

## The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above surface of the earth.*

\* \* \* \* \*

ANM OR E5 Grants, OR

Grants Pass Airport, OR  
(Lat. 42°30' 37"N, long. 123°23'17"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Grants Pass Airport and within 7 miles each side of a 331° bearing from the Grants Pass Airport extending from the 7-mile radius to 25 miles northwest of the airport.

\* \* \* \* \*

Issued in Seattle, Washington, on May 28, 1996.

Richard E. Prang,

*Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 96–14877 Filed 6–11–95; 8:45 am]

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## 14 CFR Part 71

[Airspace Docket No. 96–ANM–013]

### Proposed Establishment of Class E Airspace; Libby, Montana

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This proposed rule would establish the Libby, Montana, Class E airspace to accommodate a new Global Positioning System (GPS) standard instrument approach procedure (SIAP) to the Libby Airport. The area would be depicted on aeronautical charts for pilot reference.

**DATES:** Comments must be received on or before July 19, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager,

Operations Branch ANM–530, Federal Aviation Administration, Docket No. 96–ANM–013, 1601 Lind Avenue S.W., Renton, Washington 98955–4056.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

#### FOR FURTHER INFORMATION CONTACT:

James Frala, ANM–532.4, Federal Aviation Administration, Docket No. 96–ANM–013, 1601 Lind Avenue S.W., Renton, Washington 98055–4056; telephone number: (206) 227–2535.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interest parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Comments wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Airspace Docket No. 96–ANM–013.” The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations Branch, ANM–530, 1601 Lind Avenue S.W., Renton, Washington 98055–4056. Communications must identify the notice number of this NPRM. Persons interested in being

placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

##### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Libby, Montana, to accommodate a new GPS SIAP to the Libby Airport. The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

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#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation

Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ANM MT E5 Libby, MT

Libby Airport, MT

(Lat 48°17'02"N, long. 115°29'25"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Libby Airport and within 4 miles each side of the 345° bearing from the Libby Airport extending from the 7-mile radius to 10 miles northwest of the airport; that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at lat. 48°19'00"N, long. 115°42'00"W; to lat. 48°19'00"N, long. 115°16'00"W; to lat. 48°45'00"N, long. 115°22'00"W; to lat. 48°45'00"N, long. 115°50'00"W, to point of beginning.

\* \* \* \* \*

Issued in Seattle, Washington, on May 28, 1996.

Richard E. Prang,

*Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

**21 CFR Parts 70, 71, 80, 101, 107, 170, 172, 173, 174, 175, 177, 178, 184, and 1250**

[Docket No. 96N-0149]

### Food Standards; Reinvention of Regulations Needing Revisions; Request for Comments on Certain Existing Regulations

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

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that it intends to review its human food labeling regulations pertaining to: The exemption for soft drinks from requirements for the type size and placement of certain information on the information panel, requirements for listing "statements of identity," and requirements for flavor labeling; its infant formula regulations to ensure that they fully reflect the Federal Food, Drug, and Cosmetic Act (the act); and its regulations pertaining to the discharge

of waste aboard casino ships, passenger ships, and ferries. The agency is also conducting a review of its food additive regulations to consolidate existing regulations. As part of this review of agency regulations, the agency is soliciting comments from all interested persons on whether the above regulations should be retained, revised, or revoked. FDA solicits comments on the benefits or lack of benefits of such regulations in facilitating domestic, as well as international, commerce and on the value of these regulations to consumers. The agency also solicits comments on alternative means of accomplishing the statutory objectives that led to the adoption of the subject regulations. This review is in response to the Administration's "Reinventing Government" initiative which seeks to ease the burden on regulated industry and consumers.

**DATES:** Written comments by September 10, 1996.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Corinne L. Howley, Center for Food Safety and Applied Nutrition (HFS-24), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-4272.

### SUPPLEMENTARY INFORMATION:

#### I. Background

On March 4, 1995, President Clinton announced plans for the reform of the Federal regulatory system as part of the Administration's "Reinventing Government" initiative. In his March 4 directive, the President ordered all Federal agencies to conduct a page-by-page review of all of their regulations to "eliminate or revise those that are outdated or otherwise in need of reform."

In response to this directive, FDA issued proposals to revoke a number of regulations (60 FR 53480, October 13, 1995; 60 FR 56513 and 56541, November 9, 1995) and an advance notice of proposed rulemaking (ANPRM) to review standards of identity, quality, and fill of container (60 FR 67492, December 29, 1995). The agency has completed the review of its food regulations in response to the President's initiative and as a result is publishing two documents elsewhere in this issue of the Federal Register. This document is an ANPRM to review regulations that the agency believes may need to be revised. In addition to requesting information on the following

issues, FDA requests any other comments relevant to the regulations discussed herein that would assist the agency in fulfilling its mission to protect the interest of consumers.

#### II. Soft Drinks

Elsewhere in this issue of the Federal Register, FDA is proposing a number of changes in § 101.2 (21 CFR 101.2) pertaining to information that must appear on the information panel of the label. FDA explains in that document that it considers a number of exemptions from the type size and placement requirements in § 101.2 to be obsolete, and the agency is proposing to remove them.<sup>1</sup> The exemptions that FDA is proposing to remove appear in § 101.2(c), but that paragraph also contains a number of exemptions that the agency is not proposing to revoke.

Among the latter exemptions is a provision for soft drinks in § 101.2(c)(4). FDA is undecided about whether to retain this provision because the agency does not know enough about nationwide packing practices for these products. For example, this provision exempts soft drink bottles that were manufactured before October 31, 1975, from the type size and placement requirements. The agency does not know, however, whether any bottles manufactured before that date are still in use. If not, this exemption is obsolete and should be removed. Other soft drink exemptions may also be obsolete, or in need of revision, to respond more efficiently to changes in labeling practices that have resulted from the Nutrition Labeling and Education Act (the 1990 amendments). The agency needs to know more about how firms are presenting newly required information to consumers on labels and on labeling materials other than labels (e.g., counter cards, posters), as well as whether they are encountering any difficulties associated with such presentation, before it can determine whether it should pursue further rulemaking activities for soft drinks. For example, where soft drink manufacturers are using posters for some label information, there may be ample free space to present ingredient

<sup>1</sup> The type size and location requirements apply to all information required to appear on the label of any package of food under certain regulations that are referenced in § 101.2. The information must appear either on the principal display panel or the information panel unless otherwise specified in the regulations. Section 101.2(a) defines the term "information panel" as it applies to packaged food, and § 101.2(b) identifies referenced regulations. Section 101.2(c) requires that information required by the referenced regulations be in letters or numbers of at least one-sixteenth inch in height, unless otherwise exempted by regulation.