

light activate when the M/R RPM is between 96% and 97% rotor RPM in accordance with the procedures contained in the Model R44 maintenance manual.

(b) Insert pages 2-7 of the FAA-approved Robinson Helicopter Company R44 Rotorcraft Flight Manual, revised July 25, 1995, into each Model R44 helicopter's flight manual, and make pen-and-ink changes to pages 2-7 to add the word "inflight" before "system malfunction", change "and" to "or", and add the phrase "with an instructor pilot" at the end so that the affected limitation will state "Flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training with an instructor pilot."

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

(d) 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.

Issued in Fort Worth, Texas, on January 29, 1996.

Daniel P. Salvano,
Manager, Rotorcraft Directorate, Aircraft
Certification Service.

[FR Doc. 96-2263 Filed 2-1-96; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 73

[Airspace Docket No. 95-ASW-6]

Proposed Establishment of Restricted Areas; NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would establish the following four new restricted areas in western/central New Mexico: R-5117, Fort Wingate, NM; R-5119, Socorro, NM; R-5121, Fort Wingate, NM; and R-5123, Magdalena, NM. The proposed restricted areas would provide an extended test range for the U. S. Army to conduct missile and sensor system tests associated with the theater missile defense system. Under the proposed test program, missile launches would be conducted from the Fort Wingate Army Depot, near Gallup, NM, and would terminate in the

existing restricted areas at the White Sands Missile Range (WSMR), NM. Currently, there are no operational over land ranges and few over water ranges operated by the United States that provide a realistic environment for testing the theater missile defense system. The proposed restricted areas would provide airspace to contain the launch, ascent, reentry, and impact of missiles and boosters. The areas would be designated for joint-use and would be activated only for the minimum time needed to safely conduct each test.

DATES: Comments must be received on or before March 15, 1996.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASW-500 Docket No. 95-ASW-6, Federal Aviation Administration, 2601 Meacham Blvd, Fort Worth, TX 76193-0500.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Pete Magarelli, Military Operations Program Office (ATM-420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-7130.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 95-ASW-6." The postcard will be date/time stamped and returned to the commenter. Send comments on environmental and land use aspects to:

(1) U.S. Army Space and Strategic Defense Command, Attention: Mr. Dennis R. Gallien, P.O. Box 1500, Huntsville, AL 35807-5027, Telephone No. (205) 955-3887

or

(2) National Range Operations Branch, Attention: Mr. John W. Jensen, Building 1530, White Sands Missile Range, NM 88002-5012, Telephone No. (505) 678-1121.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-220, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3485.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to part 73 of the Federal Aviation Regulations (14 CFR part 73) to establish four new restricted areas in west/central New Mexico. The proposed restricted areas would be designated R-5117, Fort Wingate, NM; R-5119, Socorro, NM; R-5121, Fort Wingate, NM; and R-5123, Magdalena, NM. The U.S. Army has proposed these areas to accommodate extended range tests needed to validate theater missile defense system design and operational effectiveness.

Proposed Restricted Area R-5117 would be designated at the Fort Wingate Army Depot. R-5117 would extend from the surface to unlimited altitude to contain the missile launch area. Restricted Area R-5121 would be designated adjacent to R-5117. R-5121 would extend from FL 200 to unlimited altitude and would be required to contain the ascent of missiles after launch from the Fort Wingate site. R-

5123 would be designated in order to provide a booster drop zone to contain the reentry and impact of missile boosters after launch from R-5117. R-5123 would extend from the surface to unlimited altitude. R-5119 would be designated as a missile reentry area. R-5119 would extend from FL 350 to unlimited altitude and would be located adjacent to existing WSMR restricted airspace. R-5119 would be required to contain missiles during that portion of the reentry phase of flight prior to the trajectory entering existing WSMR restricted airspace. Missile impact would occur in the existing WSMR impact areas.

When activated, the proposed restricted areas could potentially impact nonparticipating aircraft operations along portions of Federal airways and jet routes, or on direct flights, in the vicinity of the Gallup (GUP), Socorro (ONM), and Truth or Consequences (TCS) navigational aids. It is anticipated that the potential impact of the restricted areas on nonparticipating aircraft operations would be lessened by the limited number of planned test events (6 to 10 per year), and a U.S. Army agreement to complete test activity prior to 9:00 a.m., local time, when the volume of air traffic in the area is normally low. In addition, the entire launch through recovery operation is designed to take less than 15 minutes total, therefore, it is anticipated that the tests would have minimal impact on instrument flight rules traffic. It is possible that activation of the proposed restricted areas may necessitate rerouting of a few aircraft, however, any rerouting should be minimal due to the location, small size, and limited activation time requirements of the areas. The two proposed restricted areas which would extend from the surface, R-5117 and R-5123, would be designated over government-controlled tracts of land.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a

substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental impact analysis by the proponent and the FAA prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 is revised 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 73.51 is amended as follows:

§ 73.51 [Amended]

R-5117 Fort Wingate, NM [New]

Boundaries. Beginning at lat. 35°25'51"N., long. 108°30'09"W.; to lat. 35°28'46"N., long. 108°37'14"W.; to lat. 35°28'46"N., long. 108°37'39"W.; to lat. 35°21'27"N., long. 108°36'58"W.; to the point of beginning.

Designated altitudes. Surface to unlimited.
Time of designation. Intermittent by NOTAM 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. Commanding General, White Sands Missile Range, NM.

R-5119 Socorro, NM [New]

Boundaries. Beginning at lat. 33°59'56"N., long. 106°43'29"W.; to lat. 33°59'51"N., long. 106°56'27"W.; to lat. 34°08'16"N., long. 107°05'17"W.; to lat. 34°00'28"N., long. 107°12'04"W.; to lat. 33°46'04"N., long. 107°02'38"W.; to lat. 33°26'49"N., long. 107°02'25"W.; to lat. 33°26'49"N., long. 107°00'00"W.; to lat. 33°32'44"N., long. 106°58'47"W.; to lat. 33°54'10"N., long. 106°46'24"W.; to lat. 33°57'16"N., long. 106°43'58"W.; to the point of beginning.

Designated altitudes. FL 350 to unlimited.
Time of designation. Intermittent by NOTAM 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. Commanding General, White Sands Missile Range, NM.

R-5121 Fort Wingate, NM [New]

Boundaries. Beginning at lat. 35°25'51"N., long. 108°30'09"W.; to lat. 35°21'22"N., long. 108°25'59"W.; to lat. 35°19'18"N., long. 108°28'10"W.; to lat. 35°17'48"N., long. 108°31'41"W.; to lat. 35°21'27"N., long. 108°36'58"W.; to the point of beginning.

Designated altitudes. FL 200 to unlimited.
Time of designation. Intermittent by NOTAM 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. Commanding General, White Sands Missile Range, NM.

R-5123 Magdalena, NM [New]

Boundaries. Beginning at lat. 34°22'30"N., long. 107°57'00"W.; to lat. 34°25'00"N., long. 107°49'00"W.; to lat. 34°24'45"N., long. 107°37'00"W.; to lat. 34°18'00"N., long. 107°30'00"W.; to lat. 34°15'08"N., long. 107°37'00"W.; to lat. 34°19'00"N., long. 107°40'00"W.; to lat. 34°15'08"N., long. 107°45'20"W.; to lat. 34°14'52"N., long. 107°44'40"W.; to lat. 34°13'00"N., long. 107°48'00"W.; to the point of beginning.

Designated altitudes. Surface to unlimited.
Time of designation. Intermittent by NOTAM 24 hours in advance.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. Commanding General, White Sands Missile Range, NM.

Issued in Washington, DC, on January 25, 1996.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 95N-0103]

Food Labeling; Nutrient Content Claims and Health Claims; Special Requirements

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to require that, in certain circumstances, persons responsible for the labeling of foods with nutrient content and health claims maintain records that support the claims, and that they make those records available to appropriate regulatory officials upon request. FDA has tentatively concluded that the proposed requirements are necessary to ensure that, in the specified circumstances, when a claim is made on the label or in the labeling of a food to characterize the level of a nutrient in that food, or to characterize the relationship between a nutrient in the food and a disease or health-related condition, the claim is made in