

FAA Handbook 7400.6E dated January 3, 1989.

Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to correct the description of the Vidalia, Georgia, transition area. This change is editorial in nature and does not alter the dimensions of the existing transition area. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary and contrary to the public interest.

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, Transition areas.

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—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

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 Public Law 97-449, January 12, 1983); 14 CFR 11.69.

2. Section 71.181 is amended as follows:

Vidalia, Georgia [Amended]

By substituting the words "ONYUN LOM" in lieu of the term "Onion RBN" where it appears in the existing description.

Issued in East Point, Georgia, on May 17, 1989.

William D. Wood,

Acting Manager, Air Traffic Division,
Southern Region.

[FR Doc. 89-13047 Filed 6-1-89; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 172

[Docket No. 85F-0346]

Food Additives Permitted for Direct Addition to Food for Human Consumption; Aspartame

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 aspartame in frozen, ready-to-thaw-and-eat cheesecakes, fruit, and fruit toppings. This action is in response to a petition filed by Foodways National, Inc.

DATES: Effective June 2, 1989; written objections and requests for a hearing by July 3, 1989.

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

FOR FURTHER INFORMATION CONTACT: Carl L. Giannetta, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C Street SW., Washington, DC 20204, 202-426-5487.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of August 23, 1985 (50 FR 34197), FDA announced that a food additive petition (FAP 5A3874) had been filed by Foodways National, Inc., P.O. Box 44, Boise, ID 83707, proposing that § 172.804 Aspartame (21 CFR 172.804) be amended to provide for the safe use of aspartame as a sweetener in frozen cheesecakes, fruit, and fruit toppings.

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 in § 172.804(c) as set forth below. The agency emphasizes that the introductory paragraph of § 172.804 provides that aspartame may only be used for those purposes "for which standards of identity established under section 401 of the [Federal Food, Drug, and Cosmetic] Act do not preclude such use."

The filing notice describes the products covered in the petition as frozen cheesecakes, fruit, and fruit toppings. However, the petition further described these products as "ready to thaw and eat." The agency has included this language in the regulation to clarify

that the products covered by the regulation are not heat treated (cooked) subsequent to thawing.

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 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. FDA 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, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. This action was considered under FDA's final rule implementing the National Environmental Policy Act (21 CFR Part 25).

Any person who will be adversely affected by this regulation may at any time on or before July 3, 1989, 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 172

Food additives, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 172 is amended as follows:

**PART 172—FOOD ADDITIVES
PERMITTED FOR DIRECT ADDITION
TO FOOD FOR HUMAN CONSUMPTION**

1. The authority citation for 21 CFR Part 172 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 172.804 is amended by adding new paragraph (c)(19) to read as follows:

§ 172.804 Aspartame.

(c) * * *

(19) Frozen, ready-to-thaw-and-eat cheesecakes, fruit, and fruit toppings.

* * *

Dated: May 26, 1989.

John M. Taylor,
Associate Commissioner for Regulatory Affairs.

[FR Doc. 89-13119 Filed 6-1-89; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 172

[Docket No. 87F-0240]

**Food Additives Permitted for Direct
Addition to Food for Human
Consumption; Aspartame**

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 aspartame as a sweetener in frozen dairy and nondairy frostings, toppings, and fillings. This action is in response to a petition filed by the Foodways National, Inc., and the NutraSweet Co.

DATES: Effective June 2, 1989; written objections and requests for a hearing by July 3, 1989.

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

FOR FURTHER INFORMATION CONTACT:

Carl L. Giannetta, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-426-5487.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of August 21, 1987 (52 FR 31667), FDA announced that a food additive petition (FAP 7A4014) had been filed by the Foodways National, Inc., P.O. Box 10, Ontario, OR 97914; and the NutraSweet Co., 4711 Golf Rd., Skokie, IL 60076, proposing that § 172.804 *Aspartame* (21 CFR 172.804) be amended to provide for the safe use of aspartame as a sweetener in frozen dairy and nondairy frostings, toppings, and fillings.

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 emphasizes that the introductory paragraph of § 172.804 provides that aspartame may only be used for those purposes "for which standards of identity established under section 401 of the [Federal Food, Drug, and Cosmetic] Act do not preclude such use." Thus, for example, aspartame may not be used in sweet cocoa and vegetable fat (other than cacao fat) coating that complies with 21 CFR 163.150.

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 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. FDA 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, contained in an environmental assessment, may be seen in 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 3, 1989 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 172

Food additives, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 172 is amended as follows:

**PART 172—FOOD ADDITIVES
PERMITTED FOR DIRECT ADDITION
TO FOOD FOR HUMAN CONSUMPTION**

1. The authority citation for 21 CFR Part 172 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 172.804 is amended by adding new paragraph (c)(20) to read as follows:

§ 172.804 Aspartame.

(c) * * *

(20) Frozen dairy and nondairy frostings, toppings, and fillings.

* * *

Dated: May 26, 1989.

John M. Taylor,
Associate Commissioner for Regulatory Affairs.

[FR Doc. 89-13120 Filed 6-1-89; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF TRANSPORTATION Coast Guard

33 CFR Part 165

[COTP Baltimore, MD Regulation 89-02]

Security Zone Regulations: Severn River and Annapolis Harbor, Annapolis, MD

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a security zone in Severn River and Annapolis Harbor, Annapolis, Maryland. The security zone is needed to protect the participants attending the SEALINK 89 Symposium being sponsored by the Government of the United States from sabotage or other subversive acts, accidents, or other causes of a similar nature. Entry into this zone is prohibited unless authorized by the Captain of the Port or his authorized representative.

EFFECTIVE DATES: These regulations are effective from 8:00 a.m., June 12, 1989 to 11:00 a.m., June 16, 1989, unless sooner terminated by the Captain of the Port, Baltimore, Maryland.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander F.C. Buckley, at U.S.C.G. Marine Safety Office, Custom House, 40 South Gay Street, Baltimore, Maryland 21202-4022, (301) 962-5105.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of Federal Register publication. Publishing an NPRM and delaying the effective date of this security zone would be contrary to the public interest since immediate action is needed to protect the participants attending the SEALINK 89 Symposium from injury due to sabotage or other subversive acts.

Drafting Information

The drafters of this regulation are Lieutenant Commander F.C. Buckley, project officer for the Captain of the Port, Baltimore, Maryland and Lieutenant Commander R.K. Kutz, Project Attorney, Fifth Coast Guard District Legal Staff.

Discussion of Regulation

The Coast Guard is establishing a security zone in the Severn River and Annapolis Harbor, Annapolis, Maryland, to protect the participants attending the SEALINK 89 Symposium being sponsored by the Government of the United States. The symposium will

be held at the U.S. Naval Academy between June 12 and June 15, 1989. No vessels will be allowed to navigate within the security zone around the Naval Academy except by specific permission and direction from a designated Coast Guard commissioned, warrant, or petty officer on scene. Coast Guard vessels will be on scene around the clock to notify boaters of restrictions and to enforce the security zone. To assist the public in identifying Coast Guard representatives of the Captain of the Port, these individuals will be wearing a distinctive SEALINK ballcap. Yellow buoys also will be set along the perimeter of this portion of the zone. In addition, all vessels and persons will be prevented from entering the waters below or within fifteen yards of the Annapolis Hilton Hotel, including any projections and associated structures, and the barge moored alongside the Annapolis Hilton Hotel catwalk, without the permission of the Captain of the Port or representative of the Captain of the Port.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, Subpart D of Part 165 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 USC 1231; 50 USC 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new § 165.T0538 is added to read as follows:

§ 165.T0538 Security Zone: Severn River and Annapolis Harbor, Annapolis, Maryland.

(a) Location. The following areas are a security zone:

(1) The waters of the Severn River and Annapolis Harbor bounded by the Naval Academy Seawall and a line connecting the following points:

Latitude	Longitude
38°59'06.1" N	76°29'15.9" W
38°59'11.0" N	76°29'18.1" W
38°59'12.4" N	76°29'13.9" W
38°59'14.0" N	76°29'04.3" W
38°58'52.8" N	76°28'32.0" W
38°58'37.1" N	76°28'49.8" W
38°58'35.8" N	76°29'02.8" W
38°58'36.9" N	76°29'04.5" W

(2) The waters below or within fifteen yards of the Annapolis Hilton Hotel, including any projections and associated structures, the waters within fifteen yards of the barge moored alongside the hotel catwalk, and the hotel catwalk itself.

(b) Representative of the Captain of the Port. A "representative of the Captain of the Port" is any uniformed United States Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port, Baltimore, Maryland to act on his behalf with respect to this zone.

(c) Regulations. (1) No person or vessel may enter, remain in, or anchor in the security zone without the permission of the Captain of the Port or a representative of the Captain of the Port.

(2) Each person and vessel in the security zone shall immediately obey any direction or order of the Captain of the Port or any representative of the Captain of the Port.

(3) For further information contact the Coast Guard Marine Safety Office, Baltimore, at (301) 962-5105 or the on scene Coast Guard patrol vessels on VHF FM 16.

(4) The general regulations in section 165.33 of this part do not apply to this security zone.

(d) Effective Dates. These regulations are effective from 8:00 a.m., June 12, 1989 to 11:00 a.m., June 16, 1989, unless sooner terminated by the Captain of the Port, Baltimore, Maryland.

Dated: May 22, 1989.

J.H. Parent,

Captain, U.S. Coast Guard, Captain of the Port, Baltimore, Maryland.

[FR Doc. 89-12947 Filed 6-1-89; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area, CA; Gold Panning Regulations

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: On February 9, 1988, the National Park Service, Department of the Interior, published in the Federal Register (53 FR 88-3759) a proposed rule to permit the activity of gold panning within the Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area. An editorial correction was printed in the Federal Register (53 FR 88-7466) on March 8, 1988. This proposal was made available for public review and comment for a period of thirty (30) days following publication in the Federal Register, and ending on March 10, 1988. One supporting comment was received regarding the