exhibits received in evidence, and other available information. The Committee recommended to the Secretary that the application be granted and the Secretary approved the application on February 26, 1996.

Before a new market can be officially designated, a referendum must be held to determine that a two-thirds majority of producers favor the designation. It is hereby determined that the referendum will be held by mail during the period of April 15–26, 1996. The purpose of the referendum is to determine whether farmers who sold their tobacco on the designated markets at Boone, West Jefferson, and Mountain City are in favor of, or opposed to, the designation of the consolidated market for the 1996 and succeeding crop years. Accordingly, if a two-thirds majority of those tobacco producers voting in the referendum favor this consolidation, a new market will be designated as and will be called Boone-West Jefferson-Mountain City.

To be eligible to vote in the referendum a tobacco producer must have sold burley tobacco on either the Boone or West Jefferson, North Carolina, or Mountain City, Tennessee, auction markets during the 1995 marketing season. Any farmer who believes he or she is eligible to vote in the referendum but has not received a mail ballot by April 15, 1996, should immediately contact Rebecca Fial at (202) 260–0151.

The referendum will be held in accordance with the provisions for referenda of the Tobacco Inspection Act, as amended (7 U.S.C. 511d) and the regulations for such referendum set forth in 7 CFR 29.74.

Dated: March 11, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96–6345 Filed 3–15–96; 8:45 am]

BILLING CODE 3410–02–P

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7 CFR Part 29

[Docket No. TB–95–18]

Tobacco Inspection—Growers Referendum

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of referendum.

SUMMARY: This notice announces that a referendum will be conducted by mail during the period of April 15–19, 1996, for producers of flue-cured tobacco who sell their tobacco at auction in Sanford and Carthage-Aberdeen, North Carolina, to determine producer approval of the designation of the Sanford and Carthage-Aberdeen tobacco markets as one consolidated auction market.

DATES: The referendum will be held April 15–19, 1996.

FOR FURTHER INFORMATION CONTACT: Rebecca Fial, Assistant to the Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, P.O. Box 96456, Washington, DC 20090–6456; telephone number (202) 260–0151.

SUPPLEMENTARY INFORMATION: Notice is hereby given of a mail referendum on the designation of a consolidated auction market at Sanford and Carthage-Aberdeen, North Carolina. Sanford, North Carolina, was designated on June 26, 1942, and Carthage-Aberdeen, North Carolina, on August 30, 1988, (7 CFR 29.8001) as flue-cured tobacco auction markets under the Tobacco Inspection Act (7 U.S.C. 511 et seq.). Under this Act both have been receiving mandatory grading services from USDA.

On September 12, 1995, an application was made to the Secretary of Agriculture to consolidate the designated markets of Sanford and Carthage-Aberdeen, North Carolina. The application, filed by Jeffrey S. Smith, a warehouse operator in Sanford, was made pursuant to the regulations promulgated under the Tobacco Inspection Act (7 CFR Part 29.1–29.3). On November 7, 1995, a public hearing was held in Sanford, North Carolina, pursuant to the regulations. A Review Committee, established pursuant to § 29.3(h) of the regulations (7 CFR 29.3(h)), has reviewed and considered the application, the testimony presented at the hearing, the exhibits received in evidence, and other available information. The Committee recommended to the Secretary that the application be granted and the Secretary approved the application on February 26, 1996.

Before a new market can be officially designated, a referendum must be held to determine that a two-thirds majority of producers favor the designation. It is hereby determined that the referendum will be held by mail during the period of April 15–19, 1996. The purpose of the referendum is to determine whether farmers who sold their tobacco on the designated markets at Sanford and Carthage-Aberdeen are in favor of, or opposed to, the designation of the consolidated market for the 1996 and succeeding crop years. Accordingly, if a two-thirds majority of those tobacco producers voting in the referendum favor this consolidation, a new market will be designated as and will be called Sanford-Carthage-Aberdeen.

To be eligible to vote in the referendum a tobacco producer must have sold flue-cured tobacco on either the Sanford or Carthage-Aberdeen, North Carolina, auction markets during the 1995 marketing season. Any farmer who believes he or she is eligible to vote in the referendum but has not received a mail ballot by April 15, 1996, should immediately contact Rebecca Fial at (202) 260–0151.

The referendum will be held in accordance with the provisions for referenda of the Tobacco Inspection Act, as amended (7 U.S.C. 511d) and the regulations for such referendum set forth in 7 CFR 29.74.

Dated: March 11, 1996.

Lon Hatamiya,

Administrator.

[FR Doc. 96–6347 Filed 3–15–96; 8:45 am]

BILLING CODE 3410–02–P

Food and Consumer Service

7 CFR Part 246

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): WIC Cereal Sugar Limit

AGENCY: Food and Consumer Service, USDA.

ACTION: Notice of intent to propose rulemaking and solicitation of comments.

SUMMARY: The Department is considering revising the Federal regulations that limit the amount of sugar in WIC-eligible adult cereals. Currently, Federal regulations specify that all adult cereals (hot or cold) eligible for use in WIC food packages for women and children must contain no more than 21.2 grams of sucrose and other sugars per 100 grams of dry cereal (i.e., 6 grams of sugar per dry ounce of cereal). The majority of recent studies fail to document an association between sugar consumption and an increased risk of developing chronic diseases. The Department is therefore reviewing whether a revision in the Federal limit on the sugar content for WIC-eligible adult cereals is warranted. Consequently, the Department is soliciting public comments on the pros and cons of revising the current requirement, and is inviting suggestions on how the sugar limit should be changed, if a change is deemed appropriate.

DATES: To be assured of consideration, comments must be received on or before June 17, 1996.

ADDRESSES: Comments should be sent to Stanley C. Garnett, Director, Supplemental Food Programs Division, Food and Consumer Service, USDA, 3101 Park Center Drive, Room 540,

Alexandria, Virginia 22302, (703) 305–2746. Comments on this Notice should be labeled ''WIC Cereal Sugar Limit Notice.'' All written comments will be available for public inspection during regular business hours (8:30 a.m. to 5:00 p.m., Monday through Friday) at the above-noted address.

FOR FURTHER INFORMATION CONTACT: Barbara Hallman, Branch Chief, Policy and Program Development Branch, Supplemental Food Programs Division, Food and Consumer Service, USDA, 3101 Park Center Drive, Room 542, Alexandria, Virginia 22302, (703) 305–2730.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This Notice has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

This action is not a rule as defined by the Regulatory Flexibility Act (5 USC 601–612) and thus is exempt from the provisions of this Act.

Paperwork Reduction Act

This Notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1980 (44 USC 3507).

Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials [7 CFR Part 3015, Subpart V, and final rule-related Notice published June 24, 1983 (48 FR 29114)].

References

Browne, Mona Boyd: ''Label Facts for Healthful Eating: Educator's Resource Guide,'' 2nd ed., The Mazer Corporation, Dayton, Ohio, 1994, 100 pp. [Copies of this publication may be purchased from The Mazer Corporation, 2501 Neff Road, Dayton, Ohio 45414; telephone (513) 276–6181.]

Clydesdale, Fergus M., ed.: Workshop on the Evaluation of the Nutritional and Health Aspects of Sugars, Proceedings of a Workshop Held in Washington, D.C., May 2–5, 1994, ''Supplement to The American Journal of Clinical Nutrition,'' vol. 62(1S):161S–296S, July 1995. [Copies of this publication may be purchased from ''The American Journal of Clinical Nutrition,'' 9650 Rockville Pike, Bethesda, Maryland 20814–3998; fax (301) 571–8303.]

National Research Council, Committee on Diet and Health: ''Diet and Health: Implications for Reducing Chronic Disease Risk,'' National Academy Press, Washington, D.C., 1989, 749 pp. [Copies of this publication may be purchased from the National Academy Press, 2101 Constitution Avenue, N.W., Washington, D.C. 20418; telephone 1–800–624–6242 or (202) 334–3313.]

U.S. Department of Agriculture, Agricultural Research Service, Dietary Guidelines Advisory Committee: ''Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for American, 1995: To the Secretary of Health and Human Services and the Secretary of Agriculture,'' U.S. Government Printing Office, Washington, D.C., September 1995, 58 pp. [Copies of this publication may be purchased from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161; telephone (703) 487–4650.]

U.S. Department of Agriculture, Food and Nutrition Service: ''WIC Food Package and Nutrition Risk Criteria Reviews: Final Report,'' U.S. Government Printing Office, Washington, D.C., 1991–1992, 3 volumes, 300 pp. (approximate). [This report to Congress is comprised of the following three separate documents: (1) ''1992 Biennial Report on the Supplemental Food Program for Women, Infants, and Children and on the Commodity Supplemental Food Program'' (NAL call number aHV696.F6U625), prepared by the National Advisory Council on Maternal, Infant and Fetal Nutrition; (2) ''Technical Papers: Review of the WIC Food Packages'' (NAL call number aHV696.F6T42 1991), prepared by the Department of Nutrition, College of Health and Human Development, Pennsylvania State University, under Cooperative Agreement Number 58–3198–1–006; and (3) ''Technical Papers: Review of WIC Nutritional Risk Criteria'' (NAL call number aHV696.F6T425 1991), prepared by the Department of Family and Community Medicine, College of Medicine, University of Arizona, under Cooperative Agreement Number 58–3198–1–005. The Department sent copies of the complete report to all WIC State agencies in 1992. Copies of the report may be borrowed from the National Agricultural Library (NAL) using the NAL call numbers listed above corresponding to the three component documents. State and local staff of certain USDA programs may borrow materials directly from NAL. Others may borrow materials from NAL through the interlibrary loan system, making arrangements with their local or corporate libraries. To borrow these documents, contact: NAL, Document Delivery Services Branch, 10301 Baltimore Boulevard, Beltsville, Maryland 20705–2351; telephone (301) 504–5755; fax (301) 504–5675.]

U.S. Department of Agriculture, Food and Nutrition Service: ''WIC Program Report to Congress: Nutritional Risk Criteria and Food Package Reviews,'' Alexandria, Virginia, July 1991, 29 pp. [This report constitutes a combination of two of the Department's reports to Congress: a preliminary report on the WIC food package review and an interim report on the WIC nutritional risk criteria review. The Department sent copies of this report to all WIC State agencies in 1991. Copies of this report may be obtained by contacting: Food and Nutrition Information Center (FNIC), NAL, 10301 Baltimore Boulevard, Room 304, Beltsville, Maryland 20705–2351; telephone (301) 504–5719; fax (301) 504–6409. Also, an electronic copy of the report is available via the Internet at fnic@nalusda.gov.]

U.S. Department of Agriculture, Food and Nutrition Service: WIC Program: Report to Congress on Cereals Containing Fruit in the WIC Supplemental Food Packages,'' Alexandria, Virginia, December 1991, 12 pp. [The Department sent copies of this report to all WIC State agencies in January 1992. Copies of this report may be obtained by contacting: FNIC, NAL, 10301 Baltimore Boulevard, Room 304, Beltsville, Maryland 20705–2351; telephone (301) 504–5719; fax (301) 504–6409. Also, an electronic copy of report is available via the Internet at fnic@nalusda.gov.]

U.S. Department of Agriculture and U.S. Department of Health and Human Services: ''Nutrition and Your Health: Dietary Guidelines for Americans,'' 4th ed., Home and Garden Bulletin No. 232, U.S. Government Printing Office, Washington, D.C., December 1995, 43 pp. [For a single copy of the bulletin, send your name and address along with

a check or money order for 50 cents payable to the Superintendent of Documents to: Consumer Information Center, Department 378–C, Pueblo, Colorado 81009. Also, an electronic copy of the bulletin can be downloaded via the Internet/World Wide Web from the Home Page of the USDA Center for Nutrition Policy and Promotion at http://www.usda.gov/fcs/cnpp.html or from the Food and Consumer Service Bulletin Board at FedWorld. FedWorld may be accessed via a modem or the Internet. If using a modem, set the modem parity to none, data bits to 8, and stop bit to 1. Set terminal emulation to ANSI. Set duplex to full, and then set communication software to dial FedWorld at 703–321–3339. If using the Internet, you can either telnet to fedworld.gov or ftp to ftp.fedworld.gov. After connecting to FedWorld, select option D, ''Health, Safety and Nutrition Mall,'' from the main menu, then choose option C, Food and Consumer Service.]

Willis, Judith Levine: ed.: ''An FDA Consumer Special Report: Focus on Food Labeling,'' Food and Drug Administration, U.S. Public Health Service, Department of Health and Human Services, Rockville, Maryland, May 1993, 64 pp. [Copies of this publication may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania 15250–7954.]

Background

Federal regulations at 7 CFR 246.10 require that a WIC-eligible adult cereal be high in iron and low in sugar. The current WIC regulations state that WIC-eligible adult cereals (hot or cold) must contain a minimum of 28 milligrams of iron per 100 grams of dry cereal and contain no more than 21.2 grams of sucrose and other sugars per 100 grams of dry cereal (i.e., 6 grams of sugar per dry ounce of cereal). This Notice focuses only on the Department's consideration of changing the sugar limit, not the iron requirement, for such cereals.

There are currently five WIC food packages designed for different participant categories that include the 6-gram sugar limit for WIC-eligible adult cereals. These WIC food packages are: Food Package III for children/women with special dietary needs; Food Package IV for children 1 up to 5 years of age; Food Package V for pregnant and breastfeeding women (basic); Food Package VI for nonbreastfeeding postpartum women; and Food Package VII for breastfeeding women (enhanced).

The basis for Federal regulation of the sugar content of WIC-eligible adult cereals is three-fold. First, Section 3 of Public Law (P.L.) 95–627, enacted November 10, 1978, amended Section 17(f)(12) of the Child Nutrition Act of 1966 [42 USC 1786(f)(12)] to say, ''[t]o the degree possible, the Secretary [of Agriculture] shall assure that the fat, sugar, and salt content of the prescribed [WIC] foods is appropriate. * * *'' Second, the Department has been responsive to the advice it has received from nutrition and health experts, the WIC community and the general public over the years concerning the initial establishment and continued retention of a sugar limit for WIC-eligible adult cereals. Third, the Department recognized that dental caries is a major public health problem in the United States (U.S.) and that sugars in foods play a role in the development of dental caries.

The Federal requirements for WIC-eligible cereals have been issues of discussion since the early development of WIC food package regulations. The initial legislation for the WIC Program enacted September 26, 1972 (P.L. 92–433) did not impose a Federal sugar limit for WIC-eligible adult cereals. However, in response to an interim rule published January 12, 1976 (41 FR 1743) to implement provisions of P.L. 94–105, a significant number of commenters objected to the level of sugar in cereals allowable by WIC Program regulations. This sentiment was cited in the preamble of the proposed rule published February 11, 1977 (42 FR 8647) in response to the comments engendered by the January 12, 1976 interim rule. Although in that rulemaking the Department proposed no restrictions on the sugar content of WIC-eligible adult cereals, State agencies were reminded that they were not required to offer cereals high in sugar, but could restrict eligible cereals to those low in sugar (42 FR at 8649).

In June 1977, the Department held public hearings in seven cities to solicit oral and written testimony and suggestions for possible changes in the WIC Program. A number of commenters at the hearings favored USDA setting a maximum level for the amount of sugar allowed in WIC-eligible cereals for children and women. The preamble of the final regulations published August 26, 1977 (42 FR 43206) to revise and reorganize the Program referenced this public response and solicited further public comments on the issue of the Federal requirements for WIC-eligible adult cereals.

In October 1978, USDA convened a food package advisory panel composed of representatives of WIC State agencies, the food industry, the nutrition community, advocacy groups, and WIC participants. This panel reviewed in depth the public comments on cereal issues which the Department received in response to the August 26, 1977 final rule. The Department received 230 comments on the exclusion of high-sugar cereals for the WIC food packages. Over 90 percent of the comments (i.e., 208) were in support of the Department establishing a maximum level of sugar for cereals authorized in the WIC Program. As part of its deliberations, the panel recommended a 6-gram sugar limit for use with WIC-eligible adult cereals. The 6-gram sugar limit represented a moderate sugar content for cereals on the market at that time. In response, USDA published a proposed rule on November 30, 1979 (44 FR 69254) proposing a 6-gram sugar limit for WIC-eligible adult cereals.

Of the 643 persons who commented on the proposed 6-gram sugar limit, 542, primarily representing the nutrition and health care communities, supported the 6-gram sugar limit or recommended a more stringent one. Some of the reasons cited for supporting this requirement were: the association between sugar consumption and dental caries; recommendations in the 1979 ''Healthy People: The Surgeon General's Report on Health Promotion and Disease Prevention,'' and in the National Research Council's ''Recommended Dietary Allowances,'' ninth edition, 1980, stating that sugar consumption by the U.S. population should be reduced; and knowledge that highly sugared cereals tended to be more expensive than cereals containing less sugar.

The balance of 101 commenters, including 14 State and 53 local WIC agencies, the Sugar Association and several cereal companies were opposed to the 6-gram limit, or in some cases any sugar limit whatsoever. Examples of the reasons given for opposing views were: the opinion that the 6-gram sugar limit was chosen in an arbitrary and

capricious manner; an absence of a specific sugar limit in the USDA regulation applicable to ''foods of minimum nutritional value'' sold in competition with school lunches and breakfasts (7 CFR 210.11 and 220.12); and the lack of a clear cut-off point to differentiate low-sugar cereals from high-sugar cereals.

After taking into consideration the advice from outside experts, advisory groups and the majority of commenters as well as factors relevant to the WIC Program (e.g., participant acceptance, versatility, cost, and nutrition education efforts to improve eating habits), the Department published a final rule on November 12, 1980 (45 FR 74854). This rule established the 6-gram sugar limit for WIC-eligible adult cereals.

More recently in 1989, Section 123(c) of P.L. 101–147 mandated that the Secretary conduct a review of WIC food packages to determine the appropriateness of WIC-eligible foods. Among other things, the review was to include consideration of: (1) how effectively protein, calcium and iron are provided to participants; (2) the nutrient density of foods; and (3) the extent to which nutrients, for which program participants are most vulnerable to deficiencies, such as thiamine, riboflavin, vitamin A and zinc, are effectively provided to participants. Again, USDA formally solicited public comments on whether there was evidence to support or refute the regulatory limit on the amount of sugar contained in WIC food packages [55 FR 42856, October 24, 1990; 55 FR 52050, December 19, 1990].

Of the 97 comment letters the Department received specifically addressing the issue of whether the existing regulatory limits/requirements on components of the WIC foods should be retained, 66 comments supported retaining the 6-gram sugar limit for WIC-eligible adult cereals. Twenty commenters suggested that this sugar limit be retained only for WIC participants with weight problems, three industry commenters opposed retaining this sugar limit and suggested either removing or increasing it, and eight other commenters neither supported nor opposed the sugar limit.

On October 3, 1991, the Conference Report (H. Rep. No. 239, p.47) accompanying P.L. 102–142, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1992, expressed the desire of the conferees that the Department ''make a report to the appropriate committees of Congress on the issue of cereals containing fruit in the WIC food package by December 31, 1991.'' In response, on December 31, 1991, the Department submitted to pertinent Congressional committees a report that documented USDA's broad base of support for retaining the 6-gram sugar limit. Included among the letters USDA received encouraging the Department to retain this WIC cereal requirement were those from the following non-profit public interest groups and professional nutrition, medical and other health-related organizations: American Academy of Pediatrics; American Association of Public Health Dentistry; American Dental Association; American Public Health Association; Association of State and Territorial Dental Directors; Association of State and Territorial Public Health Nutrition Directors; Bread for the World; Center for Science in the Public Interest; Food Research and Action Center; National Association of WIC Directors; National Parent-Teacher Association; Public Voice for Food and Health Policy; and Society for Nutrition Education.

In 1992, the Department submitted the formal report to Congress on the outcome of the WIC food package review required by P.L. 101–147, Section 123(c). Based upon advice from the majority of commenters, including numerous nutrition and health authorities, the Department decided to retain the 6-gram sugar limit for WIC-eligible adult cereals. The National Advisory Council on Maternal, Infant and Fetal Nutrition also endorsed the 6-gram sugar limit in its 1992 Biennial Report to the President and Congress. The Council was established in 1975 by Section 17 (h)(1) [currently 17(k)(1)] of the Child Nutrition Act, and is composed of health/medical experts and representatives of WIC agencies, parent participants, and food retailers, to advise USDA on how to improve WIC operations.

Also relevant to this issue is the publication ''Nutrition and Your Health: Dietary Guidelines for Americans,'' jointly developed by USDA and the U.S. Department of Health and Human Services (DHHS). The ''Dietary Guidelines'' provide nutritional and dietary advice for the general public (i.e., healthy Americans 2 or more years of age), based upon the preponderance of current scientific and medical knowledge. The first ''Dietary Guidelines'' were published in 1980 and have been updated every five years to incorporate the latest research findings. The updates are based on the recommendations of the 11-member Dietary Guidelines Advisory Committee. This Committee is composed of widely recognized non-Federal nutrition and medical experts. Similar to past editions, the 1995 or fourth edition of the ''Dietary Guidelines,'' released by USDA and DHHS on January 2, 1996, urges Americans to choose a diet moderate in sugars. An excerpt from pages 33 and 34 of this latest edition follows:

> For very active people with high calorie needs, sugars can be an additional source of energy. However, because maintaining a nutritious diet and a healthy weight is very important, sugars should be used in moderation by most healthy people and sparingly by people with low calorie needs. This guideline cautions about eating sugars in large amounts and about frequent snacks of foods and beverages containing sugars that supply unnecessary calories and few nutrients.

Over the past several years, the Department has received inquiries from members of Congress and representatives of the food industry about the scientific basis for continuing the present sugar limit for WIC-eligible adult cereals. Although clinical evidence continues to support the correlation between sugar and dental caries, it has further revealed that the consumption of any fermentable carbohydrate, representing starches as well as sugars, can contribute to the incidence of dental caries. In contrast, recent research has shown that the independent factor of sugar intake does not appear to increase one's risk of developing coronary heart disease, diabetes mellitus, obesity, and hyperactivity.

While this evidence may suggest that no specific nutritional risk warrants a limit on sugar content, the Department recognizes that there may be other reasons that make such a limit appropriate. Factors that should be considered are any impact on the cost of the food package, the need to promote good dietary habits among nutritionally at-risk participants, and the potential that a change in the limit may permit ''foods * * * containing sugars that supply unnecessary calories and few nutrients'' to be included in the WIC food packages. The Department also remains cognizant of the important role the WIC competent professional authority plays in tailoring both the WIC food packages and nutrition counseling to meet individual needs of Program participants.

Therefore, the Department is seeking public input on whether a change in the 6-gram sugar limit for WIC-eligible adult cereals is in the best nutritional interests of WIC participants. The Department is hoping to elicit a wide range of views from nutrition and health experts, the WIC community, and other members of

the public at large to assist USDA in making a decision about this issue.

Issues for Comment

The Department is interested in receiving public comments on whether the current 6-gram sugar limit for WIC-eligible adult cereals should be changed. The Department has identified several positions related to this decision that commenters may wish to address. USDA would like to know which, if any, of the following options would be most appropriate for WIC food packages that make adult cereal available:

- Retain the current 6-gram sugar limit unchanged, counting all sugar, both naturally occurring and added, as part of the total sugar content of the cereal.
- Set a new sugar limit, either higher or lower than the current 6-gram level. If this option is selected, commenters should specify a new sugar limit, e.g., grams of sugar per dry ounce of cereal, and their justification for suggesting a new limit.
- Revise the 6-gram sugar limit to represent only the amount of sugar added during the manufacturing of a cereal, representing either a separate ingredient (e.g., table sugar, corn syrup, brown sugar, honey, and maltodextrin) or a separate component of a processed or man-made ingredient (e.g., marshmallow and caramel), and exclude the naturally occurring, inherent sugar in the cereal (e.g., sugars in grains, dried fruits, and nonfat dry milk).
- Eliminate the Federal sugar limit for WIC-eligible adult cereals. However, WIC State agencies would have the authority to establish and enforce a sugar limit of their own for WIC-eligible adult cereals approved for use in their respective States.

Commenters are also invited to recommend alternative options not stated above. In order for comment letters to be most useful to the Department, commenters are urged to discuss both the pros and cons of their recommendations as they apply to WIC participants and program operations, including any problems WIC State agencies may encounter in implementing a proposed alternative option. USDA is very interested to know how any change might impact the provision and effect of WIC food benefits and nutrition education. The Department also would like to know whether WIC State and local agencies believe that the current 6-gram limit provides an adequate range of choices for both WIC agencies and participants, consistent with the nutritional purposes of the WIC Program.

Dated: March 8, 1996.

William E. Ludwig,

Administrator, Food and Consumer Service.

[FR Doc. 96–6178 Filed 3–15–96; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–NM–254–AD]

Airworthiness Directives; McDonnell Douglas Model DC–10 and MD–11 Series Airplanes, and KC–10A (Military) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–10 and MD–11 series airplanes, and KC–10A (military) airplanes. This proposal would require identifying and replacing certain lock link bolts in the nose landing gear (NLG). This proposal is prompted by a report indicating that certain bolts were improperly heat-treated during manufacturing, which makes them prone to failure. The actions specified by the proposed AD are intended to prevent failure of the lock link bolts in the NLG, which could result in the collapse of the NLG.

DATES: Comments must be received by May 13, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–254–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5324; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 95–NM–254–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–254–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received a report indicating that certain lock link bolts, which may be installed in the nose landing gear (NLG) of certain McDonnell Douglas Model DC–10 and MD–11 series airplanes and KC–10A (military) airplanes, were improperly heat-treated during their manufacture. Investigation revealed that the suspect bolts were fabricated using a heat-treat process that was lacking the latest updated process instructions. The improper heat-treatment of these bolts makes them prone to failure. If an installed bolt were to fail, it could cause the NLG to collapse.