

Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:**

Charlotte Conway, Center for Veterinary Medicine (HFV-228), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-276-8649; email: [charlotte.conway@fda.hhs.gov](mailto:charlotte.conway@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

FDA is announcing the availability of an SECG entitled "Small Entity Compliance Guide—Declaring Color Additives in Animal Foods." This SECG aids industry in complying with the requirements of the final rule published in the **Federal Register** of November 17, 2011 (76 FR 71248).

FDA has prepared this SECG in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act (Pub. L. 104-121). This document is intended to provide guidance to small businesses on the requirements of the final rule, which implements a portion of the 1990 amendments. The 1990 amendments, among other things, provided for the declaration of certified color additives on the labels of human and animal food, including animal feeds and pet foods. The 1990 amendments also provided for the listing on food labels of the common or usual names of all color additives required to be certified by FDA. This regulation deals with the requirements associated with animal food only.

Before passage of the 1990 amendments, the FD&C Act provided that colorings could be declared collectively on food product labels using the term "colorings." The 2011 regulation requires that certified color additives be declared on labeling of animal food by their common or usual name, but color additives exempt from certification (e.g., caramel, paprika, and beet juice) may still be declared collectively. The rule makes these animal food regulations consistent with the regulations regarding the declaration of certified color additives on the labels of human food. The rule also suggests appropriate terminology for the declaration of noncertified color additives on the labels of animal food.

**II. Significance of Guidance**

FDA is issuing this SECG as a level 2 guidance consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the Agency's current thinking on this topic. It does not create or confer any rights for or on any person and does not operate

to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

**III. Paperwork Reduction Act of 1995**

This SECG refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501-3520.) The collections of information in the regulation "Animal Food Labeling: Declaration of Certifiable Color Additives" (21 CFR 501.22(k)(1) and (2)) have been approved under OMB control number 0910-0721.

**IV. Comments**

Interested persons may submit either electronic comments regarding this document to <http://www.regulations.gov> or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at <http://www.regulations.gov>.

**V. Electronic Access**

Persons with access to the Internet may obtain the SECG at either <http://www.fda.gov/cvm> or <http://www.regulations.gov>.

Dated: September 24, 2013.

**Leslie Kux,**

*Assistant Commissioner for Policy.*

[FR Doc. 2013-23560 Filed 9-26-13; 8:45 am]

**BILLING CODE 4160-01-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2013-0850]

**Drawbridge Operation Regulation; Lake Pontchartrain, Near Slidell, LA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk Southern Railroad Bridge across Lake

Pontchartrain, mile 4.80, near Slidell, St. Tammany Parish, Louisiana. The deviation is necessary to replace worn joints on the north draw of the bridge. This deviation allows the bridge to remain closed to vessel traffic for six hours on three consecutive days.

**DATES:** This deviation is effective from 8 a.m. through 2 p.m. on October 8, 9 and 10, 2013.

**ADDRESSES:** The docket for this deviation, [USCG-2013-0850] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Jim Wetherington, Coast Guard; telephone 504-671-2128, email [james.r.wetherington@uscg.mil](mailto:james.r.wetherington@uscg.mil). If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** Norfolk Southern Corporation, the bridge owner, requested three, 6-hour closures for the Norfolk Southern RR Bridge over Lake Pontchartrain, Mile 4.80, near Slidell, St. Tammany Parish, LA. The bridge has a horizontal clearance of 105 feet and a vertical clearance of two feet, above Mean Sea Level, in the closed-to-navigation position and an unlimited vertical clearance in the open-to-navigation position.

The bridge opens on signal as per 33 CFR 117.5. The deviation period will be October 8, 9 and 10, 2013 from 8 a.m. through 2 p.m. each of those days. These closure periods will allow the replacement of the bridge joints as required in a normal maintenance cycle.

This waterway is used by both commercial and recreational vessel traffic. No previous coordination was made with the waterway users though the closure times were chosen to minimize the impact to these users.

Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners

of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 16, 2013.

**David M. Frank,**  
*Bridge Administrator.*

[FR Doc. 2013-23525 Filed 9-26-13; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 111220786-1781-01]

RIN 0648-XC878

#### Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New York

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS announces that the 2013 summer flounder commercial quota allocated to the State of New York has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in New York for the remainder of calendar year 2013, unless additional quota becomes available through a transfer from another state. Regulations governing the summer flounder fishery require publication of this notification to advise New York that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no Federal commercial quota is available for landing summer flounder in New York.

**DATES:** Effective October 1, 2013, through December 31, 2013.

**FOR FURTHER INFORMATION CONTACT:** Carly Bari, (978) 281-9224, or [Carly.Bari@noaa.gov](mailto:Carly.Bari@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that

is apportioned on a percentage basis among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102.

The initial total commercial quota for summer flounder for the 2013 fishing year is 11,793,596 lb (5,349,575 kg) (77 FR 76942, December 31, 2012). The percent allocated to vessels landing summer flounder in New York is 7.64699 percent, resulting in a commercial quota of 901,855 lb (409,081 kg). The 2013 allocation was adjusted to 842,605 lb (382,206 kg) after deduction of research set-aside and adjustment for prior years' quota overages.

The Administrator, Northeast Region, NMFS (Regional Administrator), monitors the state commercial landings and determines when a state's commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. The Regional Administrator has determined, based upon dealer reports and other available information that, New York has harvested its quota for 2013.

Section 648.4(b) provides that Federal permit holders agree, as a condition of the permit, not to land summer flounder in any state that the Regional Administrator has determined no longer has commercial quota available. Therefore, effective 0001 hours, October 1, 2013, landings of summer flounder in New York by vessels holding summer flounder commercial Federal fisheries permits are prohibited for the remainder of the 2013 calendar year, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Effective 0001 hours, October 1, 2013, federally permitted dealers are also notified that they may not purchase summer flounder from federally permitted vessels that land in New York for the remainder of the calendar year, or until additional quota becomes available through a transfer from another state.

#### Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be

contrary to the public interest. This action closes the summer flounder fishery for New York until January 1, 2014, under current regulations. The regulations at § 648.103(b) require such action to ensure that summer flounder vessels do not exceed state quotas. If implementation of this closure was delayed to solicit prior public comment, the quota for this fishing year will be exceeded, thereby undermining the conservation objectives of the Summer Flounder Fishery Management Plan. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the thirty (30) day delayed effectiveness period for the reason stated above.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 24, 2013.

**Kelly Denit,**  
*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2013-23566 Filed 9-26-13; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 665

[Docket No. 130625564-3821-02]

RIN 0648-XC736

#### Main Hawaiian Islands Deep 7 Bottomfish Annual Catch Limits and Accountability Measures for 2013-14

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final specifications.

**SUMMARY:** NMFS specifies an annual catch limit of 346,000 lb of Deep 7 bottomfish in the main Hawaiian Islands for the 2013-14 fishing year. The action supports the long-term sustainability of Hawaii bottomfish.

**DATES:** The final specifications are effective October 28, 2013, through August 31, 2014, unless NMFS publishes a document in the **Federal Register** superseding these specifications.

**ADDRESSES:** Copies of the Fishery Ecosystem Plan for the Hawaiian Archipelago are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, or [www.wpcouncil.org](http://www.wpcouncil.org).

**FOR FURTHER INFORMATION CONTACT:** Jarad Makaiau, Sustainable Fisheries,