

3E201 "Technology" according to the General Technology Note for the "use" of items controlled by 3A001.e.2, e.3, and e.5, 3A201, 3A225 to 3A233

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3E292 "Technology" according to the General Technology Note for the "development", "production", or "use" of items controlled by 3A292

License Requirements

Reason for Control: NP, AT

<i>Control(s)</i>	<i>Country Chart</i>
NP applies to entire entry.	NP Column 2
AT applies to entire entry.	AT Column 1

License Exceptions

CIV: N/A

TSR: N/A

List of Items Controlled

Unit: N/A

Related Controls: N/A

Related Definitions: N/A

Items: The list of items controlled is contained in the ECCN heading.

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Dated: July 29, 1997.

Iain S. Baird,

Acting Assistant Secretary for Export Administration.

[FR Doc. 97-20415 Filed 8-4-97; 8:45 am]

BILLING CODE 3510-33-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

Indirect Food Additives: Polymers

CFR Correction

In title 21 of the Code of Federal Regulations, parts 170 to 199, revised as of April 1, 1997, on page 263, in § 177.1520 in the table in paragraph (b) in the entry for "Polymethylsilsesquioxane" the CAS number should read "68554-70-1".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 89F-0176]

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 disodium 4-isodecyl sulfosuccinate as an emulsifier in the production of food-contact polymers. This action responds to a petition filed by American Cyanamid Co.

DATES: The regulation is effective August 5, 1997; written objections and request for a hearing by September 4, 1997.

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: Richard H. White, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3094.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of June 13, 1989 (54 FR 25174), FDA announced that a food additive petition (FAP 9B4122) had been filed by American Cyanamid Co., One Cyanamid Plaza, Wayne, NJ 07470 (currently Cytec Industries Inc., c/o Keller and Heckman, 1001 G St. NW., Washington, DC 20001). The petition proposed to amend the food additive regulations in § 175.105 *Adhesives* (21 CFR 175.105) and § 178.3400 *Emulsifiers and/or surface active agents* (21 CFR 178.3400) to provide for the safe use of disodium 4-isodecyl sulfosuccinate as a component of adhesives and as an emulsifier in the production of food-contact polymers. The petitioner later requested that the agency proceed with a decision regarding the regulation of the additive for use only as a component of adhesives in food-contact materials. The agency published a final rule in the **Federal Register** of April 20, 1993 (58 FR 21257) amending § 175.105 to provide for the use of disodium 4-isodecyl sulfosuccinate as a component of adhesives. In that final rule, the agency stated that its decision regarding

the petitioned use of the additive as an emulsifier in the production of food-contact polymers would be addressed in a future **Federal Register** document. The agency is addressing that decision in this final rule.

FDA has evaluated data in the petition and other relevant material. Based on this information, the agency concludes that the proposed use of the subject additive as an emulsifier in the production of food-contact polymeric coatings is safe, that the additive will have the intended technical effect, and that therefore, § 178.3400 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 carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before September 4, 1997, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the

objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.3400 is amended in the table in paragraph (c) by alphabetically adding a new entry under the headings "List of substances" and "Limitations" to read as follows:

§ 178.3400 Emulsifiers and/or surface active agents.

* * * * *
(c) * * *

List of substances	Limitations
* * * * *	* * * * *
Disodium 4-isodecyl sulfosuccinate (CAS Reg. No. 37294-49-8).	For use only as an emulsifier at levels not to exceed 5 percent by weight of polymers intended for use in coatings.
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Dated: July 23, 1997.

Janice F. Oliver,
Acting Director, Center for Food Safety and Applied Nutrition.
[FR Doc. 97-20498 Filed 8-4-97; 8:45 am]
BILLING CODE 4160-01-F

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8728]

RIN 1545-AQ94

Procedure for Changing a Method of Accounting Under Section 263A

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final and temporary regulations.

SUMMARY: This document contains final regulations relating to the requirements for changing a method of accounting for costs subject to section 263A. The regulations provide guidance regarding changes in method of accounting for costs incurred in producing property and acquiring property for resale. The regulations affect taxpayers changing their method of accounting for costs subject to section 263A.

DATES: These regulations are effective August 5, 1997.

FOR FURTHER INFORMATION CONTACT: Cheryl Lynn Oseekey, (202) 622-4970 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

On March 30, 1987 and August 7, 1987, temporary regulations under section 263A were published in the **Federal Register** (TD 8131, 52 FR 10052 and TD 8148, 52 FR 29375), and cross-referenced to notices of proposed rulemaking published in the **Federal Register** on the same date (52 FR 10118 and 52 FR 29391). The temporary regulations contain rules for taxpayers changing their method of accounting to comply with the capitalization rules of section 263A. A public hearing on these temporary and proposed regulations was held on December 7, 1987.

On August 9, 1993, final regulations under section 263A were published in the **Federal Register** (TD 8482, 58 FR 42198). These final regulations did not address the accounting method provisions in the 1987 temporary regulations, which continued in effect. On August 5, 1994, final and temporary regulations were published in the **Federal Register** (TD 8559, 59 FR 39958). These final regulations address "pick and pack costs" and other expenses. The August 5, 1994 temporary regulations renumbered the accounting method provisions in the 1987 temporary regulations from § 1.263A-1T(e) to § 1.263A-7T.

This document adopts, with modifications, § 1.263A-7T as final regulations.

Explanation of Provisions

In 1987, the IRS and the Treasury Department issued temporary

regulations that provide guidance to taxpayers changing their method of accounting to comply with the capitalization rules of section 263A. The regulations provide automatic consent for taxpayers required to change their method of accounting for the first taxable year section 263A was effective.

Subsequent to promulgation of the 1987 temporary regulations, the IRS and the Treasury Department issued various revenue procedures that set forth rules and procedures applicable to certain changes in method of accounting for costs subject to section 263A for which taxpayers can obtain automatic consent. These revenue procedures provide automatic consent to change the method of accounting in years other than the first taxable year section 263A was effective. Where automatic consent is not available by revenue procedure, taxpayers can obtain the Commissioner's consent to change a method of accounting for costs subject to section 263A under Rev. Proc. 97-27 (1997-21 I.R.B. 10).

Rev. Proc. 97-27 and the automatic change revenue procedures describe how a change in method of accounting may be effected, but they do not describe how inventory and other property on hand at the beginning of the year of change should be revalued. These final regulations provide guidance regarding how taxpayers must revalue property in connection with a change in method of accounting for costs subject to section 263A. The revaluation rules for inventory are substantially similar to the revaluation rules contained in the 1987 temporary