

thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 740.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

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. Therefore, this proposed 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 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 proposed rule will not have a 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, Navigator (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues 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.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

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

\* \* \* \* \*

#### **ACE NE E5 Atkinson, NE [New]**

Stuart-Atkinson Municipal Airport, NE  
(Lat. 42°33'45" N., long. 99°02'16" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Stuart-Atkinson Municipal Airport, excluding that airspace within the O'Neill, NE, Class E airspace.

\* \* \* \* \*

Issued in Kansas City, MO, on March 5, 1998.

#### **Bryan H. Bursleson,**

*Acting Manager, Air Traffic Division, Central Region.*

[FR Doc. 98–7824 Filed 3–24–98; 8:45 am]

BILLING CODE 4910–13–M

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

[Airspace Docket No. 98–ACE–14]

#### **Proposed Amendment to Class E Airspace; Lawrence, KS; Perryville, MO; Warrensburg MO; Burlington, IA; Des Moines, IA; Fort Madison, IA; and Dubuque, IA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace areas at, Lawrence, KS; Perryville, MO; Warrensburg, MO; Burlington, IA; Des Moines, IA; Fort Madison, IA and Dubuque, IA. A review of the Class E airspace designations for the airports listed above indicates they do not meet the criteria for 700 feet Above Ground Level (AGL) airspace required for diverse departures as specified in FAA Order 7400.2D. The areas are enlarged to conform to the criteria of FAA Order 7400.2D. The Airport Reference Points (ARP) for Perryville, MO, and Des Moines, IA, are amended. The Instrument Landing System (ILS) and coordinates have been added to the airspace designation for Des Moines, IA. The intended effect of this rule is to comply with the criteria of FAA Order 7400.2D, amend the appropriate ARPs, add the ILSs and coordinates, and provide additional controlled Class E airspace for aircraft operating under Instrument Flight Rules.

**DATES:** Comments must be received on or before June 1, 1998.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager,

Airspace Branch, ACE–520, Federal Aviation Administration, Docket No. 98–ACE–14, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the office of the Manager, Airspace Branch, Air Traffic Division, at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone number (816) 426–3408.

#### **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, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Comments 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. 98–ACE–14" The postcard will be date/time stamped and returned to the commenter. All communications received on or before the 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 NPRMs**

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-230, 800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 267-3484.

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

### The Proposal

The FAA is considering an amendment to 14 CFR 71 to amend the Class E airspace areas at Lawrence Municipal Airport, KS; Perryville Municipal Airport, MO; Warrensburg Skyhaven Airport, MO; Burlington Municipal Airport, IA; Des Moines International Airport, IA; Fort Madison Municipal Airport, IA; and Dubuque Regional Airport, IA. A review of the Class E airspace designations for these airports indicates they do not meet the criteria for 700 feet AGL airspace required for diverse departures as specified in FAA Order 7400.2D. The criteria in FAA Order 7400.2D for an aircraft to reach 1200 feet AGL, is based on a standard climb gradient of 200 feet per mile, plus the distance from the Airport Reference Point (ARP) to the end of the outermost runway. Any fractional part of a mile is converted to next higher tenth of a mile. The amendment of Class E airspace for the airports listed above will meet the criteria of FAA Order 7400.2D, amend the appropriate ARPs, add the ILS and coordinates, provide additional controlled airspace at and above 700 feet AGL, and thereby facilitate separation of aircraft operating under Instrument Flight Rules. The areas will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

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. Therefore, this proposed 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 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 proposed rule will not have a 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).

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, The Federal Aviation Administration proposes to amend part 71 of the Federal Regulations 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues 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.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

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

\* \* \* \* \*

#### ACE KS E5 Lawrence, KS [Revised]

Lawrence Municipal Airport, KS  
(Lat. 39°00'40" N., long. 95°13'00" W.)

Lawrence NDB  
(Lat. 39°00'25" N., long. 95°13'17" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Lawrence Municipal Airport and within 2.6 miles each side of the 124° bearing from Lawrence NDB extending from the 6.5-mile radius to 7.9 miles southeast of the airport.

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#### ACE MO E5 Perryville, MO [Revised]

Perryville Municipal Airport, MO  
(Lat. 37°52'07" N., long. 89°51'44" W.)

Farmington VORTAC, MO  
(Lat. 37°40'24" N., long. 90°14'03" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Perryville Municipal Airport and within 1.8 miles each side of the 057° radial of the Farmington VORTAC extending from

the 6.6-mile radius to 8.2 miles southwest of the airport

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#### ACE MO E5 Warrensburg, MO [Revised]

Warrensburg, Skyhaven Airport, MO  
(Lat. 38°47'03" N., long. 93°48'09" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Skyhaven Airport.

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#### ACE IA E5 Burlington, IA [Revised]

Burlington Municipal Airport, IA  
(Lat. 40°47'00" N., long. 91°07'32" W.)

Burlington VORTAC  
(Lat. 40°43'24" N., long. 90°55'33" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Burlington Municipal Airport and within 1.8 miles each side of the 293° radial of the Burlington VORTAC extending from the 6.8-mile radius to the Burlington VORTAC.

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#### ACE IA E5 Des Moines, IA [Revised]

Des Moines International Airport, IA  
(Lat. 41°32'06" N., long. 93°39'38" W.)

Newton VOR/DME  
(Lat. 41°47'02" N., long. 93°06'32" W.)

CLIVE INT/OM  
(Lat. 41°35'59" N., long. 93°45'19" W.)

FOREM LOM  
(Lat. 41°28'56" N., long. 93°34'51" W.)

Des Moines Regional Airport ILS  
(Lat. 41°31'40" N., long. 93°38'54" W.)

Des Moines Regional Airport ILS  
(Lat. 41°32'50" N., long. 93°40'36" W.)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Des Moines International Airport and within 3 miles each side of the Des Moines International Airport ILS localizer NW course extending from the 6.9-mile radius area to 16 miles northwest of the CLIVE INT/OM and with 3 miles each side of the Des Moines International Airport ILS localizer SE course extending from the 6.9-mile radius to 16 miles southwest of the FOREM LOM and within 3 miles either side of the 239° radial of the Newton VOR/DME extending from the 6.9-mile radius to 18 miles northeast of the Des Moines International Airport.

\* \* \* \* \*

#### ACE IA E5 Fort Madison, IA

Fort Madison Municipal Airport, IA  
(Lat. 40°39'33" N., long. 91°19'37" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Fort Madison Municipal Airport and within 1.8 miles each side of the 078° bearing from the Fort Madison Municipal Airport extending from the 6.4-mile radius to 8.2 miles northeast of the airport.

#### ACE IA E5 Dubuque, IA [Revised]

Dubuque Regional Airport, IA  
(Lat. 42°24'11" N., long. 90°42'33" W.)

Dubuque VORTAC  
(Lat. 42°24'05" N., long. 90°42'33" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile

radius of Dubuque Regional Airport and within 2.6 miles each side of the 321° radial of the Dubuque VORTAC extending from the VORTAC to 7 miles northwest of the airport and within 3 miles each side of the 133° radial of the Dubuque VORTAC extending from the VORTAC to 13.5 miles southeast of the airport and within 3 miles each side of the 189° radial of the Dubuque VORTAC extending from the VORTAC to 7.4 miles south of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on March 5, 1998.

**Bryan H. Burleson,**

*Acting Manager, Air Traffic Division, Central Regional.*

[FR Doc. 98-7825 Filed 3-24-98; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 101

[Docket Nos. 96P-0023 and 96P-0179]

#### Food Labeling; Serving Sizes; Reference Amounts for Candies; Extension of Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to May 26, 1998, the comment period for the proposal to amend the nutrition labeling regulations pertaining to reference amounts for certain candy products that published in the **Federal Register** of January 8, 1998 (63 FR 1078). The agency is taking this action in response to a request for an extension of the comment period. This extension is intended to provide interested persons with additional time to submit comments to FDA on its proposal.

**DATES:** Written comments by May 26, 1998.

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

**FOR FURTHER INFORMATION CONTACT:** Lori A. LeGault, Center for Food Safety and Applied Nutrition (HFS-165), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5269.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of January 8, 1998 (63 FR 1078), FDA published a proposed rule to amend the nutrition labeling regulations to modify the product

category "Sugars and Sweets: Hard Candies, others" by adding "after-dinner mints, caramels, fondants (e.g., plain mints, candy corn), and liquid and powdered candies" as kinds of products included under the category, and a reference amount customarily consumed per eating occasion (reference amount) of 15 milliliters (mL) for liquid candies; create a new product category under "Sugars and Sweets," identified as "Chocolate-covered fondants (e.g., chocolate-covered creams, chocolate-covered mints), taffy, and plain toffee," with a reference amount of 30 grams; and clarify what kinds of candies belong to the "All other candies" product category by expanding the category name to include specific examples. Interested persons were given until March 24, 1998, to submit comments on the proposal.

FDA has received a letter from two trade associations requesting that the agency grant a 60-day extension of the comment period on the proposed rule. The requests contend that additional time is needed to coordinate comments with numerous member companies. The agency acknowledges that the proposed rule is quite technical in nature and, after consideration, has decided to grant an extension of the comment period until May 26, 1998.

Interested persons may, on or before May 26, 1998, submit to the Dockets Management Branch (address above) written comments regarding this proposed rule. 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.

Dated: March 18, 1998.

**William K. Hubbard,**

*Associate Commissioner for Policy Coordination.*

[FR Doc. 98-7664 Filed 3-24-98; 8:45 am]

BILLING CODE 4160-01-F

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

**21 CFR Parts 801, 803, 804, 806, 807, 810, 820, 821, 1002, and 1020**

[Docket No. 97N-0447]

RIN 0910-ZA09

#### Medical Devices; Review and Revision of Compliance Policy Guides and Regulatory Requirements for Refurbishers, Rebuilders, Reconditioners, Servicers and "As Is" Remarketers of Medical Devices; Request for Comments and Information; Extension of Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Advance notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to June 29, 1998, the comment period for the advance notice of proposed rulemaking (ANPRM) that appeared in the **Federal Register** of December 23, 1997 (62 FR 67011). This advance notice announced FDA's intention to review and, as needed, to revise compliance policy guides, amend regulatory requirements and, as appropriate, exercise alternative regulatory approaches regarding the remarketing of used medical devices. The agency is taking this action in response to two requests for extensions. This extension of comment period is intended to allow interested persons additional time to submit comments on the ANPRM.

**DATES:** Written comments by June 29, 1998.

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

**FOR FURTHER INFORMATION CONTACT:** Casper E. Uldriks, Center for Devices and Radiological Health (HFZ-300), Food and Drug Administration, 2098 Gaither Rd., Rockville, MD 20850, 301-594-4692.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of December 23, 1997 (62 FR 67011), FDA published an ANPRM announcing the agency's intention to review and, as needed, to revise compliance policy guides (CPG's), amend regulatory requirements and, as appropriate, exercise alternative regulatory approaches with respect to the remarketing of used medical