FDC Date	State	City	Airport	FDC No.	SIAP
12/06/96 ...	MI	Boyne Falls	Boyne Mountain	FDC 6/9122	NDB or GPS–A Amdt 6...
12/06/96 ...	OH	Columbus	Port Columbus Intl	FDC 6/9114	ILS Rwy 10L, Amdt 16...
12/09/96 ...	LA	Hammond	Hammond Muni	FDC 6/9178	VOR Rwy 31, Amdt 3B...
12/10/96 ...	MN	Rochester	Rochester Intl	FDC 6/9235	ILS Rwy 13, Amdt 5...
12/10/96 ...	NC	Burlington	Burlington-Alamance Regional	FDC 6/9231	VOR or GPS Rwy 10, Amdt 7...
12/10/96 ...	NC	Fayetteville	Fayetteville Regional/Grannis Field	FDC 6/9206	VOR or GPS Rwy 22, Amdt 4...
12/10/96 ...	NE	McCook	McCook Muni	FDC 6/9219	VOR or GPS Rwy 21, Amdt 4...
12/10/96 ...	NE	McCook	McCook Muni	FDC 6/9220	VOR Rwy 12, Amdt 11...
12/10/96 ...	NE	McCook	McCook Muni	FDC 6/9221	GPS Rwy 12, Orig...
12/10/96 ...	NE	McCook	McCook Muni	FDC 6/9222	VOR or GPS Rwy 30, Amdt 10...
12/10/96 ...	OR	Portland	Portland Intl	FDC 6/9217	ILS Rwy 10R CAT II and CAT III, Amdt 30A...
12/11/96 ...	CA	Oakland	Metropolitan Oakland Intl	FDC 6/9289	ILS Rwy 29, Amdt 23...
12/11/96 ...	MA	Tewksbury	TEW–MAC	FDC 6/9279	NDB or GPS–A, Amdt 4...

[FR Doc. 96–32691 Filed 12–23–96; 8:45 am]
BILLING CODE 4910–13–M

FEDERAL TRADE COMMISSION

16 CFR Part 301

Rules and Regulations Under the Fur Products Labeling Act

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: This document amends the Rules and Regulations under the Fur Products Labeling Act (Fur Rules) by adding the International System of Units (SI metric system) equivalents beside the inch/pound unit measurements in §§ 301.19 and 301.27. These metrication amendments are required by Executive Order 12770 of July 25, 1991, and the Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act. Section 301.43 is amended to replace the phrase ''capacity or tendency to mislead or deceive'' with language conforming with that set forth in recent Commission cases. Section 301.12(e)(2) is amended to eliminate obsolete country names. Section 301.19(k) is amended to change the reference to the Bureau of Textiles and Furs, which no longer exists, to the Bureau of Consumer Protection. Finally, § 301.1(a)(2) is republished to correct a typographical error in the CFR.

EFFECTIVE DATE: December 24, 1996.

ADDRESSES: Requests for copies of this final rule should sent to the Public Reference Branch, Room 130, Federal Trade Commission, Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT:

Bret S. Smart, Program Advisor, Los Angeles Regional Office, Federal Trade Commission, 11000 Wilshire Blvd., Suite 13209, Los Angeles, CA 90024, (310) 235–4040.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Fur Products Labeling Act (Fur Act), 15 U.S.C. 69, requires covered furs and fur products to be labeled, invoiced, and advertised to show (1) the name(s) of the animal(s) that produced the fur(s); (2) that the fur product contains or is composed of used fur, when such is the fact; (3) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact; (4) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact; (5) the name under which the manufacturer or other responsible company does business, or in lieu there of, the RN issued to the company by the Commission; and (6) the name of the country of origin of any imported furs used in the fur product. Pursuant to Section 8(b) of the Fur Act, ''[t]he Commission is authorized and directed to prescribe rules and regulations * * * as may be necessary and proper for purposes of administration and enforcement of this Act.'' (15 U.S.C. 69f(b)) These implementing rules and regulations are set forth at 16 CFR part 301.

As part of the Commission's systematic review of all current Commission rules, regulations, and guides, the Commission published a Federal Register notice on May 6, 1994, 59 FR 23645, seeking public comment about the regulatory and economic costs and benefits of the Fur Rules. The notice also stated that the Commission proposed to amend §§ 301.19 and 301.27 to include the metric equivalents beside the inch/pound unit measurements already included in those Sections. Finally the notice stated that, should the Commission retain § 301.43, it would be amended to reflect language conforming with that set forth in Cliffdale Associates, Inc., 103 F.T.C. 110, 164–65 (1984) and subsequent cases.

II. Amendments to the Fur Rules

In a separate notice of proposed rulemaking, the Commission summarizes the results of its regulatory review of the Fur Rules, and seeks comment on whether it should make additional substantive amendments to the rules. In this final rule, the Commission announces adoption of the amendments set out in the May 6, 1994, request for comment.

Currently, §§ 301.19 and 301.27 include measurements expressed exclusively in inch/pound units. Under Executive Order 12770 of July 25, 1991, 56 FR 35801 (July 29, 1991), and the Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act, 15 U.S.C. 205b, all federal agencies are required to use the SI metric system of measurement in all

procurements, grants, and other business-related activities (which include rulemakings), except to the extent that such use is impractical or is likely to cause significant inefficiencies or loss of markets to United States firms.

The proposed amendments to §§ 301.19 and 301.27 were set out in the regulatory review notice. Three of the seven comments submitted in response to the regulatory review expressed general support for the proposed metrication amendments; [1] the remaining comments did not address the metrication amendments at all. The proposed amendment to § 301.43 was also set out in the regulatory review notice; none of the seven comments addressed this proposed amendment.

The metrication amendments to §§ 301.19 and 301.27 are technical and non-substantive; they merely provide metric equivalents to the existing measurements expressed in inch/pound units and do not create any new requirements. The amendment to § 301.43 does not alter its substance; it merely replaces the phrase ''or has the capacity or tendency to mislead or deceive'' with language conforming with that set forth in Cliffdale Associates, Inc., 103 F.T.C. 110, 164–65 (1984) and subsequent cases.

The changes to §§ 301.12(e)(1), 301.19(k), and 301.1(a)(2) are technical and non-substantive. The Commission finds that notice-and-comment rulemaking procedures are unnecessary for these minor changes because they will have no impact on industry or the public. Section 301.12(e)(1) lists in its examples of country of origin disclosures two country names that are now obsolete. These obsolete names are eliminated in the revised section. Section 301.19(k) makes reference to the FTC's ''Bureau of Textiles and Furs,'' which no longer exists. Those functions are now part of the Bureau of Consumer Protection. Section 301.19(k) is revised to reflect this change. Section 301.1(a)(2) contained a typographical error in the CFR publication; this is corrected here.

[1] Fieldcrest Cannon, Inc. (3) p. 6, American Textile Manufacturers Institute (4) p. 6, and Milliken & Company (7) p. 6. The number in parentheses denotes the number assigned by the Office of the Secretary to the comment in the public record of comments received in the regulatory review of the Fur Rules. The regulatory reviews of the Textile Rules, the Wool Rules, and the Fur Rules were undertaken simultaneously. In each case, these three Fur Rules comments are identical copies of submissions that were made under both the Textile Rules and the Wool Rules. The three comments express general support for adding metric equivalents to the inch/pound measurements in all three of the Commission's implementing Rules.

List of Subjects in 16 CFR Part 301

Furs, Labeling, Trade practices.

For the reasons set out above, the Commission amends 16 CFR Part 301 as follows:

PART 301—RULES AND REGULATIONS UNDER THE FUR PRODUCTS LABELING ACT

1. The authority citation for part 301 continues to read as follows:

Authority: 15 U.S.C. 69.

2. Section 301.1(a)(2) is revised to read as follows:

§ 301.1 Terms defined.

(a) * * *

(2) The terms *rule, rules, regulations,* and *rules and regulations,* mean the rules and regulations prescribed by the Commission pursuant to section 8(b) of the act.

* * * * *

3. Section 301.12(e)(1) is revised to read as follows:

§ 301.12 Country of origin of imported furs.

* * * * *

(e) (1) The English name of the country of origin shall be used. Abbreviations which unmistakably indicate the name of a country, such as ''Gt. Britain'' for ''Great Britain,'' are acceptable. Abbreviations such as ''N.Z.'' for ''New Zealand'' are not acceptable.

* * * * *

4. In § 301.19, paragraphs (i)(1), (i)(2), (i)(3), (k) and (l)(2) are revised to read as follows:

§ 301.19 Pointing, dyeing, bleaching or otherwise artificially coloring.

* * * * *

(i) (1) Any person dressing, processing or treating a fur pelt in such a manner that it is required under paragraph (e) or (h) of this section to be described as ''color altered'' or ''color added'' shall place a black stripe at least one half inch (1.27 cm) in width across the leather side of the skin immediately above the rump or place a stamp with a solid black center in the form of either a two inch (5.08 cm) square or a circle at least two inches (5.08 cm) in diameter on the leather side of the pelt and shall use black ink for all other stamps or markings on the leather side of the pelt.

(2) Any person dressing, processing or treating a fur pelt which after processing is considered natural under paragraph (g) of this section shall place a white stripe at least one half inch (1.27 cm) in width across the leather side of the skin immediately above the rump or place a stamp with a solid white center in the form of either a two inch (5.08 cm) square or a circle at least two inches (5.08 cm) in diameter on the leather side of the pelt and shall use white ink for all other stamps or markings on the leather side of the pelt.

(3) Any person dressing, processing or treating a fur pelt in such a manner that it is considered dyed under paragraph (d) of this section shall place a yellow stripe at least one half inch (1.27 cm) in width across the leather side immediately above the rump or place a stamp with a solid yellow center in the form of either a two inch (5.08 cm) square or a circle at least two inches (5.08 cm) in diameter on the leather side of the pelt and shall use yellow ink for all other stamps or markings on the leather side of the pelt.

* * * * *

(k) Any person who possesses fur pelts of a type which are always considered as dyed under paragraph (d) of this section after processing or any person who processes fur pelts which are always natural at the time of sale to the ultimate consumer, which pelts for a valid reason cannot be marked or stamped as provided in this section, may file an affidavit with the Federal Trade Commission's Bureau of Consumer Protection setting forth such facts as will show that the pelts are always dyed or natural as the case may be and that the stamping of such pelts cannot be reasonably accomplished. If the Bureau of Consumer Protection is satisfied that the public interest will be protected by the filing of the affidavit, it may accept such affidavit and advise the affiant that marking of the fur pelts themselves as provided in this section will be unnecessary until further notice. Any person filing such an affidavit shall promptly notify the Commission of any change in circumstances with respect to its operations.

(l) * * *

(2) A recommended method for preparation of samples would be: Carefully pluck hair samples from 10 to 15 different representative sites on the pelt or garment. This can best be accomplished by using a long nose stainless steel pliers with a tip diameter of 1⁄16 inch (1.59 mm). The pliers should be inserted at the same angle as the guard hairs with the tip opened to 1⁄4 inch (6.35 mm). After contact with the hide, the tip should be raised about 1⁄4 inch (6.35 mm), closed tightly and pulled quickly and firmly to remove the hair.

* * * * *

5. Section 301.27 is revised to read as follows:

§ 301.27 Label and method of affixing.

At all times during the marketing of a fur product the required label shall have a minimum dimension of one and three-fourths (1¾) inches by two and three-fourths (2¾) inches (4.5 cm × 7 cm). Such label shall be of a material of sufficient durability and shall be conspicuously affixed to the product in a secure manner and with sufficient permanency to remain thereon throughout the sale, resale, distribution and handling incident thereto, and shall remain on or be firmly affixed to the respective product when sold and delivered to the purchaser and purchaser-consumer thereof.

6. Section 301.43 is revised to read as follows:

§ 301.43 Use of deceptive trade or corporate names, trademarks or graphic representations prohibited.

No person shall use in labeling, invoicing or advertising any fur or fur product a trade name, corporate name, trademark or other trade designation or graphic representation which misrepresents directly or by implication to purchasers, prospective purchasers or the consuming public:

(a) The character of the product including method of construction;

(b) The name of the animal producing the fur;

(c) The method or manner of distribution; or

(d) The geographical or zoological origin of the fur.

By the direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 96–32259 Filed 12–23–96; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Chapter I

[Docket No. 96N–0094]

Uniform Compliance Date For Food Labeling Regulations

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is establishing January 1, 1998, as its new uniform compliance date for all food labeling regulations that are issued after the publication of this final rule and before January 1, 1997. FDA has periodically announced uniform compliance dates for new food labeling requirements to minimize the economic impact of label changes. In 1992, FDA suspended this practice pending the issuance of regulations implementing the Nutrition Labeling and Education Act of 1990 (the 1990 amendments). With the adoption and implementation of those regulations, FDA is reinstating its previous practice of periodically announcing, as final rules, uniform compliance dates for food labeling regulations.

EFFECTIVE DATE: December 24, 1996.

FOR FURTHER INFORMATION CONTACT: Gerad L. McCowin, Center for Food Safety and Applied Nutrition (HFS–150), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4561.

SUPPLEMENTARY INFORMATION:

I. Background

In the Federal Register of April 15, 1996 (61 FR 16422), FDA published a notice of proposed rulemaking entitled ''Uniform Compliance Date for Food Labeling Regulations'' (hereinafter referred to as the compliance date proposal) to establish a new uniform compliance date of January 1, 1998. FDA proposed that the new uniform compliance date would apply to all FDA regulations issued after publication of a final rule to the rulemaking and before December 31, 1996, that require changes in food labels or labeling, except where special circumstances require a different compliance date. The agency also proposed to reinstate its previous practice of periodically announcing uniform compliance dates for food labeling regulations by final rule. Interested persons were given until July 1, 1996, to comment.

FDA received five letters, each containing one or more comments, from trade associations and other representatives of the food industry, in response to the compliance date proposal. All of the comments supported the proposal generally. Some comments suggested modifications or revisions of aspects of the compliance date proposal. A summary of these comments and the agency's responses are provided below.

II. Comments

A. Uniform Compliance Date

1. Four comments opposed establishing January 1, 1998, as the next uniform compliance date on the grounds that it resulted in a ''compliance period'' that at its shortest possible length would be only 12 months long. The comments used the term ''compliance period'' to refer to the time interval between the publication of a final rule and the uniform compliance date; e.g., a final rule that publishes on December 30, 1996, would have a ''compliance period'' of just over 12 months before the January 1, 1998, uniform compliance date. Two of the comments suggested that the compliance period should be a minimum of 18 months and applicable to products labeled on or after the compliance date. One of these comments stated that the 18-month period for the final rules implementing the 1990 amendments provided sufficient time for manufacturers to process the required label changes such that incremental costs were minimized.

One of the comments stated that 2 years would be more appropriate if FDA insists on having the compliance date apply to the initial date of introduction of the food product into interstate commerce. This latter comment supported its arguments by including with its submission information on the costs of complying with the proposals to implement the 1990 amendments that it had developed and submitted as comments in response to FDA's ''Regulatory Impact Analysis of the Proposed Rules to Amend the Food Labeling Regulations,'' which published in the Federal Register of November 27, 1991 (56 FR 60856). The comment noted that the evidence submitted had persuaded FDA to establish a compliance period of 18 months for those regulations. The other two comments also suggested a 2-year compliance period. One of the comments argued that 1 year does not provide manufacturers with sufficient time to manage and exhaust existing label inventories. The comment stated that it anticipated that most manufacturers would be forced to request an extension of the uniform compliance date if FDA's final rule provided only a 12-month compliance period.

FDA disagrees with the comments. A compliance period that is 18 months or 2 years at its shortest is too long.

The agency points out that the comments are primarily concerned with the minimum time that a firm might face in bringing its labeling into compliance if a labeling final regulation were to publish at the end of a compliance period cycle, e.g., December 30, 1996. Manufacturers would have 1 year and 1 day to comply with the January 1, 1998, effective date. It is this time period that the comments claim is inadequate.

However, in establishing the uniform compliance date, FDA must consider the costs and benefits to both the food producer and the consumer. That is why