

**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—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 the 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 2003—Offshore Airspace Areas*

\* \* \* \* \*

**Atlantic High [Revised]**

That airspace extending upward from 18,000 feet MSL to and including FL 600 within the area bounded on the east from north to south by the Moncton FIR, New York Oceanic CTA/FIR, and the San Juan Oceanic CTA/FIR; to the point where the San Juan Oceanic CTA/FIR boundary turns southwest at lat. 21°08'00"N., long. 67°45'00"W., thence from that point southeast via a straight line to intersect a 100-mile radius of the Fernando Luis Ribas Dominicci Airport at lat. 19°43'08" N., long. 67°01'17" W., thence counterclockwise via a 100-mile radius of the Fernando Luis Ribas Dominicci Airport to lat. 18°54'10" N., long. 67°39'43" W., thence from that point northwest via a straight line to intersect the point where the Santo Domingo FIR turns northwest at lat. 19°40'00" N., long. 69°09'00" W., thence from that point the area is bounded on the south from east to west by the Santo Domingo FIR, Port-au-Prince CTA/FIR, and the Havana CTA/FIR; bounded on the west from south to north by the Houston Oceanic CTA/FIR, southern boundary of the Jacksonville Air Route Traffic Control Center and a line 12 miles offshore and parallel to the U.S. shoreline.

\* \* \* \* \*

Issued in Washington, DC, on April 13, 1998.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 98–10301 Filed 4–17–98; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71****Airspace Docket No. 97–AWP–17**

RIN 2120–AA66

**Establishment of VOR Federal Airway; California**

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

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** On October 27, 1997, the FAA published a final rule in the **Federal Register** that established Federal Airway 607 (V–607) between Mendocino, CA, and Arcata, CA. On December 8, 1997, the implementation of this airway was delayed to permit the FAA to add an intersection on V–607 and to conduct additional flight inspections. This action confirms the implementation date for V–607 as June 18, 1998.

**EFFECTIVE DATES:** The final rule published in the **Federal Register** on October 27, 1997 (62 FR 55502), and delayed on December 8, 1997 (62 FR 64521), is effective 0901 UTC June 18, 1998.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

**SUPPLEMENTARY INFORMATION:**

On June 20, 1997, the FAA published a Notice of Proposed Rulemaking in the **Federal Register**, inviting comments on a proposal to provide an airway between Mendocino, CA, and Arcata, CA (62 FR 33579). The proposed airway is necessary to efficiently manage air traffic operations during those periods when nonradar procedures are in use. No comments were received in response to the proposal.

On October 27, 1997, the FAA published a final rule amending 14 CFR part 71, establishing V–607 between Mendocino, CA, and Arcata, CA (62 FR 55502). However, on December 8, 1997, the FAA delayed the implementation date of the V–607 amendment to establish an intersection at the dogleg of the Arcata 153° radial and the Mendocino 346° radial and to conduct additional flight inspection (62 FR 64521). This final rule confirms an effective date of June 18, 1998, for the implementation of V–607 between Mendocino, CA, and Arcata, CA.

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 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 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).

**Effective Date**

The effective date of the final rule, Airspace Docket 97–AWP–17, as published in the **Federal Register** on October 27, 1997 (62 FR 55502), and delayed on December 8, 1997 (62 FR 64521), is 0901 UTC June 18, 1998.

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

Issued in Washington, DC, on April 14, 1998.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 98–10389 Filed 4–17–98; 8:45 am]

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**FEDERAL TRADE COMMISSION****16 CFR Part 305**

**Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (“Appliance Labeling Rule”)**

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Trade Commission amends its Appliance Labeling Rule by publishing new ranges of comparability to be used on required labels for clothes washers.

**DATES:** Effective: August 12, 1998.

**Compliance:** Manufacturers of clothes washers must begin using these revised ranges on labels on clothes washers manufactured on or after August 12,

1998. Manufacturers may begin using these revised ranges on labels on clothes washers manufactured on or after July 1, 1998, in order to comply with the July 1, 1998 mandatory effective date of recent amendments to the Department of Energy's ("DOE") test procedure for clothes washers, 62 FR 45484 (August 27, 1997).

**FOR FURTHER INFORMATION CONTACT:**

James Mills, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202-326-3035).

**SUPPLEMENTARY INFORMATION:** The Appliance Labeling Rule ("Rule") was issued by the Commission in 1979, 44 FR 66466 (Nov. 19, 1979), in response to a directive in the Energy Policy and Conservation Act of 1975.<sup>1</sup> The Rule covers eight categories of major household appliances. Clothes washers are among those categories. The Rule also covers pool heaters, 59 FR 49556 (Sept. 28, 1994), and contains requirements that pertain to fluorescent lamp ballasts, 54 FR 28031 (July 5, 1989), certain plumbing products, 58 FR 54955 (Oct. 25, 1993), and certain lighting products, 59 FR 25176 (May 13, 1994, eff. May 15, 1995).

The Rule requires manufacturers of all covered appliances and pool heaters to disclose specific energy consumption or efficiency information (derived from the DOE test procedures) at the point of sale in the form of an "EnergyGuide" label and in catalogs. It also requires manufacturers of furnaces, central air conditioners, and heat pumps either to provide fact sheets showing additional cost information, or to be listed in an industry directory showing the cost information for their products. The Rule requires that manufacturers include, on labels and fact sheets, an energy consumption or efficiency figure and a "range of comparability." This range shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of other models (perhaps competing brands) similar to the labeled model. The Rule requires that manufacturers also include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report certain information annually to the Commission by specified dates for each product type.<sup>2</sup> These reports, which are to assist the Commission in preparing the ranges of comparability, contain the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and drop others, the data base from which the ranges of comparability are calculated is constantly changing. To keep the required information consistent with these changes, under Section 305.10 of the Rule, the Commission will publish new ranges (but not more often than annually) if an analysis of the new information indicates that the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission will publish a statement that the prior ranges remain in effect for the next year.

On August 27, 1997, DOE revised its test procedure for the clothes washer category. 62 FR 45,484. Manufacturers of clothes washers have made the required annual submissions of data for this product category, and the data are based on the revised version of the test, which will become effective July 1, 1998. In analyzing the data, the Commission has found that a significant number of the upper and lower limits of the ranges have changed by more than 15%. Accordingly, the Commission is publishing new ranges of comparability for the clothes washer category. These ranges will supersede the current ranges for clothes washers, which were published originally on May 14, 1997 (62 FR 26,383), and later corrected on August 6, 1997 (62 FR 42,209), and which became effective August 12, 1997.

Section 326(c) of EPCA, 42 U.S.C. 6296, states that the Commission may not require labels to be changed to reflect revisions to the ranges of comparability more often than annually. Thus, the effective date of today's revision to the ranges of comparability for clothes washers is August 12, 1998, one day beyond a year from the effective date of the previous ranges. The Commission notes, however, that manufacturers of clothes washers may begin using these revised ranges on labels on clothes washers manufactured on or after July 1, 1998, in order to comply with the mandatory effective

date of the amended DOE test procedure for those products.

In consideration of the foregoing, the Commission revises Appendix F of its Appliance Labeling Rule by publishing the following ranges of comparability for use in required disclosures (including labeling) for clothes washers manufactured on or after August 12, 1998. In addition, as of this effective date, manufacturers must base the disclosures of estimated annual operating cost required at the bottom of the EnergyGuide for clothes washers on the 1998 Representative Average Unit Costs of Energy for electricity (8.42 cents per kilowatt-hour) and natural gas (61.9 cents per therm) that were published by DOE on December 8, 1997, 62 FR 64,574, and by the Commission on December 29, 1997, 62 FR 67,560. On July 1, 1998, manufacturers may voluntarily begin basing the disclosures of estimated annual operating cost required at the bottom of the EnergyGuide for clothes washers on the 1998 Representative Average Unit Costs of Energy for electricity and natural gas.

**Regulatory Flexibility Act**

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603-604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Appliance Labeling Rule. Thus, the amendments will not have a "significant economic impact on a substantial number of small entities" (5 U.S.C. 605). The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

**Paperwork Reduction Act**

The Paperwork Reduction Act ("PRA"), 44 U.S.C. 3501 *et seq.*, requires government agencies, before promulgating rules or other regulations that require "collections of information" i.e., recordkeeping, reporting, or third-party disclosure requirements), to obtain approval from the Office of Management and Budget ("OMB"), 44 U.S.C. 3502. The Commission currently has OMB clearance for the Rule's information collection requirements (OMB No. 3084-0069). The amendment will not impose any new information collection requirements. Instead, it will provide manufacturers with revised ranges of comparability to use the EnergyGuide labels already required by the Rule.

<sup>1</sup> 42 U.S.C. 6294. The statute also requires DOE to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

<sup>2</sup> Reports for clothes washers are due March 1.

**List of Subjects in 16 CFR Part 305**

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

Accordingly, 16 CFR Part 305 is amended as follows:

**PART 305—[AMENDED]**

1. The authority citation for Part 305 continues to read as follows:

**Authority:** 42 U.S.C. 6294.

2. Appendix F to Part 305 is revised to read as follows:

**Appendix F to Part 305—Clothes Washers**

Range Information:  
 "Compact" includes all household clothes washers with a tub capacity of less than 1.6 cu. ft. or 13 gallons of water.  
 "Standard" includes all household clothes washers with a tub capacity of 1.6 cu. ft. or 13 gallons of water or more.

Capacity	Range of estimated annual energy consumption (kWh/yr.)	
	Low	High
Compact:		
Top Loading .....	592	607
Front Loading .....	(*)	(*)
Standard:		
Top Loading .....	294	1231
Front Loading .....	241	318

(\*) No data submitted.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 98-10391 Filed 4-17-98; 8:45 am]

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**DEPARTMENT OF THE TREASURY****Customs Service****19 CFR Part 142**

[T.D. 98-34]

**Technical Correction Regarding Time Limit for Filing Documentation After Release**

**AGENCY:** United States Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document makes a technical correction to the regulation regarding time limit for filing documentation after release, in accordance with Customs policy of periodically reviewing its regulations to ensure that they are current and accurate.

**EFFECTIVE DATE:** April 20, 1998.

**FOR FURTHER INFORMATION CONTACT:** Harold Singer, Chief, Regulations Branch, (202) 927-2268.

**SUPPLEMENTARY INFORMATION:**

**Background**

In accordance with Customs policy of periodically reviewing its regulations to ensure that they are current and accurate, Customs has discovered that there is a typographical error in § 142.23, Customs Regulations (19 CFR 142.23). Section 142.23 was amended by Treasury Decision 80-26, which was

published in the **Federal Register** (45 FR 3901) on January 21, 1980. When that amendment was codified in Title 19 in 1980, the word "period" was inadvertently omitted. The error has been carried forward in each volume of Title 19 since that publication. This document corrects the error.

**Inapplicability of Public Notice and Comment and Delayed Effective Date Requirements, the Regulatory Flexibility Act, and Executive Order 12866**

Inasmuch as this amendment merely corrects a typographical error, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure thereon are unnecessary, and pursuant to 5 U.S.C. (d)(3), a delayed effective date is not required. Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This amendment does not meet the criteria for a "significant regulatory action" as defined in Executive Order 12866.

**Drafting Information**

The principal author of this document was Janet L. Johnson, Regulations Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

**List of Subjects in 19 CFR Part 142**

Customs duties and inspection.

**Amendment to the Regulations**

Part 142, Customs Regulations (19 CFR part 142), is amended as set forth below.

**PART 142—ENTRY PROCESS**

1. The general authority citation for part 142 continues to read as follows:

**Authority:** 19 U.S.C. 66, 1448, 1484, 1624.

**§ 142.23 [Amended]**

2. Section 142.23 is amended by removing the words "for quota class merchandise within the quota" and adding in their place "for quota class merchandise within the quota period".

Dated: April 15, 1998.

**Harold M. Singer,**

*Chief, Regulations Branch.*

[FR Doc. 98-10316 Filed 4-17-98; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 610**

[Docket No. 97N-0449]

RIN 0910-ZA08

**Revisions to the General Safety Requirements for Biological Products**

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

**ACTION:** Direct final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the biologics regulations by adding "cellular therapy products" to the list of products excepted from the general safety test (GST) and by adding an administrative procedure for obtaining exemptions from the GST requirements for other biological products. FDA is taking this