DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 96–ASW–40]

RIN 2120–AA66

Amendments to Restricted Areas 5601D and 5601E; Fort Sill, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action raises the upper limit of Restricted Area 5601D (R–5601D) from the current 16,500 feet mean sea level (MSL) to Flight Level (FL) 400. Additionally, this action amends the times and days of designation for R–5601D and R–5601E when these areas may be activated without a prior issuance of a Notice to Airmen (NOTAM). These changes are necessary to accommodate high altitude/high angle bomb delivery training and to support weekday and night flying requirements.

EFFECTIVE DATE: 0901 UTC, March 25, 1999.

FOR FURTHER INFORMATION CONTACT: Bil Nelson, 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:

History

On November 10, 1997, the FAA proposed to amend 14 CFR part 73 to raise the upper limit of R–5601D and to expand the times and change the days of designation for R–5601D and R–5601E (62 FR 60463). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 73.56 of part 73 was republished in FAA Order 7400.8F dated October 27, 1998.

The Rule

This amendment to 14 CFR part 73 raises the upper limit of R–5601D from the current 16,500 feet MSL to FL 400. The United States Air Force (USAF) requested this change to R–5601D in order to contain high-altitude jet aircraft bombing patterns in the Falcon Range target area located in R–5601C. Although R–5601C airspace extends to FL 400, there is not enough maneuvering airspace to allow jet aircraft to climb to the required delivery altitudes before final approach into the target area. Raising the upper limit of R–5601D to FL 400 will alleviate this airspace problem and allow for quality high altitude/high angle bomb delivery training, a USAF pilot requirement for ''mission ready'' status.

Additionally, this rule expands the times of designation and days of operation for R–5601D and R–5601E from the current ''Sunrise to sunset, Tuesday through Saturday; other times by NOTAM'' to ''Sunrise to 2200, Monday–Friday; other times by NOTAM.'' This expansion in the time of designation is necessary to accommodate a change in flying requirements by both the 301st Fighter Wing, Carswell Field, TX, and the 88th Training Wing at Sheppard AFB, TX. Although there will still be occasional weekend flying, most activity will occur during weekdays. The extension of flying times beyond sunset is necessary due to the USAF training requirement to fly night sorties. This action will not alter the horizontal boundaries or the designated purpose of the restricted areas.

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. It, therefore—(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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The Department of the Army, with the concurrence of the Department of the Air Force, has requested that this airspace action be excluded from requirements for an Environmental Impact Statement and finding of no significant impact under Categorical Exclusion (CATEX) 2.3.35. The FAA considered the applicability of CATEX 2.3.35 to this action under the terms of the Memorandum of Understanding between the FAA and the Department of Defense (DOD), executed on January 26, 1998. The FAA also considered whether FAA CATEX 3(c) applies to this action, FAA Order 1050.1D, App.3, Para.3(c).

The DOD's CATEX 2.3.35 excludes all military training routes for subsonic operations that have a base altitude of 3,000 feet above ground level (AGL) or higher. This action raises the altitude of the area from 16,000 feet AGL to FL 400. Additionally, no extraordinary circumstances exist that warrant the preparation of an environmental assessment. The requirements for CATEX 2.3.35 are therefore satisfied because the proposed changes would affect altitudes above 3,000 feet AGL.

In addition, FAA CATEX 3(c) applies to this action because it involves the minor adjustment of raising an altitude in special use airspace. This action raises the vertical boundaries of the affected airspace but does not alter the horizontal boundaries, nor does it change the frequency of activity conducted within the restricted areas for the designated purpose. Therefore, the FAA has determined that this action qualifies for CATEX 3(c) in accordance with FAA Order 1050.1D, ''Policies and Procedures for Considering Environmental Impacts.''

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 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.

§ 73.56 [Amended]

2. Section 73.56 is amended as follows:

* * * * *

R–5601D Fort Sill, OK [Amended]

By removing the current ''Designated altitudes. 500 feet AGL to 16,500 feet MSL'' and substituting ''Designated altitudes. 500 feet AGL to FL 400'' and also by removing ''Time of designation. Sunrise to sunset, Tuesday through Saturday; other times by NOTAM'' and substituting ''Time of designation. Sunrise to 2200, Monday through Friday; other times by NOTAM.''

R–5601E Fort Sill, OK [Amended]

By removing the current ''Time of designation. Sunrise to sunset, Tuesday through Saturday; other times by NOTAM'' and substituting ''Time of designation. Sunrise to 2200, Monday through Friday; other times by NOTAM.''

* * * * *

Issued in Washington, DC, on January 25, 1999.

Reginald C. Matthews,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 99–2136 Filed 1–28–99; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

CFR Correction

In Title 21 of the Code of Federal Regulations, parts 170 to 199, revised as of April 1, 1998, make the following corrections:

1. In § 178.3130(b), on page 364, in the second column, in the first line of number 2 under Alkyl mono- and disulfonic acids, correct ''be'' to read ''to'', and in the same column, at the end of the fourth paragraph, after the words ''such foods have a pH'', add the words ''above 5.0''.

2. In § 178.3620(c)(3), on page 384, in the first column, in the first full paragraph, line 14, after the words ''Loosen the'' correct ''top'' to read ''topmost'' and add the following:

* * * * *

''few millimeters of each adsorbent layer with the end of a metal rod before the addition of the next layer. Continue packing in this manner until all the 14 grams of the adsorbent is added to the tube. Level off the top of the adsorbent by pressing down firmly with a flat glass rod or metal plunger to make the depth of the adsorbent bed approximately 12.5 centimeters in depth. Turn off the vacuum and remove the suction flask. Fit the 500–milliliter reservoir onto the top of the chromatographic column and prewet the column by passing 100 milliliters of isooctane through the column. Adjust the nitrogen pressure so that the rate of descent of the isooctane coming off the column is between 2–3 milliliters per minute. Discontinue pressure just before the last of the isooctane reaches the level of the adsorbent. (Caution: Do not allow the liquid level to recede below the adsorbent level at any time.) Remove the reservoir and decant the 5–milliliter isooctane concentrate solution onto the column and with slight pressure again allow the liquid level to recede to barely above the adsorbent level. Rapidly complete the transfer similarly with two 5–milliliter portions of isooctane, swirling the flask repeatedly each time to assure adequate washing of the residue. Just before the final 5–milliliter wash reaches the top of the adsorbent, add 100 milliliters of isooctane to the reservoir and continue the percolation at the 2–3 milliliters per minute rate. Just before the last of the isooctane reaches the adsorbent level, add 100 milliliters of 10 percent benzene in isooctane to the reservoir and continue the percolation at the''

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2.In § 178.3910(a)(2) table, on pages 406 and 407, in the first column, under ''List of substances'', correct the second, third, and fifth entries to read as follows:

* * * * *

α–Butyl–Ω–hydroxypoly(oxypropyl–ene) (CAS Reg. No. 9003-13–8) having a minimum molecular weight of 1000.

α–Lauroyl–Ω–hydroxpoly (oxyethylene) (CAS Reg. No. 9004–81–3) having a minimum molecular weight of 200.

* * * * *

alpha–Alkyl–*omega*–hydroxypoly–(oxyethylene) produced by the condensation of 1 mole of $C_{12-}C_{15}$ straight chain primary alcohols with an average of 3 moles of ethylene oxide (CAS Reg. No. 68002–97–1).

* * * * *

[FR Doc. 99–55505 filed 1–28–99; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 175

Indirect Food Additives: Adhesives and Components of Coatings

CFR Correction

In Title 21 of the Code of Federal Regulations, parts 170 to 199, revised as of April 1, 1998, on page 157, second column, § 175.300 is corrected in paragraph (b)(3)(vii)(*a*) by correcting the CAS Reg. No. for 1,4–cyclohexanedicarboxylic to read ''(CAS Reg. No. 1076–97–7)''.

[FR Doc. 99–55504 filed 1–28–99; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 310

[Docket No. 78N–036L]

RIN 0910–AA01

Laxative Drug Products for Over-the-Counter Human Use

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is issuing a final rule establishing that the over-the-counter (OTC) stimulant laxative ingredients danthron and phenolphthalein are not generally recognized as safe and effective and are misbranded. FDA is issuing this final rule as part of its ongoing review of OTC drug products after considering data and information on the safety of danthron and phenolphthalein.

EFFECTIVE DATE: January 29, 1999.

FOR FURTHER INFORMATION CONTACT: Cheryl A. Turner, Center for Drug Evaluation and Research (HFD–560), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–2222.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of March 21, 1975 (40 FR 12902), FDA published, under § 330.10(a)(6) (21 CFR 330.10(a)(6)), an advance notice of proposed rulemaking to establish a monograph for OTC laxative, antidiarrheal, emetic, and antiemetic drug products, together with the recommendations of the Advisory Review Panel on OTC Laxative, Antidiarrheal, Emetic, and Antiemetic Drug Products (the Panel), which was the advisory review panel that evaluated data on the active ingredients in these classes. In the advance notice of proposed rulemaking, the Panel recommended Category I (generally recognized as safe and effective and not misbranded) status for the OTC stimulant laxative ingredients danthron and phenolphthalein (40 FR 12902 at 12908 to 12910). The agency concurred with the Panel's Category I classification of these ingredients in the tentative final monograph published in the **Federal Register** of January 15, 1985 (50 FR 2124 at 2152 to 2156).

In the **Federal Register** of September 2, 1997 (62 FR 46223), FDA reopened