

focus groups to identify the independent variables for a larger study.

B. Study Design

The FDA Study was a shopping mall intercept study. Subjects were primary food shoppers recruited at a mall with central interviewing facilities at eight sites around the country. The sample size was approximately 175 persons per site (total sample size was 1,403 persons), with quotas for age and education to ensure that the full range of population characteristics were represented in the sample. Subjects were randomly assigned to an experimental condition. In the central interviewing facility, an interviewer administered the experimental protocol in a 20 to 25 minute session. Subjects were presented, one at a time, with realistic product packages. The packages were of typical size and organization for the particular type of product, including front and back label information appropriate for the product category. The product types and health claims represented included: Cheese lasagna/saturated fat and cholesterol and risk of coronary heart disease; yogurt/calcium and osteoporosis; and breakfast cereal/folic acid and risk of neural tube defects.

The presentation style, authority, and brevity of the health claim were experimentally manipulated. Each product label seen represented a cell in the experimental design. The order of presentation of the products and the type of health claim were counterbalanced to avoid confounding effects. A series of questions about each product measured purchase intentions and communication effectiveness of the product label (e.g., perceived health benefits, compellingness), as well as personal and household characteristics. Information search behavior was observed and recorded.

C. Conclusions

The results of the FDA Study (Ref. 2) show that shorter claims are more effective than longer claims, that endorsed health claims have liabilities compared to nonendorsed claims, and that splitting claims between the front and back label makes little difference. The results also show that the ability of health claims to accurately communicate health information about a product appears to be fairly limited and involves tradeoffs between different kinds of valid health information.

II. The Quaker Oats Co. Studies

The Quaker Oats Co. submitted reports of two studies pertaining to the use of abbreviated health claim

statements as a comment to Docket No. 95P-0197 (61 FR 296). The consumer research in the first report, entitled "Quaker Oatmeal On-Pack Health Claim Survey," provided data on the question of whether consumers would read the full claim if only an abbreviated claim appeared on the front of the label (Ref. 3). The data were based on a national telephone survey of 301 consumers. The respondents were asked about four types of new highlighted messages on the front of a package of breakfast cereal (health or nutrition; improvements to the product; price; special offers or rebates). The key questions concerned how likely respondents would be to read each of the four types of messages on the front of a package, and, if they noticed a new highlighted message on the front of the package that was about health benefits and that stated that additional information could be found on the back of the package, how likely they were to read the additional information.

The second report, entitled "Consumer Perception Study of a Statement Related to Heart Disease on the Label of Quaker Oats," presented consumer research comparing an abbreviated oatmeal claim ("A diet high in oatmeal may help reduce the risk of heart disease.") with a full fiber-heart disease health claim ("Diets low in saturated fat and cholesterol and high in grains, fruits and vegetables that contain fiber, particularly soluble fiber, may reduce the risk of heart disease, a condition associated with many factors.") (Ref. 4). The data were from a national shopping mall intercept study of 826 consumers. Participants saw one of three mocked-up cereal packages that contained the abbreviated claim, the long claim, or no claim (control condition).

The report stated that the presence of either health claim, compared to the control condition, increased the number of participants who recognized that a diet high in oatmeal may help reduce the risk of heart disease. There were no significant differences in terms of the impact of the claims on consumers' perceptions of the product or their beliefs about the diet-disease relationship.

III. Comments

Interested persons may by March 10, 1997, submit to the Dockets Management Branch (address above) written comments regarding the studies being added to this docket. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in

brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

IV. References

The following references have been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. The Keystone Center, "The Final Report of The Keystone National Policy Dialogue on Food, Nutrition, and Health," Keystone, CO and Washington, DC, March 1996.

2. Food and Drug Administration, U.S. Department of Health and Human Services, "Consumer Impacts of Health Claims: An Experimental Study," Washington, DC, December 1996.

3. The Quaker Oats Co., "Quaker Oatmeal On-Pack Health Claim Survey," Chicago, IL, March 1996.

4. The Quaker Oats Co., "Consumer Perception Study of a Statement Related to Heart Disease on the Label of Quaker Oats," Chicago, IL, November 1995.

Dated: January 17, 1997.

William B. Schultz,

Deputy Commissioner for Policy.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-96-002]

RIN 2115-AE47

Drawbridge Operation Regulations: Mystic River, MA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules for the S99 Alford Street Bridge over the Mystic River in Boston, Massachusetts. Additionally, the regulations governing the Boston and Maine Bridge and the General Lawrence Bridge will be removed because both bridges have been replaced with fixed bridges. The owner of the S99 Alford Street Bridge has requested that an 8 hour notice for openings be provided from November 1 through March 31, between 11 p.m. and 7 a.m. This change is expected to provide for the needs of navigation and relieve the bridge owner of the burden of crewing the bridge at night during the winter months.

DATES: Comments must be received on or before March 25, 1997.

ADDRESSES: Comments should be mailed to Commander (obr), First Coast Guard District, Bldg 135A, Governors Island, New York, New York 10004-5073. The telephone number is (212) 668-7165. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: Joe Arca, Project Officer, First Coast Guard District Bridge Branch, (212) 668-7165.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice (CGD01-96-002) and the specific section of the proposal to which their comments apply, and give reasons for each comment. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing; however, persons may request a public hearing by writing to the address under **ADDRESSES**. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The S99 Alford Street Bridge at mile 1.4 over the Mystic River is a bascule bridge operated by the City of Boston. The Boston and Maine Bridge, mile 1.8, was operated by the Massachusetts Bay Transportation Authority until it was removed in 1989; The General Lawrence Bridge, mile 3.6, was owned and operated by the Metropolitan District Commission (MDC) until it was removed in 1990.

The existing rules at 33 CFR 117.609(a) require the S99 Alford Street Bridge and the Boston and Maine Bridge to open on signal, except during the designated rush hour periods when the draw need not open for vessels with a draft of less than 18 feet. Paragraph (b) of that section states the General Lawrence Bridge need not be opened for vessels.

In November, 1995, the Coast Guard received a request from the City of Boston to change the operating rules for the S99 Alford Street Bridge. This

proposed change removes the requirement for the bridge to open on signal between 11 p.m. and 7 a.m. during the winter months of November through March. The city provided information which indicated that there have been few requests for openings during this time. In 1989, the Boston and Maine Bridge and the General Lawrence Bridge were replaced with fixed bridges. Accordingly, operating rules are no longer required for these bridges.

Discussion of Proposed Amendments

This proposal will amend 33 CFR 117.609(a) to require, from November 1 to March 31 each year, at least an 8 hour advance notice be given to the bridge owner for openings of the S99 Alford Street Bridge between 11 p.m. and 7 a.m. The exemption in the existing rule for vessels with a draft greater than 18 feet will be removed because commercial vessels to which this applied no longer use the Mystic River. The requirement to provide an 8 hour advance notice for the S99 Alford Street Bridge for night openings from November to March should not significantly affect the recreational boaters who infrequently use the river in winter months. The requirement that public vessels be passed as soon as possible will be removed from 117.609(a) since it is now a requirement under 117.31 of the general operating regulations. This proposal will further amend 117.609(a) and (b) by eliminating references to the Boston and Maine Bridge and the General Lawrence Bridge which have been replaced by fixed bridges.

Regulatory Evaluation

This 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 not been reviewed 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 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 information from the bridge owner indicates that there have been few requests for openings during these times. Mariners can still pass through the S99 Alford Street Bridge from 11 p.m. to 7 a.m. from November to March so long as they provide advance notice.

Small Entities

The Coast Guard has considered the economic impact of this rule on small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). For the reasons discussed in the Regulatory Evaluation above, the Coast Guard has determined that this rule will not affect a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule in accordance with 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 rule and concluded that, under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, (as revised by 60 FR 32197, July 20, 1995), this rule promulgates operating regulations for draw bridges and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—[AMENDED]

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Section 117.609 is revised to read as follows:

§ 117.609 Mystic River.

(a) The draw of the S99 Alford Street Bridge, mile 1.4, shall open on signal; except that from 7:45 a.m. to 9 a.m., 9:10 a.m. to 10 a.m. and 5 p.m. to 6 p.m., except Sundays and holidays, the draw need not open for the passage of vessels. From November 1 through March 31, between 11 p.m. and 7 a.m., at least an 8 hour advance notice is required for bridge openings by calling the number posted at the bridge.

(b) The draw of the Wellington Bridge, mile 2.5, need not be opened for vessels.

Dated: January 3, 1997.

J.L. Linnon,

Rear Admiral, U.S. Coast Guard, Commander,
First Coast Guard District.

[FR Doc. 97-1800 Filed 1-23-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 96-254; FCC 96-472]

Implementation of Section 273 of the Communications Act of 1934, as Amended by the Telecommunications Act of 1996

AGENCY: Federal Communications
Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is issuing this Notice of Proposed Rulemaking (NPRM) to initiate a proceeding concerning the Bell Operating Companies' (BOCs') manufacture of telecommunications equipment and customer premises equipment (CPE) pursuant to Section 273 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. In general, under Section 273, a BOC may provide telecommunications equipment and may manufacture both telecommunications equipment and CPE once the Commission authorizes the BOC to provide in-region, interLATA services pursuant to Section 271. The Commission seeks comment on procedures governing collaboration, research and royalty agreements, nondiscrimination standards, and the reporting and disclosure of protocols and other technical requirements for connecting to the BOC's network. Section 273 also limits the manufacturing activities of Bellcore and other entities that develop industry-wide standards or generic requirements, or conduct certification activities. The Commission seeks comment on proposed measures to implement these provisions of Section 273. In addition, the Commission seeks comment on the effects of the BOCs' proposed sale of

Bellcore on its implementation of Section 273.

DATES: Comments are due on or before February 24, 1997 and Reply Comments are due on or before March 26, 1997. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before March 25, 1997.

ADDRESSES: To file formally in this proceeding, interested parties must file an original and six copies of all comments, reply comments, and supporting comments, with the reference number "CC Docket 96-254" on each document. Those parties wishing each Commissioner to receive a personal copy of their comments must file an original plus eleven copies. Parties must send comments and reply comments to the Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W. Room 222, Washington, D.C. 20554. Parties must also provide four copies to Secretary, Network Services Division, Common Carrier Bureau, 2000 M Street, N.W., Room 235, Washington, D.C. 20554. Parties must also provide one copy of any documents filed in this docket to the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, D.C. 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, D.C. 20503 or via the Internet to fain_t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Gregory Cooke, Attorney, Network Services Division, Common Carrier Bureau, (202) 418-2351. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway, (202) 418-0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking adopted December 10, 1996, and released December 11, 1996. (FCC 96-472). This

NPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 ("PRA"). It has been submitted to the Office of Management and Budget ("OMB") for review under the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding. The full text of this Notice of Proposed Rulemaking is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., NW., Washington, D.C. and is also available from the FCC's World Wide Web site, <http://www.fcc.gov>. The complete text also may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M St., NW., Suite 140, Washington D.C. 20037.

Paperwork Reduction Act

This NPRM contains either a proposed or modified information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due at the same time as other comments on this NPRM; OMB notification of action is due March 25, 1997. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Approval Number: None.

Title: Implementation of Section 273 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996.

Form No.: N/A.

Type of Review: New collection.