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 Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Spring Valley, NY [Remove]

Remove the description of the Spring Valley, NY, Transition Area in its entirety.

Issued in Jamaica, New York, on February 12, 1990.

Billy E. Commander,

Acting Manager, Air Traffic Division.

[FR Doc. 90-5435 Filed 3-8-90; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 89-AEA-25]

Proposed Alteration of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This notice modifies the Wurtsboro, NY, 700 foot Transition Area to reduce the amount of controlled airspace to that which is deemed necessary to contain arriving and departing aircraft at the Wurtsboro-Sullivan County Airport, Wurtsboro, NY. In addition, a minor change to the geographic coordinates of the airport is being made to reflect the actual location. This action is necessary due to the reorganization of Air Traffic Control procedures provided to this airport.

EFFECTIVE DATE: 0901 U.T.C. May 3, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Curtis L. Brewington, Airspace Specialist, System Management Branch, AEA-530, Federal Aviation Administration, Fitzgerald Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 917-0857.

SUPPLEMENTARY INFORMATION:

History

On November 29, 1989, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the 700 foot Transition Area at Wurtsboro, NY, to reflect that amount of controlled airspace which is actually required to contain arriving and departing aircraft within controlled airspace at the Wurtsboro-Sullivan County Airport, Wurtsboro, NY (54 FR 51897). Additionally, changes to the geographic coordinates of the airport were made to reflect the actual location of the airport. The proposed action would reduce the amount of controlled airspace which is deemed necessary by the FAA.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No written comments on the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of part 71 of the Federal Aviation Regulations was republished in FAA Handbook 7400.6E, January 3, 1989.

The Rule

This amendment to part 71 of the Federal Aviation Regulations revises the 700 foot Transition Area at the Wurtsboro-Sullivan County Airport, Wurtsboro, NY.

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. Therefore, this regulation: (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 Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Wurtsboro, NY [Revised]

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 41°35'50" N., long. 74°27'32" W., of Wurtsboro-Sullivan County Airport, Wurtsboro, NY; within 3 miles each side of the 084°(T) 096°(M) bearing from the Wurtsboro-Sullivan County Airport extending from the 5-mile radius to 7 miles east of the airport; excluding the portions that coincide with the Newburgh, NY and Monticello, NY, transition areas. This transition area is effective from sunrise to sunset daily.

Issued in Jamaica, New York, on February 7, 1990.

Billy E. Commander,

Acting Manager, Air Traffic Division.

[FR Doc. 90-5436 Filed 3-8-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 173

[Docket No. 87F-0417]

Secondary Direct Food Additives Permitted in Food for Human Consumption; Chlorofluorocarbon 113 and Perfluorohexane

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of a mixture of chlorofluorocarbon 113 and perfluorohexane to quickly chill whole chickens sealed in plastic bags. This action is in response to a petition filed by Insta Cool, Inc., of North America.

DATES: Effective March 9, 1990; written objections and requests for a hearing by April 9, 1990.

ADDRESSES: 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: Eric L. Flamm, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-426-8950.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of February 10, 1988 (53 FR 3942), FDA announced that a food additive petition (FAP 7A4039) had been filed by Insta Cool, Inc., of North America, 3235 Sunrise Blvd., Suite C, Rancho Cordova, CA 95670 (now 11,300 Sanders Dr., Suite 14, Rancho Cordova, CA 95742), proposing that the food additive regulations be amended to provide for the safe use of a mixture of chlorofluorocarbon 113 (CFC 113) and perfluorohexane as a secondary direct additive to quickly chill whole chickens sealed in poly-bags.

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 by adding new § 173.342 as set forth below.

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.

This action will permit a new use for CFC 113, one member of a class of chemicals that has been implicated in the destruction of the stratospheric ozone layer. During its review of the petition, FDA consulted with the Environmental Protection Agency (EPA) to determine whether FDA approval of this petition would be consistent with EPA's efforts to control CFC's. On March 3, 1989, EPA advised FDA that approval of the proposed new use of CFC 113 would not be in conflict with EPA's current regulations on stratospheric ozone protection which restrict allowable production in lieu of controls on particular uses (40 CFR part 82). EPA advised FDA that approval would not add to total CFC emissions to the atmosphere but would instead mean that less CFC's would be available for current uses. EPA noted that the projected use represents less than 0.1 percent of current levels of CFC 113, that the CFC 113 use described by the petitioner would have lower rates of emission than most current uses, that the opportunities for reclamation of the CFC 113 from this use are excellent, and that the use is suitable for conversion to alternative chemicals when these become available.

Based on full consideration of 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 April 9, 1990 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 173

Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 173 is amended as follows:

PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION

1. The authority citation for 21 CFR part 173 continues to read as follows:

Authority: Secs. 201, 402, 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348).

2. New § 173.342 is added to subpart D to read as follows:

§ 173.342 Chlorofluorocarbon 113 and perfluorohexane.

A mixture of 99 percent chlorofluorocarbon 113 (1,1,2-trichloro-1,2,2-trifluoroethane) (CAS Reg. No. 76-13-1, also known as fluorocarbon 113, CFC 113 and FC 113) and 1 percent perfluorohexane (CAS Reg. No. 355-42-0) may be safely used in accordance with the following prescribed conditions:

(a) The additive chlorofluorocarbon 113 has a purity of not less than 99.99 percent.

(b) The additive mixture is intended for use to quickly cool or crust-freeze chickens sealed in intact bags composed of substances regulated in parts 174, 175, 177, 178, and § 179.45 of this chapter and conforming to any limitations or specifications in such regulations.

Dated: March 1, 1990.

Ronald G. Chesemore,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 90-5432 Filed 3-8-90; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 178

[Docket No. 88F-0112]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of castor oil, hydrogenated as a component of olefin polymers intended for use in contact with food. This action is in response to a petition filed by Riken Vitamin Co., Ltd.

DATES: Effective March 9, 1990; written objections and requests for a hearing by April 9, 1990.

ADDRESSES: 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: Rudolph Harris, 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 May 24, 1988 (53 FR 18610), FDA announced that a food additive petition (FAP 8B4060) had been filed by Riken Vitamin Co., Ltd., c/o The Center for Regulatory Services, 2347 Paddock Lane,

Reston, VA 22091, proposing that § 178.3280 Castor oil, hydrogenated (21 CFR 178.3280) be amended to provide for the safe use of castor oil, hydrogenated as a component of olefin polymers intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe, and that 21 CFR 178.3280 should be amended as set forth below.

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 April 9, 1990 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 178

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 Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: Secs. 201, 402, 409, 706 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 343, 348, 376).

2. Section 178.3280 is amended in paragraph (b) by adding a new entry "7." in the table to read as follows:

§ 178.3280 Castor oil, hydrogenated.

* * * * *

(b) * * *

Use	Limitations
* *	* * *
7. As a component of olefin polymers complying with § 177.1520 of this chapter.	For use only at levels not to exceed 2 percent by weight of the polymer.

Dated: February 28, 1990.

Douglas L. Archer,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90-5429 Filed 3-8-90; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Exempt Chemical Preparations

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Interim rule and request for comments.

SUMMARY: This interim rule amends § 1308.24 of title 21 of the Code of Federal Regulations. The below-listed chemical preparations and mixtures which contain controlled substances replace the list of exempt chemical preparations set forth in § 1308.24(i). This action is in response to DEA's periodic review of the exempt chemical preparation list and of applications for exemptions filed with DEA. Preparations included in the list are exempted from the application of specific provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970, and from certain Drug Enforcement Administration regulations.

DATES: Effective: April 9, 1990. Comments must be submitted on or before April 9, 1990.

ADDRESSES: Comments should be submitted to Howard McClain, Jr., Chief, Drug Control Section, Washington, DC 20537.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Telephone (202) 307-7183.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act as amended by the Dangerous Drug Diversion Control Act of 1984 authorizes the Attorney General in accordance with 21 U.S.C. 811(g)(3)(B) to exempt from specific provisions of the Act, a compound, mixture, or preparation which contains any controlled substance, which is not for administration to a human being or animal and which is packaged in such form or concentration, or with adulterants or denaturants, so that as packaged it does not present any significant potential for abuse.

The Deputy Assistant Administrator of the Drug Enforcement Administration's Office of Diversion Control has received applications pursuant to § 1308.23 of title 21 of the Code of Federal Regulations requesting approval of exempt status provided for in 21 CFR 1308.24. The Deputy Assistant Administrator hereby finds that each of the following preparations and mixtures is intended for laboratory, industrial, educational, or special research purposes, is not intended for general administration to man or animal, and either (a) contains no narcotic controlled substances and is packaged in such a form or concentration that the packaged quantity does not present any significant potential for abuse, (b) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion, or concentration that the preparation or mixture does not present any potential for abuse, or (c) the formulation of such preparation or mixture incorporates methods of denaturing or other means so that the controlled substance cannot