

rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on October 25, 1996. No adverse comments were received, and thus this notice confirms that this final rule will become effective on that date.

Issued in Kansas City, MO, on September 16, 1996.

Herman J. Lyons, Jr.,
Manager, Air Traffic Division, Central Region.
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 BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 101

[T.D. 96-68]

Customs Service Field Organization— Corpus Christi, Freeport and Port Lavaca-Point Comfort, Texas as Ports of Entry

AGENCY: U.S. Customs Service,
 Department of the Treasury.

ACTION: Final rule; technical correction.

SUMMARY: This document corrects an error in the Customs Regulations regarding the listing of ports of entry in the State of Texas as the listing does not reflect the proper status of Corpus Christi, Freeport and Port Lavaca-Point Comfort as separate ports of entry. This technical correction has no operational impact, since all three of these locations have consistently operated as separate ports of entry, notwithstanding the technical error in the Customs Regulations.

EFFECTIVE DATE: October 2, 1996.

FOR FURTHER INFORMATION CONTACT:
 Harry Denning, Office of Field
 Operations, Resource Management
 Division, (202) 927-0196.

SUPPLEMENTARY INFORMATION:

Background

It has come to the attention of the Customs Service that the listing of the ports of entry in the State of Texas in § 101.3, Customs Regulations (19 CFR 101.3) does not reflect the proper status of Corpus Christi, Freeport and Port Lavaca-Point Comfort as separate ports of entry.

When Customs amended its regulations in T.D. 95-77, published in the Federal Register (60 FR 50008) on September 27, 1995, to reflect Customs new organizational structure, the listing of Customs ports of entry in § 101.3 was redrafted, for ease of reference, to list the ports of entry by State. Previously, the listing of ports was organized by districts and regions. Districts and regions were eliminated in Customs new organizational structure set forth in T.D. 95-77.

Despite the fact that the port description of the Houston-Galveston consolidated port in T.D. 95-77 merely reiterated a previously published description of the port (with minor editorial changes), the new method of listing the ports of entry in § 101.3 set forth in T.D. 95-77 first brought to the attention of certain readers of the Customs Regulations that Corpus Christi, Freeport and Port Lavaca-Point Comfort, Texas, were not listed as separate ports of entry, but were included within the consolidated port of entry of Houston-Galveston. Corpus Christi, Freeport and Port Lavaca-Point Comfort have consistently operated as separate ports, with separate port codes.

Research reveals that the incorrect description of the Houston-Galveston port stems from an earlier punctuation error—periods were inadvertently converted to commas—in the regulations by T.D. 83-209, published in the Federal Register (48 FR 45538) on October 6, 1983. This typographical error has been carried forward in each volume of the regulations since that date. T.D. 83-209, the purpose of which was to reflect a 1983 reorganization of Customs field organization, was intended to have no effect on services provided by Customs. However, because of the punctuation errors, Corpus Christi, Freeport and Port Lavaca-Point Comfort appeared as part of the description of the Houston-Galveston port of entry rather than as separate port of entry listings under the Houston-Galveston district.

Further research reveals that this listing was in error because when the districts and ports of Galveston and Houston were consolidated in 1981 pursuant to T.D. 81-160, the port limits of the consolidated port of entry of Houston and Galveston were set forth to encompass Galveston, including Port Bolivar and Texas City, Texas, and the area within the present Houston, Texas limits including territory described in T.D. 54409. Corpus Christi, Freeport and Port Lavaca-Point Comfort were listed as separate ports of entry in the Houston-Galveston consolidated district in T.D. 81-160. It is noted that the port limits

of the consolidated port of Houston-Galveston were later amended by T.D. 82-15, but that change also did not affect Corpus Christi, Freeport or Port Lavaca-Point Comfort.

In accordance with the above discussion, in this document, Customs is correcting the listing of the ports of entry in the State of Texas in § 101.3 of the Customs Regulations to accurately reflect that Corpus Christi, Freeport and Port Lavaca-Point Comfort, which have consistently operated as separate ports of entry with separate port codes, are indeed separate ports of entry, outside the Houston-Galveston consolidated port of entry.

Regulatory Flexibility Act, Executive Order 12866, Inapplicability of Public Notice and Comment Requirements, and Delayed Effective Date Requirements

Inasmuch as this document relates to agency management, merely corrects a typographical error and has no operational impact, it is not subject to the notice and public procedure requirements or the delayed effective date requirements of 5 U.S.C. 553. Because the document relates to agency management and organization and is not subject to notice and public comment, the document is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 or 604. Agency organization matters such as this are exempt from Executive Order 12866.

List of Subjects in Part 101

Customs duties and inspection, Harbors, Organization and functions (Government agencies), Seals and insignia, Vessels.

Amendments to the Regulations

For the reasons set forth in the preamble, part 101 of the Customs Regulations (19 CFR part 101) is amended as set forth below:

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 and the relevant specific authority citation continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

* * * * *

2. In the table under § 101.3(b)(1), the listings for the State of Texas are amended by revising the entry for Houston—Galveston and adding in appropriate alphabetical order entries

for Corpus Christi, Freeport, and Port Lavaca-Point Comfort to read as follows:

§ 101.3 Customs service ports and ports of entry.

* * * * *
 (b) *List of Ports of Entry and Service Ports.* * * *
 (1) *Customs ports of entry.* * * *

Ports of entry	Limits of port
* * * * *	* * * * *
	Texas
* * * * *	* * * * *
Corpus Christi	E.O. 8288, Nov. 22, 1939 (4 FR 4691), and territory described in T.D. 78-130.
* * * * *	* * * * *
Freeport	E.O. 7632, June 15, 1937 (2 FR 1245).
* * * * *	* * * * *
+ Houston-Galveston.	Consolidated port includes territory lying within corporate limits of both Houston and Galveston, and remaining territory in Harris and Galveston Counties, T.D.s 81-160 and 82-15.
* * * * *	* * * * *
Port Lavaca-Point Comfort.	T.D. 56115.
* * * * *	* * * * *

+ Indicates Drawback unit/office.

George J. Weise,
Commissioner of Customs.
 Approved: September 4, 1996.
 John P. Simpson,
Deputy Assistant Secretary of the Treasury.
 [FR Doc. 96-25151 Filed 10-1-96; 8:45 am]
 BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 177

[Docket No. 91F-0289]

Indirect Food Additives: Polymers

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 methyl methacrylate/butyl acrylate-grafted polypropylene copolymer containing methyl methacrylate/butyl acrylate-grafted polypropylene, methyl methacrylate/

butyl acrylate copolymer, methyl methacrylate homopolymer, and polypropylene, resulting from the reaction of a mixture of methyl methacrylate and butyl acrylate with polypropylene, as a component of food-contact materials. This action is in response to a food additive petition filed by Rohm and Haas Co.

DATES: Effective October 2, 1996; written objections and requests for a hearing by November 1, 1996. The Director of the Office of the Federal Register approves the incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 of a certain publication listed in 21 CFR 177.1520(b), effective October 2, 1996.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Hortense S. Macon, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3086.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of August 23, 1991 (56 FR 41850), FDA announced that a food additive petition (FAP 1B4272) had been filed by Rohm and Haas Co., c/o 1150 17th St. NW., Washington, DC 20036 (currently c/o Keller and Heckman, 1001 G St. NW., suite 500 West, Washington, DC 20001). The petition proposed to amend the food additive regulations in § 177.1520 *Olefin polymers* (21 CFR 177.1520) to provide for the safe use of methyl methacrylate/butyl acrylate-grafted polypropylene as a component of propylene homopolymer and copolymer food-contact materials.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of the food additive is safe and that § 177.1520 should be amended as set forth below. The agency further concludes that methyl methacrylate/butyl acrylate-grafted polypropylene copolymer containing methyl methacrylate/butyl acrylate-grafted polypropylene, methyl methacrylate/butyl acrylate copolymer, methyl methacrylate homopolymer, and polypropylene, resulting from the reaction of a mixture of methyl methacrylate and butyl acrylate with polypropylene, is a more accurate and descriptive name for the food additive than the name given in the petition. Therefore, FDA is using this name to identify the additive in the final rule.

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 November 1, 1996, 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 regulation. 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, Incorporation by reference.
 Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner