

that we will consider information such as the pest risk assessment and risk management analysis prepared for the rulemaking that established the current program; fruit fly trapping data and pest survey data from the growing area; fruit cutting data from both the packinghouses in Mexico and the U.S. port-of-entry inspections; temperature data for the production areas in Mexico, the currently approved States, and any States that might be added; and the results of APHIS' most recent comprehensive review of the Mexican Hass avocado program. Copies of this information may be obtained by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**.

We are asking the public for its comments and recommendations regarding the scope of our review and are soliciting any additional data or information that may have a bearing on our review of the Mexican Government's request. We wish to emphasize the preliminary nature of our review; we are not, at this time, proposing to make any changes to the provisions of the current Mexican avocado import program found in § 319.56–2ff. We would, therefore, ask that any comments focus on the scientific, technical, or other issues that commenters believe should be considered during our review of the Mexican Government's request.

If, after completing our review of the available data and any pertinent information submitted by the public, we conclude that there are sufficient data available to support Mexico's request, APHIS will prepare a proposed rule for public comment before making any final decision to approve additional States to receive Mexican Hass avocados or to expand the shipping season to include the months of October and March.

**Authority:** 7 U.S.C. 150dd, 150ee, 150ff, 151–167, 450, 2803, and 2809; 21 U.S.C. 136 and 136a.

Done in Washington, DC, this 8th day of May 2000.

**Bobby R. Acord,**  
*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 00–11835 Filed 5–10–00; 8:45 am]

**BILLING CODE 3410–34–P**

## RAILROAD RETIREMENT BOARD

### 20 CFR Part 217

**RIN 3220–AB45**

#### Application for Annuity or Lump Sum

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board hereby proposes to amend its regulations to enable a divorced spouse who remarries the employee within six months of the divorce to use the spouse application to qualify for a divorced spouse annuity for the period prior to the remarriage. This amendment will eliminate the necessity for the spouse to file a separate application for a short period of benefits.

**DATES:** Comments must be received on or before July 10, 2000.

**ADDRESSES:** Comments may be addressed to the Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Litt, General Attorney, Railroad Retirement Board, telephone (312) 751–4929, TTD (312) 751–4701.

**SUPPLEMENTARY INFORMATION:** Section 217.8 of the Board's regulations describes situations where the Board will accept an application filed for one type of annuity as an application for another type of annuity. An application may be effective for the period six months prior to the date of filing. This amendment will add a provision to enable a divorced spouse who remarries the employee within six months of the divorce to use the spouse application to qualify for a divorced spouse annuity for the period after the divorce and prior to the remarriage. In such cases the requirement that a claimant be married to the employee for a period of one year prior to application for a spouse annuity, as required by § 216.54 of this part, is waived.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866; therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

#### List of Subjects in 20 CFR Part 217

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, the Railroad Retirement Board proposes to amend chapter II of title 20 of the Code of Federal Regulations as follows:

#### PART 217—APPLICATION FOR ANNUITY OR LUMP SUM

1. The authority citation for part 217 continues to read as follows:

**Authority:** 45 U.S.C. 231d and 45 U.S.C. 231f.

2. In subpart B, § 217.8, redesignate paragraphs (m) through (u) as (n)

through (v), and add a new paragraph (m) to read as follows:

#### § 217.8 When one application satisfies the filing requirement for other benefits.

\* \* \* \* \*

(m) A divorced spouse annuity if the spouse claimant has remarried the employee during the six-month retroactive period of the spouse annuity application.

\* \* \* \* \*

Dated: May 4, 2000.

By authority of the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 00–11855 Filed 5–10–00; 8:45 am]

**BILLING CODE 7905–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 25

[Docket No. 00N–0085]

#### National Environmental Policy Act; Food Contact Substance Notification System; Companion to Direct Final Rule

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is proposing to amend its regulations on environmental impact considerations as part of the agency's implementation of the FDA Modernization Act (FDAMA) of 1997. FDAMA amended the Federal Food, Drug, and Cosmetic Act (the act) to establish a notification process for food contact substances (FCS); this process will be the primary method for authorizing new uses of food additives that are FCS, and it will largely replace the existing food additive petition process for such substances. The regulations will expand the existing categorical exclusions to include allowing a notification submitted under the act to become effective and will amend the list of those actions that require an environmental assessment (EA) to add allowing a notification under the act to become effective in cases where a categorical exclusion doesn't apply. This will allow notifiers of FCS to claim the categorical exclusions now available to sponsors of other requests for authorization of FCS. This proposed rule is a companion document to the direct final rule