

FDA is withdrawing the December 21, 1979 proposal.

In addition, USDA's determination eliminates the need to adopt the prior sanction regulations that FDA proposed in the November 3, 1972 Federal Register document. As explained in the Federal Register document published on January 14, 1983 (48 FR 1702), the agency has decided merely to codify the determinations made by USDA. Thus, FDA is withdrawing the portion of the November 3, 1972 notice that deals with the prior sanction issue.

In the 1972 Federal Register document FDA also proposed to delete "non-essential" uses of nitrates and nitrites. This proposal was made because of information that these substances may react with secondary and tertiary amines to form harmful nitrosamines in food and in the human gastrointestinal tract. The agency proposed to limit the uses of nitrates and nitrites to those that are necessary for inhibiting the growth of *C. botulinum* and for obtaining the essential characteristics of cured meats. "Non-essential" uses that FDA proposed to delete include (1) sodium nitrite in canned pet food containing meat or fish under § 121.223 (recodified as § 573.700 in the Federal Register of September 10, 1976; 41 FR 38618), (2) sodium nitrate in smoked cured sablefish, salmon, and shad under § 121.1063, (3) sodium nitrite in smoked tuna fish products under § 121.1064, and (4) potassium nitrate in cod roe under § 121.1132 (recodified as §§ 172.170, 172.175, and 172.160, respectively, in the Federal Register of March 15, 1977; 42 FR 14302).

FDA has decided to withdraw this portion of the 1972 proposal also. Ten years have passed since the agency proposed to delete the "non-essential" uses of nitrate and nitrite, and in the intervening period many scientific studies have been undertaken regarding the effects of nitrates and nitrites in food. It would be inappropriate for FDA to proceed at this time to delete the "non-essential" uses, as proposed in 1972, without thoroughly evaluating the scientific data that have been produced and presenting the conclusions the agency has reached on the basis of those data for public comment. The agency has decided that there are significant issues that it must reconsider before taking any action to delete the previously permitted uses of nitrate and nitrite salts. The agency is therefore withdrawing the proposed regulations that would have deleted the "non-essential" uses of these substances. If the agency decides after reconsidering these uses that further regulatory action is necessary, the agency will publish an

appropriate proposal in a future issue of the Federal Register.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s) and 701(a), 52 Stat. 1055, 72 Stat. 1784 (21 U.S.C. 321(s) and 371(a)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), FDA is withdrawing the proposal published in the Federal Register of November 3, 1972 (37 FR 23456) to codify prior sanctions for the use of nitrates and nitrites in meat and poultry products and to delete certain "non-essential" uses of nitrates and nitrites and the proposal published in the Federal Register of December 21, 1979 (44 FR 75662) to declare that no prior sanction exists under the Federal Food, Drug, and Cosmetic Act for the use of nitrates and nitrites in poultry products. The rulemaking proceedings begun by these proposals are terminated.

Dated: February 28, 1983.

Arthur Hull Hayes, Jr.,

Commissioner of Food and Drugs.

[FR Doc. 83-5478 Filed 3-3-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 184

[Docket No. 78N-0281]

Magnesium Carbonate, Magnesium Chloride, Magnesium Hydroxide, Magnesium Oxide, Magnesium Phosphate, Magnesium Stearate, and Magnesium Sulfate; Proposed Affirmation of GRAS Status

Correction

In FR Doc. 83-1683 beginning on page 2782 in the issue of Friday, January, 21, 1983, make the following corrections.

1. On page 2788, second column, second line of § 184.1431(a), "No. 1390-48-4" should read "No. 1309-48-4".
2. On page 2788, third column, eleventh line of § 184.1434(b), "29418", should read "20418".

BILLING CODE 1505-01-M

21 CFR Part 357

[Docket No. 79N-0378]

Anthelmintic Drug Products for Over-the-Counter Human Use; Tentative Final Monograph

Correction

In FR Doc. 83-2331 appearing on page 4003 in the issue of Friday, January 28, 1983, make the following correction:

In the heading of the document, reference to the docket number was

omitted. It should have read "[Docket No. 79N-0378]".

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary of Housing—Federal Housing Commissioner

24 CFR Part 203

[Docket No. R-83-1071]

One-Time Mortgage Insurance Premium

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development (HUD).
ACTION: Proposed rule.

SUMMARY: This proposed rule would establish a new system for collecting mortgage insurance premiums in connection with certain single family mortgages which HUD insures under section 203 of the National Housing Act. At present, mortgage insurance premiums under section 203 are set at ½ percent per year of the amount of the outstanding principal obligation of the loan, and are collected on a monthly basis. Under the proposed system, the Borrower would pay a one-time premium when the mortgage loan is closed. This payment would purchase insurance coverage for the entire life of the insured loan, and most of it could be added to the mortgage amount and amortized along with the underlying loan. The premium would be based upon the projected costs payable from the insurance reserves, discounted to present value.

As required by section 201(b) of the Omnibus Budget Reconciliation Act of 1982, provision would be made for the refund of unearned premiums if the mortgage insurance is terminated in the early years of the mortgage. Provision would also be made for the payment of distributive shares to borrowers under the new premium system who terminate their mortgage insurance in the later years of the mortgage. The rule would specify the manner of determining and paying distributive shares, and would provide for their payment on the same basis to mortgagors, irrespective of whether their premiums were paid under the current or the proposed system. The new system would be available for mortgages which are insured pursuant to applications for conditional commitments received on or after the rule's effective date and which are