDA and the Agricultural Marketing Service, United States Department of Agriculture (USDA). The purpose of the MOU is to clarify and delineate the responsibilities of each agency with respect to the National Laboratory Accreditation Program (NLAP). Each agency has specific responsibilities under the NLAP that are mandated by the 1990 Food, Agriculture, Conservation, and Trade Act (7 U.S.C. 138–138i).

DATES: The agreement became effective May 31, 1996.

FOR FURTHER INFORMATION CONTACT: Marion G. Clower, Center for Food Safety and Applied Nutrition (HFS–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4036.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 20.108(c), which states that all written agreements and memoranda of understanding between FDA and others shall be published in the Federal Register, the agency is publishing notice of this memorandum of understanding.

Memorandum of Understanding Between the Food and Drug Administration and the Agricultural Marketing Service, USDA

I. Title: National Laboratory Accreditation Program

II. Purpose

This agreement between the Food and Drug Administration (FDA) and Agricultural Marketing Service (AMS) of the United States Department of Agriculture (USDA) clarifies and delineates the responsibilities of each agency with respect to the National Laboratory Accreditation Program (NLAP). Each agency has specific responsibilities under the NLAP that are mandated by the 1990 Food, Agriculture, Conservation, and Trade (FACT) Act (7 U.S.C. 138–138i).

III. Background

The FACT Act of 1990, approved November 28, 1990, authorizes the creation of the NLAP. Under NLAP, laboratories that request accreditation and conduct pesticide residue analysis of agricultural products for human consumption, or that make claims to the public or buyers of agricultural products concerning pesticide residue levels on agricultural products, shall be determined to meet certain minimum quality and reliability standards. The Secretary of Agriculture is charged with administering the NLAP.

The FACT Act requires the Secretary of Health and Human Services, after consultation with the Secretary of Agriculture and the Administrator of the Environmental Protection Agency (EPA), to establish, through regulations, standards for the NLAP. The Secretary of Health and Human Services is also required to approve accrediting bodies, and oversee and review the performance of such accrediting bodies, to act on behalf of the Secretary of Agriculture in implementing the certification and quality assurance programs. FDA will carry out these responsibilities under delegation from the Secretary of Health and Human Services. The Secretary of Agriculture is required to issue certificates of accreditation to laboratories who meet the requirements for the accreditation program, provide proficiency test samples to laboratories that apply for accreditation, establish a fee schedule, collect fees from the private laboratories involved in NLAP, and promulgate regulations to carry out the NLAP.

IV. Substance of Agreement

It is understood and agreed between the parties as follows:

A. FDA Responsibilities:

1. Promulgate regulations establishing standards for NLAP, after consultation with AMS and EPA (7 U.S.C. 138a(b)), including:
   a. standards applicable to laboratories;
   b. qualifications of laboratory personnel; and
   c. standards and procedures for quality assurance programs.
2. Approve accrediting bodies (7 U.S.C. 138a(c)), which may include:
   a. state agencies; and
   b. private non-profit organizations.

3. In making such approvals (7 U.S.C. 138a(c)(1) and (2)):
a. oversee and review performance of any accrediting body to ensure that the accrediting body is in compliance with requirements of the certification program; and
b. obtain all records and materials necessary for the oversight and review in (a) from accrediting bodies and certified laboratories.

B. AMS Responsibilities:
1. Administer the NLAP (7 U.S.C. 138a and 138b):
a. recommend accrediting body(ies):
b. receive laboratory applications;
c. issue certificates of accreditation to qualified laboratories;
d. perform on-site audits;
e. deny or revoke laboratory accreditation; and
f. issue ''limited'' accreditation to laboratories for specific fields of testing.
2. Provide performance evaluation test samples (7 U.S.C. 138c):
a. to any laboratory that has applied for accreditation;
b. at least twice yearly; and
c. evaluate results.
3. Promulgate regulations to carry out NLAP (7 U.S.C. 138h).
4. Establish a fee schedule for NLAP and collect fees from laboratories (7 U.S.C. 138f).
5. Prepare guidelines for reporting on results of analysis showing pesticide chemical residues to AMS, FDA, and the owner of the food (7 U.S.C. 138e).
6. Provide results of evaluations of laboratories conducted under NLAP to FDA, and the public, upon request (7 U.S.C. 138g).
7. Prepare a procedural manual for the NLAP.

C. FDA and AMS Cooperative Responsibilities:
1. Prepare written responses from comments received in rulemaking.
2. Receive reports on analyses containing any findings of chemical pesticide residue (7 U.S.C. 138e).

V. Liaison Officers

For AMS: Chief, Technical Services Branch, Science and Technology Division, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, rm. 3517, South Building, Washington, DC 20090–6456.

For FDA: Director, Division of Pesticides and Industrial Chemicals, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 200 C St., Washington, DC 20204.

VI. Basis of Cooperation

This Memorandum of Understanding describes in general terms the basis on which the parties concerned will cooperate, and does not constitute a financial obligation to serve as a basis for expenditures. Any and all expenditures from Federal funds in USDA made in conformity with the plans outlined in the Memorandum of Understanding must be in accord with Department rules and regulations and in each instance based upon appropriate finance papers. Expenditures made by FDA will be in accord with its rules and regulations.

The responsibilities assumed by the cooperating parties under this Memorandum of Understanding are contingent upon funds being available from which expenditures legally may be met.

VII. Period of Agreement

This agreement becomes effective upon acceptance by both parties and shall remain in effect indefinitely. This agreement may be modified in writing by mutual consent or terminated in writing by either party upon a sixty (60) day advance notice to the other.

VIII. Acceptance

Approved and Accepted for the Agricultural Marketing Service, USDA
By: Kenneth C. Clayton
Title: Deputy Administrator, Marketing Programs
Date: May 31, 1996

Approved and Accepted for the Food and Drug Administration
By: Fred R. Shank,
Title: Director, Center for Food Safety and Applied Nutrition
Date: May 31, 1996

Dated: October 18, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96–27592 Filed 10–25–96; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–3950–N–06]

Announcement of OMB Approval Number; Notice of Application—Foreclosure Commissioners

AGENCY: Office of the General Counsel, HUD.

ACTION: Notice of application—foreclosure commissioners; announcement of the Office of Management and Budget (OMB) approval number.

SUMMARY: The purpose of this document is to announce the OMB approval number for the information collection requirements in the notice of application for foreclosure commissioners applying under the Single Family Mortgage Foreclosure Act of 1994.

FOR FURTHER INFORMATION CONTACT: Bruce S. Albright, Office of General Counsel, U.S. Department of Housing and Urban Development, Room 9240, Washington, DC 20410, (202) 708–0080. A telecommunications device for the hearing impaired (TTY) is available at (202) 708–3259. (These are not toll free numbers.)

SUPPLEMENTARY INFORMATION: On November 27, 1995 (60 FR 58442), the Department published in the Federal Register, a notice that requested applications from parties who seek approval to act as foreclosure commissioners under the Single Family Mortgage Foreclosure Act of 1994 (the ''Act''), 12 U.S.C. 3751–3768. The document—titled, ''Notice of Application—Foreclosure Commissioners''—indicated that information collection requirements contained in the notice had been submitted to the Office of Management and Budget for emergency review and approval under section 3507 of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), and that when approved, the OMB control number would be announced by separate notice in the Federal Register. Notice of the emergency OMB approval was published on December 7, 1995 (60 FR 62876).

On December 20, 1995 (60 FR 65662) and May 28, 1996 (61 FR 26526), HUD published notices soliciting comments for the purpose of obtaining regular, non-emergency OMB approval for the Notice of Application—Foreclosure Commissioners.

This present document provides notice of the regular, non-emergency OMB approval number. Accordingly, the control number approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520) for the Notice of Application—Foreclosure Commissioners is 2510–0012. This approval number expires on July 31, 1999. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

For the convenience of applicants and other interested parties, this notice provides the information collection requirements of the Notice of Application—Foreclosure Commissioners, which are as follows:

The requested information will be used to determine if an applicant is responsible, financially sound, and competent to conduct a foreclosure. Each party submitting an application will be notified if its application has been accepted or rejected. All parties whose applications are accepted will be placed on a list of designated commissioners approved to act in a specific geographic area. When HUD determines that a particular mortgage should be foreclosed under the Act, the case will be referred to a designated foreclosure commissioner for foreclosure. Designation as a