As discussed above, these special conditions would be applicable initially to the modified Model DC9–10, –20, –30, –40, –50. Should JanzAir apply at a later date for a supplemental type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well, under the provisions of § 21.101(a)(1).

Under standard practice, the effective date of final special conditions would be 30 days after the date of publication in the Federal Register. However, as issuance of the supplemental type certificate for the JanzAir modified DC9 airplane is planned for March 22, 1996, the FAA finds that good cause exists for making these special conditions effective upon issuance.

Conclusion

This action affects certain design features only on the modified DC9–10, –20, –30, –40, –50 airplane. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Federal Aviation Administration, Reporting and record keeping requirements.

The authority citation for these proposed special conditions is as follows:

Authority: 49 U.S.C. app. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1857f–10, 4321 et seq., E.O. 11514; and 49 U.S.C. 106(g).

The Special Conditions

Accordingly, the following special conditions are issued as part of the type certification basis for the JanzAir modified DC9–10, –20, –30, –40, –50 airplanes.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of this special conditions, the following definition applies: *Critical Functions.* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on March 14, 1996.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100.

[FR Doc. 96–7000 Filed 3–21–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 94P–0216]

Food Labeling: Nutrient Content Claim for ''Extra''

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending its food labeling regulations to include the term ''extra'' as a synonym for the term ''added.'' This action is in response to FDA's decision to grant a citizen petition for the synonym filed by Darigold, Inc. FDA concludes that the term ''extra'' is a clear and unambiguous synonym for ''more'' and is consistent with the term ''added.''

DATES: The regulation is effective March 22, 1996; comments by April 22, 1996.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), 12420 Parklawn Dr., rm 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Joyce J. Saltsman, Center for Food Safety and Applied Nutrition (HFS–165), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–5916.

SUPPLEMENTARY INFORMATION:

Section 403(r)(4) of the Federal Food, Drug, and Cosmetic Act (the act) provides that any person may petition the Secretary of Health and Human Services (and, by delegation, FDA) to approve nutrient content claims that are not specifically provided for in FDA's regulations. In the Federal Register of January 6, 1993 (58 FR 2302), FDA published a final rule entitled ''Food Labeling: Nutrient Content Claims, General Principles, Petitions, Definition of Terms; Definitions of Nutrient Content Claims for the Fat, Fatty Acid, and Cholesterol Content of Food'' (hereinafter referred to as ''nutrient content claims final rule''). That final rule, among other things, defined specific nutrient content claims that included the terms ''good source,'' ''high,'' and ''more'' (§ 101.54 (21 CFR 101.54)), and established procedures for the submission and review of petitions regarding the use of nutrient content claims (§ 101.69 (21 CFR 101.69)). Section 101.69(n) establishes the procedures to petition for use of a synonymous term.

On March 21, 1995, FDA received a petition from Darigold, Inc., P.O. Box 79007, Seattle, WA 98119, to establish the term ''extra'' as a synonym for the term ''more'' (Ref. 1). In accordance with procedures established in § 101.69(n), FDA concluded that the term ''extra'' is a clear and unambiguous synonym for ''more'' and, in particular, is consistent with the term ''added.'' To evaluate whether the term ''extra'' and existing terms, such as ''more'' and ''added,'' have the same meaning, FDA reviewed definitions for the term ''extra'' in current dictionaries and found that it is common for the term ''extra'' to be defined as ''more than is usual'' and ''additional.'' Both meanings clearly relate ''extra'' to the defined terms ''more'' and ''added.'' Based on this information, FDA concluded that the term ''extra'' would be commonly understood to have the same meaning as ''more'' and ''added.'' It advised the firm of this in a letter dated October 30, 1995 (Ref.2). The agency also explained in the October 30 letter that the term ''extra'' is most closely synonymous with the term ''added'' in that it suggests that the labeled food has been altered compared to a similar reference food. Therefore, the agency concluded that the term ''extra'' as a relative claim must be used in the same way that the term ''added'' is used, as specified under (§ 101.13(j)(1)(i)(B) (21 CFR 101.13(j)(1)(i)(B)).

In § 101.69(n)(4), FDA stated that as soon as practicable following the agency's decision to either grant or deny a petition for a synonymous term, it would publish a notice in the Federal Register informing the public of its decision, and that if it grants the petition, FDA will list the term in its nutrient content claims regulation. Therefore, in this document, the agency is amending §§ 101.13(j) and 101.54(e) to include the term ''extra'' as a synonym for the term ''added.''

I. References

The following references have been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a. m. and 4 p. m., Monday through Friday.

1. Darigold, Inc., ''Petition for Synonymous Term 'Extra','' March 18, 1994 [CP1].

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