

submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: Comments to Docket No. 99-SW-44-AD. The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

AD 99-19-30 **Sikorsky Aircraft**
Corporation: Amendment 39-11317.
Docket No. 99-SW-44-AD.

Applicability: Model S-76A, B, and C helicopters, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent separation of the tail gearbox forward fairing (fairing), damage to the tail rotor blades, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 50 hours time-in-service (TIS), conduct a visual inspection of the attachment angle on each fairing, in accordance with the Accomplishment Instructions, paragraph A, of Sikorsky Aircraft Corp. Alert Service Bulletin 76-55-16, dated May 12, 1999 (ASB).

(b) Thereafter, at intervals not to exceed 1500 hours TIS, conduct a visual inspection of the attachment angle on each fairing in accordance with the Accomplishment Instructions, paragraph A, of the ASB.

(c) If the visual inspection in paragraphs (a) or (b) reveals a disbond area that equals or exceeds 1.0 square inch, prior to further flight, repair or replace the attachment angle with an airworthy attachment angle in accordance with the Accomplishment Instructions, paragraph B, of the ASB.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Boston Aircraft Certification Office. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Boston Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Boston Aircraft Certification Office.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

(f) The inspection, repair, or replacement shall be done in accordance with the Accomplishment Instructions in Sikorsky

Aircraft Corp. Alert Service Bulletin 76-55-16, dated May 12, 1999. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Sikorsky Aircraft Corporation, Attn: Manager, Commercial Tech Support, 6900 Main Street, P. O. Box 9729, Stratford, Connecticut 06497-9129, phone (203) 386-7860, fax (203) 386-4703. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on October 4, 1999.

Issued in Fort Worth, Texas, on September 7, 1999.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-23959 Filed 9-16-99; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. 29334; Amendment No. 71-31]

Airspace Designations; Incorporation By Reference

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends FAA regulations relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9G, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, Class B, Class C, Class D, and Class E airspace areas and reporting points incorporated by reference.

DATES: These regulations are effective September 16, 1999, through September 15, 2000. The incorporation by reference of FAA Order 7400.9G is approved by the Director of the Federal Register as of September 16, 1999, through September 15, 2000.

FOR FURTHER INFORMATION CONTACT: Brenda Brown, Janet Glivings, or Christine Graves, Airspace and Rules Division (ATA-400), Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

FAA Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, listed Class A, Class B, Class C, Class D, and Class E airspace areas and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the **Federal Register** to incorporate the material by reference in the Federal Aviation Regulations § 71.1 (14 CFR 71.1). The Director of the Federal Register approved the incorporation by reference of FAA Order 7400.9F in § 71.1, effective September 16, 1998, through September 15, 1999. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order 7400.9F in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of Airspace Designations and Reporting Points, Order 7400.9G. The Director of the Federal Register has approved the incorporation by reference of FAA Order 7400.9G in § 71.1, as of September 16, 1999, through September 15, 2000. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. Sections 71.5, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, 71.79, and 71.901 are also updated to reflect the incorporation by reference of FAA Order 7400.9G.

The Rule

This action amends part 71 of the Federal Aviation Regulations (14 CFR part 71) to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order 7400.9G, effective September 16, 1999, through September 15, 2000. During the incorporation by reference period, the FAA will continue to process all proposed changes of the airspace listings in FAA Order 7400.9G in full text as proposed rule documents in the **Federal Register**. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of the Order, and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in § 71.1.

The FAA has determined that this action: (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. This action neither places any new restrictions or requirements on the public, nor changes the dimensions or operating requirements of the airspace listings incorporated by reference in part 71. Consequently, notice and public procedure under 5 U.S.C. 553(b) are unnecessary. Because this action will continue to update the changes to the airspace designations, which are depicted on aeronautical charts, and to avoid any unnecessary pilot confusion, I find that good cause exists, under 5 U.S.C. 553(d), for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 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.

2. Section 71.1 is added to read as follows:

§ 71.1 Applicability.

The complete listing for all Class A, Class B, Class C, Class D, and Class E airspace areas and for all reporting points can be found in FAA Order 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The approval to incorporate by reference FAA Order 7400.9G is effective September 16, 1999, through September 15, 2000. During the incorporation by reference period, proposed changes to the listings of Class A, Class B, Class C, Class D, and Class E airspace areas and to reporting points will be published in full text as proposed rule documents in the **Federal Register**. Amendments to the listings of Class A, Class B, Class C, Class D, and Class E airspace areas and

to reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. Copies of FAA Order 7400.9G may be obtained from the Airspace and Rules Division, ATA-400, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-8783. Copies of FAA Order 7400.9G may be inspected in Docket No. 29334 at the Federal Aviation Administration, Office of the Chief Counsel, AGC-200, Room 915G, 800 Independence Avenue, SW., Washington, D.C., weekdays between 8:30 a.m. and 5:00 p.m., or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. This section is effective September 16, 1999, through September 15, 2000.

§ 71.5 [Amended]

3. Section 71.5 is amended by removing the words "FAA Order 7400.9F" and adding, in their place, the words "FAA Order 7400.9G".

§ 71.31 [Amended]

4. Section 71.31 is amended by removing the words "FAA Order 7400.9F" and adding, in their place, the words "FAA Order 7400.9G".

§ 71.33 [Amended]

5. Paragraph (c) of § 71.33 is amended by removing the words "FAA Order 7400.9F" and adding, in their place, the words "FAA Order 7400.9G".

§ 71.41 [Amended]

6. Section 71.41 is amended by removing the words "FAA Order 7400.9F" each place they appear and adding, in their place, the words "FAA Order 7400.9G".

§ 71.51 [Amended]

7. Section 71.51 is amended by removing the words "FAA Order 7400.9F" each place they appear and adding, in their place, the words "FAA Order 7400.9G".

§ 71.61 [Amended]

8. Section 71.61 is amended by removing the words "FAA Order 7400.9F" each place they appear and adding, in their place, the words "FAA Order 7400.9G".

§ 71.71 [Amended]

9. Paragraphs (b), (c), (d), (e), and (f) of § 71.71 are amended by removing the words "FAA Order 7400.9F" and

adding, in their place, the words "FAA Order 7400.9G".

§ 71.79 [Amended]

10. Section 71.79 is amended by removing the words "FAA Order 7400.9F" and adding, in their place, the words "FAA Order 7400.9G".

§ 71.901 [Amended]

11. Paragraph (a) of § 71.901 is amended by removing the words "FAA Order 7400.9F" and adding, in their place, the words "FAA Order 7400.9G".

Issued in Washington, DC, September 3, 1999.

Reginald C. Matthews,

Manager, Airspace and Rules Division.

[FR Doc. 99-23931 Filed 9-16-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-AGL-31]

Modification of Class E Airspace, Sheridan, IN

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule; suspension of effectiveness.

SUMMARY: This action suspends the effectiveness of a final rule that was published in the **Federal Register** on Wednesday, August 25, 1999 (64 FR 46267), Airspace Docket No. 99-AGL-31. The final rule modified Class E Airspace at Sheridan, IN.

EFFECTIVE DATE: Effective September 17, 1999 the final rule amendments published August 25, 1999 (64 FR 46267) are suspended until 0901 UTC, November 4, 1999.

FOR FURTHER INFORMATION CONTACT: Annette Davis, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, IL 60018, telephone (847) 294-7477.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 99-22067, Airspace Docket No. 99-AGL-31, published on August 25, 1999 (64 FR 46267), modified Class E Airspace at Sheridan, IN. An incorrect effective date was published for this airspace action. This action corrects that error.

Issued in Des Plaines, IL on August 30, 1999.

Christopher R. Blum.

Manager, Air Traffic Division.

[FR Doc. 99-23941 Filed 9-16-99; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 98P-0968]

Food Labeling: Declaration of Ingredients

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending its ingredient labeling regulations to permit the use of "and/or" labeling for the various fish species used in the production of certain processed seafood products, i.e., surimi and surimi-containing foods. This action responds to a petition submitted by the National Fisheries Institute (NFI) requesting more flexible ingredient labeling for the fish ingredients used in the production of surimi products. This rule will permit manufacturers of surimi and surimi-containing products to maintain a single label inventory identifying all of the fish species that are used in the manufacture of these products.

DATES: This rule is effective on September 17, 1999.

FOR FURTHER INFORMATION CONTACT: Linda J. McCollum, Center for Food Safety and Applied Nutrition (HFS-158), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5099.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of April 9, 1999 (64 FR 17295), FDA published a proposal to amend the ingredient labeling regulations (hereinafter referred to as the April 9 proposal) to permit the use of "and/or" labeling for the various fish species used in the production of certain processed seafood products such as surimi and surimi-containing foods. The April 9 proposal responded to a citizen's petition submitted by NFI, which requested that FDA allow more flexible ingredient labeling for the fish ingredients used as a component in surimi production. NFI asserted that the use of "and/or" labeling would have

two advantages: (1) Reduce the economic burden on manufacturers of having to maintain extensive label inventories to account for all possible fish species or predominance combinations used and (2) enable manufacturers to effectively manage harvestable resources by allowing them to take advantage of the varying species and quantities of fish available at different times of the year. The petitioner also asserted that because the fish ingredients are thoroughly decharacterized during processing, the specific fish species used does not influence the nutritional content or product character, nor does it influence consumer-purchasing decisions.

In regard to the fish ingredients used to produce surimi, the NFI petition described them as refined myofibrillar protein products. The processing of the fish ingredients is such that the fish, regardless of species, are headed, gutted, filleted, skinned, deboned, and minced. The minced flesh is then washed and screened to decharacterize the tissue by removing blood, fat, pigments, and enzymes characteristic of the fish species, resulting in a slurry not recognizable as fish flesh. The fish ingredient used as a component of surimi is a washed, dehydrated slurry devoid of color, odor, texture, and taste. Surimi, an intermediate processed seafood product, is made by mixing cryoprotectants into the myofibrillar protein base then extruding it. It can be used fresh or stored frozen until processed further into seafood analog food products (Ref. 1).

Based on FDA's review of the information provided in the petition, and other information available to the agency describing the production of surimi, we tentatively found in the April 9 proposal that the use of "and/or" ingredient labeling for the declaration of the fish species in certain processed seafood products is consistent with other exceptions to the ingredient labeling requirements providing for "and/or" labeling. The agency also tentatively found that such labeling would not compromise the type or amount of information received by the consumer regarding surimi and surimi-containing foods. Consequently, in the April 9 proposal, FDA proposed to amend its ingredient labeling regulations to permit the use of "and/or" labeling for the fish ingredient present in surimi and surimi-containing foods. Specifically, the agency proposed that when processed seafood products contain fish protein ingredients consisting primarily of the myofibrillar protein fractions from one or more fish species and the manufacturer is unable