

development of a GPS SIAP at Lincoln Park Airport, Lincoln Park, NJ made this action necessary. This action also corrects the description of the New York, NY Class E airspace as it was published in the Notice Of Proposed Rulemaking.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Class E airspace areas designations are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) amends the Class E airspace area at New York, NY. The development of a GPS SIAP at Lincoln Park Airport, Lincoln Park, NJ has made this action necessary. The intended effect of this action is to provide adequate Class E airspace for aircraft executing the GPS RWY 19 SIAP at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation—(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 10034; 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 will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995 and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AEA NY E5 New York, NY [Amended]

John F. Kennedy International Airport, New York, NY

(lat. 40°38'25"N., long. 73°46'40"W.)

Canarsie VOR/DME

(lat. 40°36'45"N., long. 73°53'40"W.)

LaGuardia Airport, New York, NY

(lat. 40°46'38"N., long. 73°52'21"W.)

LaGuardia VOR/DME

(lat. 40°47'01"N., long. 73°52'06"W.)

Teterboro Airport, NJ

(lat. 40°51'00"N., long. 74°03'40"W.)

Network International Airport, NJ

(lat. 40°41'34"N., long. 74°10'07"W.)

Morristown Municipal Airport, NJ

(lat. 40°47'57"N., long. 74°24'54"W.)

Chatham NDB

(lat. 40°44'27"N., long. 74°25'48"W.)

Essex County Airport, Caldwell, NJ

(lat. 40°52'30"N., long. 74°16'53"W.)

MOREE LOM

(lat. 40°52'47"N., long. 74°20'04"W.)

Paterson NDB

(lat. 40°56'47"N., long. 74°09'03"W.)

Lincoln Park Airport, NJ

(lat. 40°56'51"N., long. 74°18'52"W.)

That airspace extending upward from 700 feet above the surface within a 7.9-mile radius of John F. Kennedy International Airport and within 2.7 miles each side of the Canarsie VOR/DME 212° radial, extending from the Canarsie VOR/DME to 3.5 miles southwest of the VOR and within a 6.9-mile radius of LaGuardia Airport and within 3.1 miles each side of the LaGuardia VOR/DME 035° radial extending from the LaGuardia VOR/DME to 8.1 miles northeast of the LaGuardia VOR/DME and within a 6.7-mile radius of Teterboro Airport and within 3 miles either side of a 048° bearing from the northeast end of a northeast to southwest runway at Teterboro Airport extending from the 6.7-mile radius area to 10 miles northeast of the northeast end of the runway and within a 7-mile radius of Newark International Airport and within a 6.6-mile radius of Morristown Municipal Airport and within 8 miles northwest and 4 miles southeast of a 204° bearing from the Chatham NDB extending from the Chatham NDB to 16 miles southwest of the NDB and within a 6.6-mile radius of Essex County Airport and within 4 miles north and 8 miles south of a 276° bearing from the MOREE LOM extending from the MOREE LOM to 16 miles west of the LOM and within 8 miles northwest and 4 miles southeast of a 057°

bearing from the Paterson NDB extending from the Paterson NDB to 16 miles northeast of the NDB and within a 7-mile radius of Lincoln Park Airport.

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Issued in Jamaica, New York on July 9, 1996.

John S. Walker,

Manager, Air Traffic Division, Eastern Region.

[FR Doc. 96–20157 Filed 8–6–96; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM96–1–000; Order No. 587]

Standards for Business Practices of Interstate Natural Gas Pipelines

July 31, 1996.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Final rule; notice regarding electronic filing of *pro forma* tariff sheets.

SUMMARY: The Federal Energy Regulatory Commission is issuing a notice regarding the filing of *pro forma* tariff sheets required by the final rule, 61 FR 39053 (July 26, 1996), 76 FERC ¶61,042 (July 17, 1996). Pipelines should make such filings electronically in accordance with Section 154.4 of the Commission's regulations.

DATES: This final rule is effective August 26, 1996. The *pro forma* tariff filings will be made pursuant to a staggered schedule in October through December of 1996.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT:

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 208–2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 208–1283.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 2A, 888 First Street NE., Washington, DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397 or 1-800-856-3920. To access CIPS, set your communications software to use 19200, 14400, 12000, 9600, 7200, 4800, 2400, 1200, or 300 bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS in ASCII and WordPerfect 5.1 format. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in Room 2A, 888 First Street NE., Washington, DC 20426.

The Commission's bulletin board system also can be accessed through the FedWorld system directly by modem or through the Internet. To access the FedWorld system by modem:

- Dial (703) 321-3339 and logon to the FedWorld system
- After logging on, type: /go FERC

To access the FedWorld system, through the Internet:

- Telnet to: fedworld.gov
- Select the option: [1] FedWorld
- Logon to the FedWorld system
- Type: /go FERC

Or:

- Point your Web Browser to: <http://www.fedworld.gov>
- Scroll down the page to select FedWorld Telnet Site
- Select the option: [1] FedWorld
- Logon to the FedWorld system
- Type: /go FERC

Standards for Business Practices of Interstate Natural Gas Pipelines; Notice Regarding Electronic Filing of Pro Forma Tariff Sheets

[Docket No. RM96-1-000]

July 31, 1996.

In the Commission's July 17, 1996 order in this docket,¹ the Commission established a schedule for pipelines to file *pro forma* tariff sheets to comply with the business practice standards adopted by the Commission. Pipelines making *pro forma* tariff filings in response to this order should make these filings electronically as provided in Section 154.4 of the Commission's regulations.

¹ Standards for Business Practices of Interstate Natural Gas Pipelines, Order No. 587, 61 FR 39053 (July 26, 1996), 76 FERC ¶61,042 (July 17, 1996).

Lois D. Cashell,

Secretary.

[FR Doc. 96-19927 Filed 8-6-96; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 94N-0031]

RIN 0910-AA19

Food Labeling; Nutrition Labeling, Small Business Exemption

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending its food labeling regulations to modify the basis on which low-volume food products of small businesses are exempted from the requirements for nutrition labeling. The regulations also establish a notification procedure for small businesses to claim exemption for qualifying food products. This final rule is in response to the Nutrition Labeling and Education Act Amendments of 1993 (the 1993 amendments), and it is intended to provide an understanding of how the small business food labeling exemption provisions of the 1993 amendments operate.

DATES: The effective date of this rule is October 7, 1996.

Submit written comments on the information collection requirements by October 7, 1996. This information collection has been approved by the Office of Management and Budget (OMB) for 90 days, under OMB control no. 0910-0324.

ADDRESSES: Submit written comments on the information collection requirements to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Gerad L. McCowin, Center for Food Safety and Applied Nutrition (HFS-151), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-4561.

SUPPLEMENTARY INFORMATION:

I. Background

A. Procedural

On November 8, 1990, the Nutrition Labeling and Education Act of 1990

(Pub. L. 101-535) (the 1990 amendments) was enacted. This new law amended the Federal Food, Drug, and Cosmetic Act (the act) in a number of important ways. One of the most notable aspects of the 1990 amendments is that they added section 403(q) to the act (21 U.S.C. 343(q)). This section, as amended by the Nutrition Labeling and Education Act Amendments of 1993 (Pub. L. 103-80) (the 1993 amendments) and the Dietary Supplement Health and Education Act of 1994 (Pub. L. 103-417) (the DSHEA), provides that, with certain exceptions, a food, including both conventional foods and dietary supplements, is misbranded unless its label or labeling bears certain nutrition information (nutrition labeling).

Among the exceptions that Congress made to the nutrition labeling requirement was one for small businesses based upon the value of their gross sales (section 403(q)(5)(D) of the act). Following the expression of concerns by small businesses about the narrow coverage of the exemption and about the problems that relatively small firms would have in meeting the requirements of the new law, Congress passed the 1993 amendments establishing a new exemption for low-volume food products of small businesses under section 403(q)(5)(E) of the act. This section provides that low-volume products of small businesses need not be nutrition labeled.

What constitutes a low-volume food product is defined in the act by the number of units of the product sold per year; what constitutes a small business is defined by the number of full-time equivalent employees (FTE's) that the firm employs. For a food product to be exempt under this section, a small business must file a notice with FDA claiming the exemption and providing information as to: (1) The average number of FTE's for itself and all of its affiliates and (2) the approximate number of units of its sales in the United States for each product for which an exemption is claimed. For products that were on the market before May 8, 1994, the 1993 amendments provide a gradual phase-down of what constitutes a low-volume food product of a small business. The number of units decreases from "fewer than 600,000" for the 12-month period before May 8, 1994; to "fewer than 400,000" for the 12-month period before May 8, 1995; to "fewer than 200,000" for the 12-month period before May 8, 1996; and to "fewer than 100,000" thereafter. The number of FTE's starts at "fewer than 300" through May 8, 1995, decreases to "fewer than 200" for the year before May 8, 1996, and down to "fewer than