SUMMARY: This action amends Airworthiness Directive (AD) 72-6-5-, Amendment 39-1411 as amended by Amendment 39-1685, 73 FR 13781. It is necessary to add two carburetor models, MA-5 and MA-5AA, which were inadvertently omitted from the original AD. The original AD was issued March 24, 1972, to prevent looseness or separation of the throttle arm on Marvel Schebler carburetors by safety wiring the throttle arm to the throttle stop. Separation of the throttle arm from the carburetor will result in loss of engine control. The original AD was amended by Amendment 39-1685, effective July 9, 1973, to limit it to those throttle arm configurations shown in the illustrations of AD 72-6-5- and continues to apply. The manufacturer had released a new design throttle arm and shaft which does not require the corrective action described in AD 72-6-5.

DATE: Effective July 3, 1986.

Compliance required within 30 days after the effective date of the AD, unless already accompanied.

FOR FURTHER INFORMATION CONTACT: Roy Hettenbach, ANE-174, New York Aircraft Certification Office, Aircraft Certification Division, New England Region, 181 South Franklin Avenue, Room 202, Valley Stream, New York 11581, telephone (516) 791-7421.

SUPPLEMENTARY INFORMATION: During the investigation of a fatal accident involving an aircraft equipped with a Franklin engine and Marvel Schebler MA-5 carburetor, it was found that the carburetor throttle arm was loose on the shaft even though the lock screw was in place and separation could be accomplished with ease. Model MA-5 and MA-5AA carburetors were inavertently omitted from AD 72-6-5.

Note.—The throttle arm to stop design configuration of these model carburetors are identical to illustration "C" of AD-72-6-5.

Since this condition is likely to exist or develop on other carburetors of the same type design, a situation exists that requires the immediate adoption of this revision. It is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective within 30 days.

Conclusion: The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect tc this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has further been determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption **"FOR FURTHER INFORMATION CONTACT".**

List of Subjects in 14 CFR Part 39

Engines, Aircraft, Aviation safety.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration (FAA) amends § 39.13 of Part 39 of the Federal Aviation Regulations (FAR) as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By amending Amendment 39-1411, AD 72-6-5, as amended by Amendment 39-1685 (73 FR 13781), as follows:

(a) In the applicability statement, insert the words "MA-5, MA-5AA," between "MA4-5AA," and "MA-6AA".

(b) Replace the compliance statement with the following: "Compliance is required within 30 days after the effective date of the AD, unless already accomplished.".

(c) In Paragraph (3), insert the words "MA-5, MA-5AA," between "MA4-5AA," and "MA-6AA".

(d) Insert the following new paragraph following the "NOTE": "Upon request, an equivalent means of compliance with the requirements of this AD may be approved by the Manager, New York Aircraft Certification Office, Aircraft Certification Division, New England Region, 181 South Franklin Avenue, Room 202, Valley Stream, New York 11581."

Amendment 39-1411 (AD 72-6-5) became effective March 24, 1972.

Amendment 39-1685 became effective July 9, 1973.

This amendment becomes effective July 3, 1986.

Issued in Burlington, Massachusetts, on June 12, 1986.

Clyde M. DeHart, Jr.,

Acting Director, New England Region.

[FR Doc. 86-14036 Filed 6-23-86; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 86-AGL-19]

Alteration of Toledo, OH, Control Zone

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: The nature of this action is to alter the published description for the Toledo, Ohio control zone.

EFFECTIVE DATE: 0901 UTC, August 28, 1986.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to Part 71 of the Federal Aviation Regulations modifies the published description for the Toledo, OH control zone by changing the acronym VOR to VOR/DME. The need for the modification results from a change in the type of navigational equipment being utilized.

There will be no change to the existing designated airspace area for the control zone.

I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6B dated January 2, 1986.

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 "major rule" under Executive Order 12291; (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

Aviation, safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Toledo, OH [Amended]

In all instances where the acronym VOR appears; remove and replace with VOR/DME.

Issued in Des Plaines, Illinois, on June 13, 1986.

Teddy W. Burcham,

Manager, Air Traffic Division.

[FR Doc. 86–14129 Filed 6–23–86; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 74

[Docket No. 85C–0327]

[Phthalocyaninato(2-)] Copper; Change in Organic Chlorine Content Specification for the Color Additive for Coloring Sutures and Contact Lenses

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the color additive regulations by increasing the organic chlorine content specification for the color additive [phthalocyaninato(2-)] copper used to color sutures and contact lenses. This action responds to a petition filed by Ethicon, Inc.

DATE: Effective July 25, 1986, except as to any provisions that may be stayed by the filing of proper objections; objections by July 24, 1986.

ADDRESS: Written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Lester Borodinsky, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of August 27, 1985 (50 FR 34758), FDA announced that a color additive petition (CAP 5CO192) has been filed by Ethicon, Inc., Somerville, NJ 08876–0151, proposing that § 74.3045 (21 CFR 74.3045) be amended by increasing the organic chlorine content specification for the color additive [phthalocyaninato(2-)] copper used to color sutures and contact lenses from a limit of not more than 0.2 percent to a limit of not more than 0.5 percent. The petition was filed under section 706 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 376).

The petition contains data and information demonstrating that the requested increase in the chlorine specification improves the stability of the color additive, and that it is safe under its prescribed conditions of use. The information includes a letter to the petitioner from a recognized expert explaining why the presence of as much as 0.5 percent organically bound chlorine is necessary to make the color additive stable, i.e., recrystallization resistant. On the basis of its review of this letter, FDA agrees that the color additive with a higher level of chlorine will be stable.

The data include a color extraction study and in vitro cytotoxicity studies. In the former study, no detectable amount of the color additive was extracted. In the cytotoxicity studies, which utilized mouse L-cells (clone 929), the color additive containing 0.5 percent organic chlorine had the same no-effect level as that containing 0.2 percent organic chlorine. Based on these criteria, FDA finds that the change in chlorine level will have no effect on the safety of the color additive.

FDA has evaluated the data in the petition, data supporting previous petitions involving this color additive, and other relevant material and concludes that [phthalocyaninato(2-)] copper that complies with the new chlorine specification is safe. Therefore, FDA is amending § 74.3045 as set forth below.

In accordance with § 71.15 (21 CFR 71.15), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition (address above) by appointment with the information contact person listed above. As provided in 21 CFR 71.15, the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has previously considered the environmental effects of this rule as announced in the notice of filing for CAP 5C0192 (August 27, 1985; 50 FR 34758). No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required. The evidence supporting this finding may be seen at the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before July 24, 1986, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. FDA will publish notice of the objections that the agency has received or lack thereof in the **Federal Register.**

List of Subjects in 21 CFR Part 74

Color additives; Cosmetics; Drugs; Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 74 is amended as follows:

PART 74—LISTING OF COLOR ADDITIVES SUBJECT TO CERTIFICATION

1. The authority citation for 21 CFR Part 74 continues to read as follows:

Authority: Secs. 701, 706, 52 Stat. 1055–1056 as amended, 74 Stat. 399–407 as amended (21 U.S.C. 371, 376); 21 CFR 5.10.

2. In § 74.3045 by revising the entry for "Organic chlorine" in paragraph (b), to read as follows:

§ 74.3045 [Phthalocyaninato(2-)] copper.

* * * * *

(b) * * *

Organic chlorine, not more than 0.5 percent.

* * * * *

Dated: June 18, 1986.

John M. Taylor,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 86–14150 Filed 6–23–86; 8:45 am]

BILLING CODE 4160–01–M

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21 CFR Part 177

[Docket No. 85F–0123]

Indirect Food Additives: Polymers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of non-oriented ethylene-1,4-cyclohexylene dimethylene terephthalate copolymers in contact with foods containing up to 25 percent (by volume) of aqueous alcohol. This action responds to a petition filed by Eastman Chemicals Division, Eastman Kodak Co.

DATES: Effective June 24, 1986; objections by July 24, 1986.

ADDRESS: Written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Vir Anand, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of April 10, 1985 (50 FR 14162), FDA announced that a petition (FAP 5B3856) had been filed by Eastman Chemicals Division, Eastman Kodak Co., Kingsport, TN 37662, proposing that § 177.1315 *Ethylene-1,4-cyclohexylene dimethylene terephthalate copolymer* (21 CFR 177.1315) be amended to provide for the safe use of non-oriented ethylene-1,4-cyclohexylene terephthalate copolymers in contact with foods containing up to 25 percent (by volume) of aqueous alcohol.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe, and that the regulations should be amended as set forth below.

The agency is editorially revising the specifications in 21 CFR 177.1315(b) to consolidate the entries and to reflect additional usage of the polymers in contact with up to 25 percent alcohol.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition (address above) by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. FDA's regulations implementing the National Environmental Policy Act (21 CFR Part 25) have been replaced by a rule published in the **Federal Register** of April 26, 1985 (50 FR 16636, effective July 25, 1985). Under the new rule, an action of this type would require an environmental assessment under 21 CFR 25.31a(a).

Any person who will be adversely affected by this regulation may at any time on or before July 24, 1986, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 177

Food additives; Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Food Safety and Applied Nutrition, Part 177 is amended as follows:

PART 177—INDIRECT FOOD ADDITIVES: POLYMERS

1. The authority citation for 21 CFR Part 177 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. Section 177.1315 is amended by revising paragraph (b) to read as follows:

§ 177.1315 Ethylene-1,4-cyclohexylene dimethylene terephthalate copolymers.

* * * * *

(b) *Specifications:*