

§ 101.12 [Amended]

3. Section 101.12 *Reference amounts customarily consumed per eating occasion* is amended in paragraph (e)(2) by removing the citation “§ 101.9(e)” and adding in its place “§ 101.9(g).”

§ 101.13 [Amended]

4. Section 101.13 *Nutrient content claims—general principles* is amended in paragraph (q)(8) by revising the words “fluoridated fluoride added” to read “fluoridated, fluoride added.”

§ 101.22 [Amended]

5. Section 101.22 *Foods; labeling of spices, flavorings, colorings and chemical preservatives* is amended in the third sentence of paragraph (i)(4) by removing the phrase “A flavor used” and adding in its place the phrase “A flavor user”.

PART 104—NUTRITIONAL QUALITY GUIDELINES FOR FOODS

6. The authority citation for 21 CFR part 104 continues to read as follows:

Authority: 21 U.S.C. 321, 343, 371(a).

§ 104.5 [Amended]

7. Section 104.5 *General principles* is amended in paragraph (e) by removing the citation “§ 101.9(e)” and adding in its place “§ 101.9(g).”

PART 135—FROZEN DESSERTS

8. The authority citation for 21 CFR part 135 continues to read as follows:

Authority: 21 U.S.C. 321, 341, 343, 348, 371, 379e.

§ 135.110 [Amended]

9. Section 135.110 *Ice cream and frozen custard* is amended in paragraph (f)(3)(i) by removing the citation to paragraph “(e)(2)(ii)” and adding in its place “(f)(2)(ii).”

Dated: March 19, 1998.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 98-7983 Filed 3-26-98; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****21 CFR Part 522****Implantation or Injectable Dosage Form New Animal Drugs; Tilimicosin Phosphate Injection; Correction**

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of February 17, 1998 (63 FR 7701). The document amended the drug regulations to reflect approval of a supplemental new animal drug application filed by Elanco Animal Health, A Division of Eli Lilly and Co. The document was published with an error. This document corrects that error.

EFFECTIVE DATE: February 17, 1998.

FOR FURTHER INFORMATION CONTACT: Lajuana D. Caldwell, Office of Policy (HF-27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

In FR Doc. 98-3897, appearing on page 7701, in the **Federal Register** of Tuesday, February 17, 1998, the following correction is made:

§ 522.2471 [Corrected]

1. On page 7701, in the third column, in amendment no. 2, in line four, “13th and 14th” is corrected to read “14th and 15th”.

Dated: March 19, 1998.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 98-7982 Filed 3-26-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD 05-98-013]

RIN 2115-AE46

Special Local Regulations for Marine Events; Whitbread Chesapeake, Chesapeake Bay, Maryland

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary special local regulations are being adopted for the Chesapeake Bay portion of the Whitbread Round-the-World Offshore Yacht Race. Three marine events held as part of the Whitbread Round-the-World Race will take place in the waters of the Chesapeake Bay and Patapsco River. The dates for these activities are April 22 through May 3, 1998. These regulations are needed to allow Whitbread Chesapeake, Inc. to protect boaters, spectators and participants from the dangers associated with the events.

DATES: This temporary final rule is effective from 6 a.m. EDT (Eastern Daylight Time) on April 22, 1998 to 6

a.m. EDT on April 23, from 9 a.m. EDT to 12 p.m. EDT on April 30, 1998, and from 10 a.m. EDT to 2:30 p.m. EDT on May 3, 1998.

FOR FURTHER INFORMATION CONTACT: Lieutenant James Driscoll, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, Maryland 21226-1791, telephone number (410) 576-2676.

SUPPLEMENTARY INFORMATION:**Regulatory History**

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation. Following normal rulemaking procedures would have been impractical since there is not sufficient time remaining to publish a proposed rule in advance of the event or to provide for a delayed effective date. Immediate action is needed to protect vessel traffic from the potential hazards associated with congested waterways.

Background and Purpose

Whitbread Chesapeake, Inc. has submitted three marine event permit applications to the U.S. Coast Guard for events to be held as part of the Whitbread Round-the-World Offshore Yacht Race. On April 22, 1998, Whitbread Chesapeake, Inc. will sponsor the Whitbread Chesapeake Leg 7 finish. This event will consist of 10 offshore sailing vessels conducting race finish line approaches, finish line crossings and preparations for mooring on the waters of the Patapsco River and Northwest Harbor. On April 30, 1998, Whitbread Chesapeake, Inc. will sponsor the Whitbread Chesapeake parade of sail. This event will consist of 10 offshore sailing vessels conducting organized transit on the waters of the Patapsco River and Chesapeake Bay from Baltimore Inner Harbor to Annapolis Harbor. On May 3, 1998, Whitbread Chesapeake, Inc. will sponsor the Whitbread Chesapeake Leg 8 start. This event will consist of 10 offshore sailing vessels conducting race start preparations, start box maneuvering, corridor racing and gate area approaches on the waters of the Chesapeake Bay. A large fleet of spectator vessels is anticipated for each event. Due to the need for vessel control during the races and parade of sail, vessel traffic will be temporarily restricted to provide for the safety of spectators, participants and transiting vessels.

Discussion of Regulations

The Coast Guard will establish temporary special local regulations on specified waters of the Chesapeake Bay

and Patapsco River. Because of the nature of the events to be held as part of the Whitbread Round-the-World Offshore Yacht Race and the length of time over which the events are scheduled to run, the Coast Guard believes the most effective way to meet all safety, security and vessel control objectives is to establish three separate regulated areas. As events occur, the various regulated areas will be in effect only as the need arises. The temporary special local regulations will restrict general navigation in the regulated areas during the events. Spectator anchorage areas will also be established for spectator vessels to view the events. These regulations are needed to control vessel traffic during the marine events to enhance the safety of participants, spectators, and transiting vessels.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the regulated areas will only be in effect for a limited amount of time, extensive advisories have been and will be made to the affected maritime community so that they may adjust their schedules accordingly, and the event schedule will allow commercial interests to coordinate their activities to allow for minimal disruption to their enterprise.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary final rule will not have a significant economic impact on a

substantial number of small entities because of the event's short duration.

Collection of Information

These regulations contain no Collection of Information requirements under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.B.2 of Commandant Instruction M16475.1b (as amended, 61 FR 13564; March 27, 1996), this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section, § 100.35-T05-013 is added to read as follows:

§ 100.35-T05-013 Whitbread Chesapeake, Chesapeake Bay, Maryland.

(a) Definitions:

(1) *Northwest Harbor Regulated Area.* The waters of the Patapsco River and Northwest Harbor enclosed by:

Latitude	Longitude
39°15'33.5" North	76°34'07.5" West, to
39°15'17.5" North	76°33'58.0" West, to
39°15'15.5" North	76°34'15.5" West, to
39°15'23.5" North	76°34'44.0" West, to
39°15'50.5" North	76°34'39.5" West, to
39°15'57.5" North	76°34'42.0" West, to
39°16'04.5" North	76°34'36.5" West, to
39°16'28.0" North	76°34'37.0" West, to
39°16'28.0" North	76°34'15.0" West

(2) *Patapsco River Regulated Area.* All waters of the Patapsco River enclosed by:

Latitude Longitude

39°15'55.0" North	76°34'32.0" West, to
39°15'37.0" North	76°34'40.0" West, to
39°15'37.0" North	76°34'18.0" West, to
39°15'55.0" North	76°34'32.0" West

(3) *Chesapeake Bay Regulated Area.* The waters of the Chesapeake Bay enclosed by:

Latitude Longitude

39°00'38.0" North	76°23'06.0" West, to
39°00'18.0" North	76°21'37.5" West, to
38°56'11.0" North	76°24'10.0" West, to
38°54'01.5" North	76°24'22.0" West, to
38°54'11.0" North	76°24'29.0" West, to
38°53'58.0" North	76°25'44.0" West, to
38°53'39.0" North	76°25'53.0" West, to
38°56'33.0" North	76°25'41.0" West, to
39°00'38.0" North	76°23'06.0" West

(4) *Fort McHenry Southwest Spectator Anchorage Area.* The waters southwest of Fort McHenry bounded by a line connecting the following points:

Latitude Longitude

39°15'34.0" North	76°34'52.5" West, to
39°15'23.0" North	76°34'55.5" West, to
39°15'23.0" North	76°35'20.5" West, to
39°15'30.0" North	76°35'20.5" West, to
39°15'34.0" North	76°34'52.5" West

(5) *Fort McHenry South Spectator Anchorage Area.* The waters south of Fort McHenry bounded by a line connecting the following points:

Latitude Longitude

39°15'33.5" North	76°34'47.0" West, to
39°15'23.5" North	76°34'50.0" West, to
39°15'23.5" North	76°34'44.0" West, to
39°15'33.0" North	76°34'42.0" West, to
39°15'33.5" North	76°34'47.0" West, to

(6) *Fairfield West Spectator Anchorage Area.* The waters north of Fairfield bounded by a line connecting the following points:

Latitude Longitude

39°15'12.5" North	76°34'50.0" West, to
39°15'17.5" North	76°34'45.0" West, to
39°15'17.5" North	76°34'36.0" West, to
39°15'09.0" North	76°34'43.0" West, to
39°15'12.5" North	76°34'50.0" West

(7) *Fairfield West Spectator Anchorage Area.* The waters north of Fairfield bounded by a line connecting the following points:

Latitude Longitude

39°15'17.5" North	76°34'22.5" West, to
39°15'17.5" North	76°34'28.5" West, to
39°15'09.0" North	76°34'27.5" West, to
39°15'09.0" North	76°34'35.0" West, to
39°15'17.5" North	76°33'22.5" West

(8) *Lazaretto Point Spectator Anchorage Area.* The waters southeast

of Lazaretto Point bounded by a line connecting the following points:

Latitude	Longitude
39°15'31.0" North	76°33'58.0" West, to
39°15'17.5" North	76°33'58.0" West, to
39°15'25.0" North	76°34'02.0" West, to
39°15'31.0" North	76°33'58.0" West

(9) *Chesapeake Bay Spectator Anchorage Area*. The waters of the Chesapeake Bay bounded by a line connecting the following points:

Latitude	Longitude
38°59'23.0" North	76°24'12.0" West, to
38°59'17.5" North	76°23'57.0" West, to
38°58'07.0" North	76°24'42.0" West, to
38°58'11.0" North	76°24'53.0" West, to
38°59'23.0" North	76°24'12.0" West

All coordinates referenced use Datum NAD 1983.

(10) *Coast Guard Patrol Commander*. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) *Special Local Regulations*:

(1) All persons and/or vessels not authorized as participants or official patrol vessels are considered spectators. The "official patrol" consists of any Coast Guard, public, state, county or local law enforcement vessels assigned and/or approved by Commander, Coast Guard Activities Baltimore.

(2) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated areas.

(3) The operator of any vessel in these areas shall:

(i) Stop the vessel immediately when directed to do so by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(4) Spectator vessels may enter and anchor in the special spectator anchorage areas described in paragraph (a) of this section without the permission of the Patrol Commander. They shall use caution not to enter the regulated areas. No vessel shall anchor within a tunnel, cable or pipeline area shown on a Government chart.

(c) *Effective Periods*. The regulated area described in paragraph (a)(1) of this section and the spectator anchorage areas described in paragraphs (a)(4) through (a)(8) are effective from 6 a.m. EDT (Eastern Daylight Time) on April 22, 1998 to 6 a.m. EDT on April 23. The regulated area described in paragraph

(a)(2) of this section is effective from 9 a.m. EDT to 12 p.m. on April 30, 1998. The regulated area described in paragraph (a)(3) of this section and the spectator anchorage area described in paragraph (a)(9) are effective from 10 a.m. EDT to 2:30 p.m. on May 3, 1998. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

Dated: March 3, 1998.

J.S. Carmichael,

Captain, USCG, Acting Commander, Fifth Coast Guard District.

[FR Doc. 98-8120 Filed 3-26-98; 8:45 am]

BILLING CODE 4910-15-M

POSTAL SERVICE

39 CFR Part 111

Extension of Group E (No-Fee) Post Office Box Service Eligibility

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Domestic Mail Manual (DMM) is amended to extend Group E (no-fee) post office box eligibility to a customer whose physical residence or business location is within the immediate vicinity of the post office, and therefore ineligible for extension of carrier delivery service as specified in postal standards concerning extension of delivery service.

EFFECTIVE DATE: April 5, 1998.

FOR FURTHER INFORMATION CONTACT: John Dorsey (202) 268-3295.

SUPPLEMENTARY INFORMATION: On June 7, 1996, pursuant to its authority under 39 U.S.C. 3621, *et seq.*, the Postal Service filed with the Postal Rate Commission (PRC) a request for a recommended decision on several special service reform proposals, including a proposal to establish Group E (no-fee) post office box service for certain customers who are ineligible for carrier delivery service. The PRC designated the filing as Docket No. MC96-3, and published in the **Federal Register** (61 FR 31968-31979) a notice of the filing with a description of the Postal Service's proposals on June 21, 1996.

Pursuant to 39 U.S.C 3624, the PRC issued its Recommended Decision on the Postal Service's Request to the Governors of the Postal Service on April 2, 1997. The PRC's Recommended Decision included eligibility for no-fee post office box service for customers ineligible for carrier delivery service, subject to administrative decisions

regarding the customer's proximity to a post office.

The Postal Service implemented the changes resulting from Docket MC96-3, including the offering of no-fee post office box service to customers who are ineligible for any form of carrier delivery. The final rule published in the **Federal Register** (62 FR 31512-31516, June 10, 1997) eliminated post office box service fees for customers at those post offices who are ineligible for carrier delivery service (from any post office). Fees were also eliminated for box customers who are ineligible for carrier delivery service at offices which provide delivery service, except for those customers who reside in the immediate vicinity of the office. This amendment eliminates the exception for proximate customers, thus making all customers who are ineligible for carrier delivery service equally eligible for no-fee post office box service. Finally, the amendment eliminates the reference to "Group E" offices, since eligibility for no-fee box service is customer-specific.

Lists of Subjects in 39 CFR Part 1111

Postal Service

PART 111—[AMENDED]

The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 3626, 5001.

2. Revise the following sections of the Domestic Mail Manual which is incorporated by reference in the Code of Federal Regulations (See 39 CFR Part III) as set forth below:

* * * * *

D Deposit, Collection, and Delivery

* * * * *

D910 Post Office Box Service

* * * * *

[Amend heading of 4.0 to read as follows:]

4.0 BASIS OF FEES, PAYMENT, AND RENEWAL

4.1 General

[Amend 4.1 to read as follows:]

Post office box service fees are based on the size of the box provided, and the fee group of the administering facility together with customer eligibility for a Group E post office box as identified in 5.0.

* * * * *

4.5 Payment

[Amend 4.5 to read as follows:]

All fees are for a semiannual (6-month) period, and must be paid in