

VI. References

The following reference has been placed on display at the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

1. Lee, C. M., "Surimi Process Technology," *Food Technology*, pp. 69 to 80, 1984.

List of Subjects in 21 CFR Part 101

Food labeling, Nutrition, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 101 is amended as follows:

PART 101—FOOD LABELING

1. The authority citation for 21 CFR part 101 continues to read as follows:

Authority: 15 U.S.C. 1453, 1454, 1455; 21 U.S.C. 321, 331, 342, 343, 348, 371.

2. Section 101.4 is amended by adding paragraph (b)(23) to read as follows:

§ 101.4 Food; designation of ingredients.

* * * * *

(b) * * *

(23) When processed seafood products contain fish protein ingredients consisting primarily of the myofibrillar protein fraction from one or more fish species and the manufacturer is unable to adhere to a constant pattern of fish species in the fish protein ingredient, because of seasonal or other limitations of species availability, the common or usual name of each individual fish species need not be listed in descending order of predominance. Fish species not present in the fish protein ingredient may be listed if they are sometimes used in the product. Such ingredients must be identified by words indicating that they may not be present, such as "or", "and/or", or "contains one or more of the following:" Fish protein ingredients may be declared in the ingredient statement by stating the specific common or usual name of each fish species that may be present in parentheses following the collective name "fish protein", e.g., "fish protein (contains one or more of the following: Pollock, cod, and/or pacific whiting)".

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Dated: September 13, 1999.

Margaret M. Dotzel,

Acting Associate Commissioner for Policy.

[FR Doc. 99-24235 Filed 9-16-99; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-99-079]

RIN 2115-AE46

Special Local Regulations for Marine Events; Neuse River Bridge Dedication Fireworks Display, Neuse River, New Bern, North Carolina

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary special local regulations are being adopted for the Neuse River Bridge Dedication Fireworks Display, to be held September 17, 1999, over the waters of the Neuse River, New Bern, North Carolina. These regulations are needed to protect spectator craft and other vessels transiting the event area from the dangers associated with the event. This action is intended to enhance the safety of life and property during the event.

DATES: This temporary final rule is effective from 7:45 p.m. to 9:15 p.m. EDT (Eastern Daylight Time) on September 17, 1999 and September 18, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6204.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Marine Events Coordinator, Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, telephone number (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory History

A notice of proposed rulemaking (NPRM) was not published for this regulation. In keeping with 5 U.S.C. 553(B), the Coast Guard finds that good cause exists for not publishing a NPRM. In keeping with the requirements of 5 U.S.C. 553(d)(3), the Coast Guard also finds that good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. The Coast Guard received confirmation of this request for special local regulations on August 5, 1999. There were not sufficient time to publish a proposed rule in advance of the event. Publishing a NPRM and delaying the effective date of the

regulation would be contrary to the public interest, because immediate action is needed to protect vessel traffic from the potential hazards associated with this event.

Background and Purpose

The City of New Bern will sponsor the Neuse River Bridge Dedication fireworks display, to be held over the waters of the Neuse River, New Bern, North Carolina. The event will consist of pyrotechnic displays fired from a barge positioned in the Neuse River. A large fleet of spectator vessels is anticipated. Due to the need for vessel control during the fireworks displays, vessel traffic will be temporarily restricted to provide for the safety of spectators and transiting vessels.

Discussion of Regulations

The Coast Guard is establishing temporary special local regulations on specified waters of the Neuse River. The temporary special local regulations will be in effect from 7:45 p.m. to 9:15 p.m. EDT on September 17, 1999 and will restrict general navigation in the regulated areas during the event. If the event is postponed due to weather conditions, the temporary special local regulations will be effective from 7:45 p.m. to 9:15 p.m. EDT on September 18, 1999. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. These regulations are needed to control vessel traffic during the fireworks display to enhance the safety of spectators and transiting vessels.

Regulatory Evaluation

This temporary final 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 temporary final 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 area will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this temporary final rule will have a significant economic impact on a substantial number of small entities. *Small Entities* include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Because this temporary final rule will only be in effect for a short period of time and extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly, the Coast Guard expects the impact of this temporary final rule to be minimal.

Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This temporary final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this temporary final 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 temporary final rule and concluded that, under figure 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. Special local regulations issued in conjunction with a marine event are excluded under that authority.

List of Subjects in 33 CFR Part 100

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

Regulation

In consideration of 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 through 1236; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section, § 100.35–T05–079 is added to read as follows:

§ 100.35–T05–079 Neuse River Bridge Dedication Fireworks Display, Neuse River, New Bern, North Carolina.

(a) *Regulated Area.* The waters of the Neuse River enclosed within the arc of a circle with a radius of 150 yards and with its center located at latitude 35°06'00" North, longitude 077°02'00" West. All coordinates reference Datum NAD 1983.

(b) *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 Group Fort Macon.

(c) *Special Local Regulations.* (1) All persons and vessels not authorized as 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 Group Fort Macon.

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

(3) The operator of any vessel in this area shall:

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

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

(d) *Effective dates:* This section is effective from 7:45 p.m. to 9:15 p.m. EDT (Eastern Daylight Time) on September 17, 1999. If the event is postponed due to weather conditions, the regulated area is effective from 7:45 p.m. to 9:15 p.m. EDT (Eastern Daylight Time) on September 18, 1999.

Dated: September 2, 1999.

Roger T. Rufe, Jr.,

Vice Admiral, U.S. Coast Guard, Commander Fifth Coast Guard District.

[FR Doc. 99–24255 Filed 9–16–99; 8:45 am]

BILLING CODE 4910–15–M

POSTAL SERVICE

39 CFR Part 111

Bulk Parcel Return Service

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule sets forth the Domestic Mail Manual (DMM) standards adopted by the Postal Service to implement the Decision of the Governors of the United States Postal Service on the Recommended Decision of the Postal Rate Commission on the Minor Classification Change for Bulk Parcel Return Service, Docket No. MC99–4. The change allows properly endorsed Standard Mail (A) machinable parcels that have been opened and resealed by the recipient to be returned to the original mailer and allows mailers the option of providing the parcel recipients with the label for returns.

EFFECTIVE DATE: October 3, 1999.

FOR FURTHER INFORMATION CONTACT: Paul Lettmann, (202) 268–6261, or Scott L. Reiter, (202) 268–2999.

SUPPLEMENTARY INFORMATION: The changes in Domestic Mail Manual standards allow properly endorsed Standard Mail (A) machinable parcels that have been opened and resealed by the recipient to be returned to the original mailer without payment of return postage as part of the bulk parcel return service in certain circumstances. They also allow mailers to elect to furnish a label that can be used by recipients when returning a parcel.

These changes will provide better service to mailers and their customers and will also improve postal efficiency. Parcels that have been opened, resealed, and replaced in the mail normally require payment of additional postage. However, there are two situations in which the Postal Service believes the requirement should be superseded by the more efficient and cost-effective practice of treating the parcel as part of the BPRS mailstream.

The first situation occurs when the parcel has already been returned to the mailstream and it is impractical or inefficient to return it to the recipient for payment of postage. This could occur either because discovery that the parcel had been opened is made only after the parcel has reached a point in the mailstream that is at or near the office serving the original mailer or because such discovery is simply not made. This situation might also occur because of the inefficiencies and costs that would be encountered by having a carrier return the parcel to the recipient.

The second situation in which a recipient does not have to pay for return postage occurs when a mailer distributes a return label prepared to Postal Service specifications that the parcel recipient later uses to indicate that the parcel is being returned as BPRS at the expense of the original mailer. The use of a label is optional