

informal docket may also be examined during normal business hours at the Air Traffic Division, System Management Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

**FOR FURTHER INFORMATION CONTACT:**

Peter H. Salmon, Air Traffic Division, System Management Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7459.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 96-AGL-1." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, S.W., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the

notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

**The Proposal**

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend Class E airspace at Rochester, MN. This proposal would provide adequate Class E airspace for IFT operators executing the Copter GPS 325 degrees approach procedure to St. Mary's Hospital Heliport. Controlled airspace extending upward from 700 to 1200 feet AGL is needed for aircraft executing the approach. The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed 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 proposed 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).

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

**PART 71—[AMENDED]**

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; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

AGL MN E5 Rochester, MN [Revised]

(Lat. 44°01'11"N, long. 92°28'59"W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the St. Mary's Hospital Heliport, excluding that airspace within the Rochester Municipal Airport, MN, Class D and Class E5 airspace.

\* \* \* \* \*

Issued in Des Plaines, Illinois on March 7, 1996.

Maureen Woods,

*Acting Manager, Air Traffic Division.*

[FR Doc. 96-6993 Filed 3-21-96; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 101**

[Docket Nos. 91N-384H, 94P-0390 and 95P-0241]

**Food Labeling: Nutrient Content Claims, General Principles; Health Claims, General Requirements and Other Special Requirements for Individual Health Claims; and Definition of Term: Healthy; Extension of Comment Periods**

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

**ACTION:** Proposed rule; extension of comment periods.

**SUMMARY:** The Food and Drug Administration (FDA) is extending to

July 18, 1996, the comment periods for two proposed rules, entitled "Food Labeling: Nutrient Content Claims, General Principles; Health Claims, General Requirements and Other Special Requirements for Individual Health Claims" (60 FR 66206, December 21, 1995) and "Food Labeling: Nutrient Content Claims, Definition of Term: Healthy" (61 FR 5349, February 12, 1996). This action is being taken in response to requests for additional time to conduct consumer research, to develop information requested by the agency, and to evaluate and comment on issues common to both proposals.

**DATES:** Submit written comments by July 18, 1996.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857. Comments should be identified with the docket numbers found in brackets in the heading of this document. Received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** F. Edward Scarbrough, Center for Food Safety and Applied Nutrition (HFS-150), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-4561.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of December 21, 1995 (60 FR 66206), FDA published a proposed rule entitled "Food Labeling: Nutrient Content Claims, General Principles; Health Claims, General Requirements and Other Special Requirements for Individual Health Claims" (the claims proposal) in response to petitions submitted by the National Food Processors Association (NFPA) and the American Bakers Association (ABA). In that proposal, FDA proposed to amend its regulations on nutrient content claims to provide additional flexibility in the use of these claims on food products. FDA had provided for interested persons to submit written comments on the proposal by March 20, 1996.

In the Federal Register of February 12, 1996, FDA published a proposed rule entitled "Food Labeling: Nutrient Content Claims, Definition of Term: Healthy" (the healthy proposal) in response to petitions submitted to the agency by the American Frozen Food Institute (AFFI), the National Food Processors Association (NFPA), and the American Bakers Association (ABA). In that proposal, FDA proposed to revise its food labeling regulations by

amending the definition of the term "healthy" to permit certain processed fruits and vegetables and enriched cereal-grain products that conform to a standard of identity to bear this term. FDA had provided for interested persons to submit written comments on the proposal by April 29, 1996.

The agency has received requests from NFPA for extensions of the comment periods for both proposals. Although FDA has a policy of generally not extending such comment periods so that necessary regulations can be promulgated as expeditiously as possible, the agency agrees that additional time may be needed by the requestor to conduct consumer research, to develop information requested by the agency, and to evaluate issues common to both proposals so that meaningful comments may be submitted. Therefore, FDA is extending the comment period for the claims proposal an additional 120 days and the comment period for the healthy proposal an additional 80 days. Thus, comments received by July 18, 1996, will be considered by FDA during its completion of these rulemakings.

Interested persons may, on or before July 18, 1996, submit to the Dockets Management Branch (address above) written comments regarding either proposal. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments regarding the healthy proposal are to be identified with docket numbers 91N-384H and 95P-0241. Comments regarding the claims proposal are to be identified with docket numbers 94P-0390 and 95P-0241. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: March 19, 1996.

William K. Hubbard,  
Associate Commissioner for Policy  
Coordination.

[FR Doc. 96-7046 Filed 3-19-96; 4:41 pm]

**BILLING CODE 4160-01-F**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### National Highway Traffic Safety Administration

#### 23 CFR Part 1206

[Docket No. 96-02; Notice 1]

RIN 2127-AG10

#### Rules of Procedure for Invoking Sanctions Under the Highway Safety Act of 1966

**AGENCY:** Federal Highway Administration (FHWA) and National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to replace the outdated rules of procedure contained in 23 CFR Part 1206 with new procedures as a part of the regulatory review directed by President Clinton on March 4, 1995. It proposes to change the regulation to reflect the current sanction authority of 23 U.S.C. 402 and to replace the present burdensome hearing process with a simplified review process.

**DATES:** Comments must be received no later than May 6, 1996.

**ADDRESSES:** Comments should refer to the docket number set forth above and be submitted (preferably in 10 copies) to the Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590. Docket hours are from 9:30 a.m. to 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** In FHWA, Mila Plosky, Office of Highway Safety, 202-366-6902; or Raymond W. Cuprill, Office of the Chief Counsel, 202-366-1377. In NHTSA, Gary Butler, Office of State and Community Services, 202-366-2121; or Heidi L. Coleman, Office of the Chief Counsel, 202-366-1834.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 4, 1995, President Clinton directed all Federal Departments and agencies to overhaul the nation's regulatory system. One of the actions required by the directive was to revise any regulation that had become outdated or otherwise in need of reform. The Department has identified 23 CFR Part 1206 as a regulation that should be revised to conform to the current provisions of 23 U.S.C. 402.

This regulation was first promulgated in May 1974, and it has not been