2. Scarbrough, F. Edward, CFSAN, FDA, Letter to Douglas C. Marshall, Darigold, Inc., October 30, 1995 [PAV1].

II. Environmental Impact

The agency has determined under 21 CFR 25.24(a)(11) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

III. Analysis of Impact

FDA has examined the economic implications of the final rule amending 21 CFR part 101 as required by Executive Order 12866 and the Regulatory Flexibility Act (Pub. L. 96–354). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches which maximize net benefits (including potential economic, environmental, public health and safety effects; distributive impacts; and equity). The Regulatory Flexibility Act requires analyzing options for regulatory relief for small businesses. This rule provides added flexibility to existing rules governing nutrient content claims. FDA finds that this final rule is not a significant rule as defined by Executive Order 12866. In addition, in accordance with the Regulatory Flexibility Act, the agency certifies that the final rule will not have a significant impact on a substantial number of small businesses.

IV. Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.).

V. Public Comment

FDA, for good cause, finds that this final rule is announcing an agency decision reached in accordance with a procedure established by statute, and that notice and public procedure thereon are unnecessary. However, in accordance with 21 CFR 10.40(e)(1), FDA is providing 30 days for comment on whether the announced action should be modified or revoked.

Interested persons may, on or before April 22, 1996, submit to the Dockets Management Branch (address above) written comments regarding this proposal. 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.

List of Subjects in 21 CFR Part 101

Food labeling, Nutrition, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 101 is amended as follows:

PART 101—FOOD LABELING

1. The authority citation for 21 CFR part 101 continues to read as follows:

Authority: Secs. 4, 5, 6 of the Fair Packaging and Labeling Act (15 U.S.C. 1453, 1454, 1455); secs. 201, 301, 402, 403, 409, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 342, 343, 348, 371).

§ 101.13 [Amended]

2. Section 101.13 *Nutrient content claims—general principles* is amended in paragraph (j)(1)(i)(B) by adding the word ''extra,'' before the word ''fortified''.

§ 101.54 [Amended]

3. Section 101.54 *Nutrient content claims for ''good source,'' ''high,'' and ''more,''* is amended in the first sentence of the introductory text of paragraphs (e)(1) and (e)(2) by removing the words '''enriched,' and 'added'''', and adding in their place the words '''enriched,' 'added,' and 'extra'''.

Dated: March 14, 1996.

William B. Schultz,

Deputy Commissioner for Policy.

[FR Doc. 96–6942 Filed 3–21–96; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900–AH86

Travel Time; Removal of Obsolete Provisions From the CFR

AGENCY: Department of Veterans Affairs.

ACTION: Correcting amendments.

SUMMARY: In a document published in the Federal Register on June 29, 1976 (41 FR 26681), we deleted the material currently included in paragraphs (i), (ii), and (iii) of 38 CFR 3.6(b)(7). These paragraphs concerned travel-time provisions for determining whether a person was on ''active duty'' for purposes of VA-benefit eligibility. They were deleted because they were obsolete and no longer served any purpose. Inadvertently, the deletions were never reflected in the Code of Federal Regulations. Accordingly, this document makes a correction in the Code of Federal Regulations by deleting said paragraphs (b)(7) (i), (ii), and (iii).

EFFECTIVE DATE: March 22, 1996.

FOR FURTHER INFORMATION CONTACT: Paul Trowbridge, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273–7210.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Veterans.

Accordingly, 38 CFR part 3 is corrected as follows:

PART 3—ADJUDICATION

1. The authority citation for part 3, subpart A continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§ 3.6 [Corrected]

2. Section 3.6 is amended by removing paragraphs (b)(7) (i), (ii), and (iii).

Dated: March 15, 1996.

Thomas O. Gessel,

Director, Office of Regulations Management, Office of General Counsel.

[FR Doc. 96–6800 Filed 3–21–96; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MA–18–01–7262a; A–1–FRL–5427–8]

Approval and Promulgation of Air Quality Implementation Plans; Rhode Island: Emissions Caps

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Rhode Island. This revision approves Air Pollution Control Act (APC) 29.3 entitled ''Emissions Caps,'' into the Rhode Island SIP. The intended effect of this action is to approve a SIP revision by the State of Rhode Island to incorporate regulations for the issuance of federally enforceable operating permits which restrict sources' potential to emit criteria