

"Product category" column, under the "Miscellaneous Category" by revising the entry for "Baking powder, baking soda, pectin" to read as follows:

§ 101.12 Reference amounts customarily consumed per eating occasion.

* * * * *

(b) * * *

TABLE 2.—REFERENCE AMOUNTS CUSTOMARILY CONSUMED PER EATING OCCASION: GENERAL FOOD SUPPLY ^{1, 2, 3, 4}

Product category	Reference amount	Label statement ⁵
* * *	* *	* *
Miscellaneous Category:		
Baking powder, baking soda, pectin	0.6 g	____ tsp (____ g).
* * *	* *	* *

¹ These values represent the amount (edible portion) of food customarily consumed per eating occasion and were primarily derived from the 1977–1978 and the 1987–1988 Nationwide Food Consumption Surveys conducted by the U.S. Department of Agriculture.

² Unless otherwise noted in the Reference Amount column, the reference amounts are for the ready-to-serve or almost ready-to-serve form of the product (i.e., heat and serve, brown and serve). If not listed separately, the reference amount for the unprepared form (e.g., dry mixes; concentrates; dough; batter; fresh and frozen pasta) is the amount required to make the reference amount of the prepared form. Prepared means prepared for consumption (e.g., cooked).

³ Manufacturers are required to convert the reference amount to the label serving size in a household measure most appropriate to their specific product using the procedures in 21 CFR 101.9(b).

⁴ Copies of the list of products for each product category are available from the Office of Food Labeling (HFS–150), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 200 C St. SW., Washington, DC 20204.

⁵ The label statements are meant to provide guidance to manufacturers on the presentation of serving size information on the label, but they are not required. The term "piece" is used as a generic description of a discrete unit. Manufacturers should use the description of a unit that is most appropriate for the specific product (e.g., sandwich for sandwiches, cookie for cookies, and bar for ice cream bars). The guidance provided is for the label statement of products in ready-to-serve or almost ready-to-serve form. The guidance does not apply to the products which require further preparation for consumption (e.g., dry mixes, concentrates) unless specifically stated in the product category, reference amount, or label statement column that it is for these forms of the product. For products that require further preparation, manufacturers must determine the label statement following the rules in § 101.9(b) using the reference amount determined according to § 101.12(c).

* * *

Dated: October 29, 1997.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

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POSTAL SERVICE

39 CFR Part 232

Conduct on Postal Service Property

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: This proposed rule will amend United States Postal Service property regulations to: prohibit smoking in postal buildings; prohibit soliciting of signatures on petitions, polls, or surveys on postal property except as otherwise authorized by Postal Service regulations; prohibit impeding ingress to or egress from post offices; add regulations for voter registration activities on postal property to reflect current postal policy; prohibit leafleting, picketing, demonstrating, public assembly, and public address in lobbies and other interior areas of postal buildings open to the public; prohibit placement of tables, chairs, freestanding signs or posters, structures, or furniture of any type on postal property except as part of postal activities or as otherwise permitted by these regulations; permit,

in addition to seeing eye dogs, other animals used to assist persons with disabilities on postal property; prohibit the storage of weapons and explosives on postal property except for official purposes; clarify the meaning of terms; change references to other postal directives; and provide that persons designated by the Chief Postal Inspector may also enforce Postal Service property regulations.

DATES: Comments must be received on or before December 18, 1997.

ADDRESSES: Written comments should be mailed or delivered to the Independent Counsel, Postal Inspection Service, 475 L'Enfant Plaza SW, Room 3411, Washington, DC 20260–2181.

FOR FURTHER INFORMATION CONTACT: Henry J. Bauman, Independent Counsel, Postal Inspection Service, (202) 268–4415.

SUPPLEMENTARY INFORMATION: Postal Service regulations on the conduct of persons on postal property are published in title 39 of the Code of Federal Regulations (CFR) as part 232. These regulations describe the actions that are either permitted or proscribed, the enforcement of these regulations, and the penalties for violations. The purpose of this proposed rule is to amend these regulations to add new prohibitions, to add regulations for voter registration activities on postal property, to permit animals used to assist persons with disabilities to be brought onto

postal property, and to clarify certain terms and references in the regulations.

A new prohibition on smoking in postal lobbies and offices is proposed to address the health concerns of postal customers and employees. The reasons for this prohibition are that the Surgeon General has reported on the dangers to human health from smoking and second-hand smoke, the sale of tobacco products is prohibited in other federal buildings, the Postal Service has already banned smoking in postal buildings by postal employees, and many post offices have banned smoking in lobbies and other interior areas open to the public.

A new prohibition on the soliciting of signatures on petitions, polls, or surveys on postal property, except as otherwise authorized by Postal Service regulations, is proposed. The purpose of this restriction is to minimize the disruption of postal business and to provide unimpeded ingress and egress of customers and employees to and from post offices. Portions of the existing Postal Service conduct regulations have been upheld by the Supreme Court in *United States v. Kokinda*, 497 U.S. 720 (1990). The United States Postal Service was created in order to ensure prompt, reliable, and efficient postal services to the public in a businesslike manner. It is the Postal Service's experience that the activities described above are generally disruptive to postal business. Thus, the Postal Service is prohibiting

activities that create significant interference with its statutory mandate.

A new prohibition on leafleting, picketing, demonstrating, public assembly, and public address in lobbies and other interior areas of postal buildings open to the public is proposed. Such activities are not prohibited outside postal buildings, as long as they do not otherwise violate these regulations. It is the Postal Service's experience, however, that such activities conducted inside postal buildings are generally disruptive to postal operations and impede customers and employees from conducting postal transactions.

A new prohibition on the placement of tables, chairs, freestanding signs or posters, structures, or furniture of any type anywhere on postal premises, except as part of postal activities or as otherwise permitted under these regulations, is proposed. It is the Postal Service's experience that such activities are generally disruptive to postal business and impede customers from conducting postal transactions.

List of Subjects in 39 CFR Part 232

Federal buildings and facilities, Penalties, Postal Service.

Accordingly, 39 CFR Part 232 is proposed to be amended as set forth below.

PART 232—CONDUCT ON POSTAL PROPERTY

1. The authority citation for part 232 is revised to read as follows:

Authority: 18 U.S.C. 13, 3061; 21 U.S.C. 802, 844; 39 U.S.C. 401, 403(b)(3), 404(a)(7); 40 U.S.C. 318, 318a, 318b, 318c; Pub. L. 104–208, 110 Stat. 1060.

2. Section 232.1(b) is amended by revising the phrase “section 115 of the Domestic Mail Manual” to read “section 274 of the Administrative Support Manual”.

3. Section 232.1 is amended by revising the heading of paragraph (g) and designating its existing text as (g)(1), revising the first sentence of (g)(1) and adding paragraph (g)(2) to read as follows:

§ 232.1 Conduct on postal property.

* * * * *

(g) *Alcoholic beverages, drugs, and smoking.*

(1) A person under the influence of an alcoholic beverage or any drug that has been defined as a “controlled substance” may not enter postal property or operate a motor vehicle on postal property. * * *

(2) Smoking (defined as having a lighted cigar, cigarette, pipe, or other

smoking material) is prohibited in all postal buildings and office space, including service lobbies.

* * * * *

Section 232.1(h)(1) introductory text is revised to read as follows:

(h) * * *

(1) Soliciting alms and contributions, campaigning for election to any public office, collecting private debts, soliciting and vending for commercial purposes (including, but not limited to, the vending of newspapers and other publications), displaying or distributing commercial advertising, soliciting signatures on petitions, polls, or surveys (except as otherwise authorized by Postal Service regulations), and impeding ingress to or egress from post offices are prohibited. These prohibitions do not apply to:

* * * * *

5. Section 232.1(h)(1)(i) is amended by adding the phrase “or nonprofit” after the word “Commercial”.

6. Section 232.1(h) (3), (4) and (5) are added to read as follows:

(h) * * *

(3) Leafleting and distributing literature, picketing, demonstrating, public assembly, and public address, which are not otherwise prohibited by Postal Service regulations, are prohibited in lobbies and other interior areas of postal buildings open to the public.

(4) *Voter registration.* Voter registration may be conducted on postal premises only with the approval of the postmaster or installation head provided that all of the following conditions are met:

(i) The registration must be conducted by government agencies or nonprofit civic league or organizations that operate for the promotion of social welfare but do not participate or intervene in any political campaign on behalf of any candidate or political party for any public office.

(ii) Absolutely no partisan or political literature may be available, displayed, or distributed. This includes photographs, cartoons, and other likenesses of elected officials and candidates for public office.

(iii) The registration is permitted only in those areas of the postal premises regularly open to the public.

(iv) The registration must not interfere with the conduct of postal business, postal customers, or postal operations.

(v) The organization conducting the voter registration must provide and be responsible for any equipment and supplies.

(vi) Contributions may not be solicited.

(vii) Access to the workroom floor is prohibited.

(viii) The registration activities are limited to an appropriate period before an election.

(5) Except as part of postal activities or activities associated with those permitted under paragraph (h)(4) of this section, no tables, chairs, freestanding signs or posters, structures, or furniture of any type may be placed in postal lobbies or on postal walkways, steps, plazas, lawns or landscaped areas, driveways, parking lots, or other exterior spaces.

* * * * *

7. Section 232.1(j) is revised to read as follows:

(j) *Dogs and other animals.* Dogs and other animals, except those used to assist persons with disabilities, must not be brought upon postal property for other than official purposes.

* * * * *

8. Section 232.1(1) is revised to read as follows:

(1) *Weapons and explosives.* No person while on postal property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on postal property, except for official purposes.

* * * * *

9. Section 232.1(q)(3) is revised to read as follows:

(q) * * *

(3) Postal Inspectors and others designated by the Chief Postal Inspector may likewise enforce regulations in this section.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 97–30009 Filed 11–17–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9, 86, and 89

[AMS–FRL–5923–3]

RIN 2060–AF76

Control of Emissions of Air Pollution From Nonroad Diesel Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: The U.S. Environmental Protection Agency is extending the comment period on the Notice of Proposed Rulemaking (NPRM) which proposes new emission standards for