

(i) For airplanes with 59 or fewer months since new as of the effective date of this AD: Within 60 months since new.

(ii) For airplanes with more than 59 months since new as of the effective date of this AD: Within 120 months since new.

(3) For airplanes with a serial number listed as Group 2 in paragraph 1.A.(2)(b) of SB505-55-0004R01, which are included in the effectivity of SB505-55-A004R5 or SB505-55-A004R06: Before further flight.

#### (n) New Rudder Mass Balance Actions (Groups 1 and 2)

At the applicable compliance time specified in paragraph (n)(1), (2), or (3) of this AD, clean, weigh, and, as applicable, install or replace the rudder mass-balances in accordance with Part III of the Accomplishment Instructions in SB505-55-0004R01. Where steps (1)(c) and (2)(c) of Part III of the Accomplishment Instructions in SB505-55-0004R01 reference "criteria of the PART III," use the criteria in section 1.D. of SB505-55-0004R01.

(1) For airplanes with a serial number listed as Group 1 in paragraph 1.A.(3)(a) of SB505-55-0004R01: At the applicable compliance time specified in paragraph (n)(1)(i), (ii), or (iii) of this AD.

(i) For airplanes with 59 or fewer months since new as of the effective date of this AD: Within 60 months since new.

(ii) For airplanes with more than 59 months but 119 or fewer months since new as of the effective date of this AD: Within 120 months since new.

(iii) For airplanes with more than 119 months since new as of the effective date of this AD: Within 6 months after the effective date of this AD.

(2) For airplanes with a serial number listed as Group 2 in paragraph 1.A.(3)(b) of SB505-55-0004R01, which are not included in the effectivity of SB505-55-A004R5 or SB505-55-A004R06: At the applicable compliance time specified in paragraph (n)(2)(i) or (ii) of this AD.

(i) For airplanes with 59 or fewer months since new as of the effective date of this AD: Within 60 months since new.

(ii) For airplanes with more than 59 months since new as of the effective date of this AD: Within 120 months since new.

(3) For airplanes with a serial number listed as Group 2 in paragraph 1.A.(3)(b) of SB505-55-0004R01, which are included in the effectivity of SB505-55-A004R5 or SB505-55-A004R06: Before further flight.

#### (o) Credit for Previous Actions

(1) This paragraph provides credit for the actions required by paragraph (h) of this AD, if you performed those actions before July 1, 2020 (the effective date of AD 2020-12-08) using the service information specified in paragraphs (o)(1)(i), (ii), or (iii) of this AD.

(i) Embraer Alert Service Bulletin SB505-55-A004, Revision 2, dated November 6, 2019.

(ii) Embraer Alert Service Bulletin SB505-55-A004, Revision 3, dated November 13, 2019.

(iii) Embraer Alert Service Bulletin SB505-55-A004, Revision 4, dated November 21, 2019.

(2) This paragraph provides credit for the actions required by paragraph (h) of this AD, if you performed those actions before the effective date of this AD using SB505-55-A004R06.

(3) This paragraph provides credit for the initial inspections required by table 2 of paragraph (i) of this AD, if you performed those actions before July 1, 2020 (the effective date of AD 2020-12-08) using the service information specified in paragraphs (o)(3)(i), (ii), or (iii) of this AD.

(i) Embraer Alert Service Bulletin SB505-55-A004, Revision 2, dated November 6, 2019.

(ii) Embraer Alert Service Bulletin SB505-55-A004, Revision 3, dated November 13, 2019.

(iii) Embraer Alert Service Bulletin SB505-55-A004, Revision 4, dated November 21, 2019.

(4) This paragraph provides credit for the initial inspections required by table 2 of paragraph (i) of this AD, if you performed those actions before the effective date of this AD using SB505-55-A004R5 or SB505-55-A004R06.

(5) This paragraph provides credit for the actions required by paragraphs (l), (m), and (n) of this AD, if you performed those actions before the effective date of this AD using Embraer Service Bulletin SB505-55-0004, dated March 25, 2020.

#### (p) Alternative Methods of Compliance (AMOCs)

(1) The Manager, General Aviation & Rotorcraft Section, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the General Aviation & Rotorcraft Section, International Validation Branch, send it to the attention of the person identified in Related Information or email: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) AMOCs approved for AD 2020-12-08 are approved as AMOCs for the corresponding provisions of this AD.

#### (q) Related Information

(1) For more information about this AD, contact Jim Rutherford, Aviation Safety Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 901 Locust, Room 301, Kansas City, MO 64106; phone: (816) 329-4165; fax: (816) 329-4090; email: jim.rutherford@faa.gov.

(2) Refer to Mandatory Continuing Airworthiness Information (MCAI) Brazilian AD No. 2020-09-01, dated September 8, 2020, for related information. You may examine the MCAI in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-1073.

(3) For service information identified in this AD, contact Phenom Maintenance

Support, Avenida Brigadeiro Faria Lima, 2170, P.O. Box 36/2, São José dos Campos, 12227-901, Brazil; phone: +55 12 3927 1000; email: [phenom.reliability@embraer.com.br](mailto:phenom.reliability@embraer.com.br); website: <https://www.embraer.com.br/en-US/Pages/home.aspx>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued on August 31, 2021.

#### Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-19304 Filed 9-8-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2021-0704; Airspace Docket No. 21-AWP-32]

RIN 2120-AA66

### Proposed Amendment of United States Area Navigation Route Q-73 in the Vicinity of Twentynine Palms, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend United States Area Navigation (RNAV) route Q-73 due to the creation of Special Activity Airspace (SAA) (Bristol Air Traffic Control Assigned Airspace (ATCAA)) in the vicinity of Twentynine Palms, CA.

**DATES:** Comments must be received on or before October 25, 2021.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1(800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2021-0704; Airspace Docket No. 21-AWP-32 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington,

DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email: [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:**

Christopher McMullin, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System (NAS).

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2021-0704; Airspace Docket No. 21-AWP-32) and be submitted in triplicate to the Docket Management Facility (see "ADDRESSES" section for address and phone number). You may also submit comments through the internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following

statement is made: "Comments to FAA Docket No. FAA-2021-0704; Airspace Docket No. 21-AWP-32." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM**

An electronic copy of this document may be downloaded through the internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](https://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see "ADDRESSES" section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

**Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the "ADDRESSES" section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**Background**

The Los Angeles Air Route Traffic Control Center (ZLA) is responsible for managing the NAS for much of the Desert Southwest portion of the United States. This responsibility requires close coordination with the many military installations to ensure a proper balance between the NAS user needs and military mission requirements.

The United States Marine Corps (USMC) in Yuma, AZ has requested additional airspace (higher altitude) above the existing Bristol Military Operations Area (MOA) northeast of Twentynine Palms, CA. The airspace in the Bristol MOA has a ceiling to but not including 18,000 feet MSL, however the USMC has determined that to be inadequate to support Marine Expeditionary Brigade sized training events. A recent agreement between the USMC in Yuma, AZ, and ZLA provides two ATCAAs above the current Bristol MOAs to support the need for higher altitudes. Creating this additional airspace, however, conflicts with traffic on RNAV route Q-73. A slight modification of Q-73 will be required to provide safe passage of non-participating aircraft transitioning this area.

**The Proposal**

The FAA is proposing an amendment to 14 CFR part 71 to amend United States Area Navigation (RNAV) route Q-73 due to the creation of SAA, Bristol ATCAA in the vicinity of Twentynine Palms, CA. The proposal would add two additional waypoints between LVELL and HAKMN in order to provide an adequate buffer between military activities in that area. The full legal description is provided in the "Rule" area below.

Q-73: Q-73 currently extends from the MOMAR, CA, waypoint (WP) to the CORDU, ID, WP. The FAA proposes to add two additional WPs. The first WP would be BLKWL between LVELL and ZELMA and the other KRLIE, WP, between ZELMA and HAKMN. These proposed WP would provide safe segregation of air traffic along Q-73 from military activity operating within the adjacent SAA. The rest of the route would remain unchanged.

United States Area Navigation Routes are published in paragraph 2006 of FAA Order 7400.11E dated July 21, 2020 and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The RNAV route listed in this document would be published subsequently in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**Regulatory Notices and Analyses**

The FAA has determined that this proposed 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 "significant

regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (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 proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F,

“Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

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

MOMAR, CA	FIX	(Lat. 33°30'54.13" N, long. 115°56'40.14" W)
LVELL, CA	WP	(Lat. 34°12'37.38" N, long. 115°36'53.25" W)
BLKWL, CA	WP	(Lat. 34°22'01.06" N, long. 115°29'56.81" W)
ZELMA, CA	WP	(Lat. 34°46'59.99" N, long. 115°19'47.51" W)
KRLIE, CA	WP	(Lat. 35°08'24.42" N, long. 115°13'59.57" W)
HAKMN, NV	WP	(Lat. 35°30'28.31" N, long. 115°04'47.04" W)
LAKRR, NV	WP	(Lat. 36°05'07.72" N, long. 114°17'09.16" W)
GUNTR, AZ	WP	(Lat. 36°24'39.65" N, long. 114°02'11.55" W)
ZAINY, AZ	WP	(Lat. 36°39'24.73" N, long. 113°54'03.50" W)
EEVUN, UT	WP	(Lat. 37°02'52.90" N, long. 113°42'42.56" W)
WINEN, UT	WP	(Lat. 37°56'00.00" N, long. 113°30'00.00" W)
CRITO, NV	WP	(Lat. 39°18'00.00" N, long. 114°33'00.00" W)
BROPH, ID	WP	(Lat. 42°43'15.71" N, long. 114°52'31.80" W)
DERSO, ID	WP	(Lat. 43°21'42.63" N, long. 115°08'01.66" W)
ZATIP, ID	WP	(Lat. 46°13'17.48" N, long. 116°31'37.57" W)
CORDU, ID	FIX	(Lat. 48°10'46.41" N, long. 116°40'21.84" W)

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

*Paragraph 2006 United States Area Navigation Routes.*

\* \* \* \* \*

Q-73 MOMAR, CA to CORDU, ID [Amended]

\* \* \* \* \*

Issued in Washington, DC, on August 30, 2021.

**George Gonzalez,**

*Acting Manager, Rules and Regulations Group.*

[FR Doc. 2021–19321 Filed 9–8–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 73

[Docket No. FDA–2021–C–0925]

#### Fermentalg; Filing of Color Additive Petition

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notification of petition.

**SUMMARY:** The Food and Drug Administration (FDA or we) is announcing that we have filed a petition, submitted by Fermentalg, proposing that the color additive

regulations be amended to provide for the safe use of blue *Galdieria* extract, derived from unicellular red algae (*Galdieria sulphuraria*), as a color additive in various food categories at levels consistent with good manufacturing practice.

**DATES:** The color additive petition was filed on July 27, 2021.

**ADDRESSES:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this document into the “Search” box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Stephanie A. Hice, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 301–348–1740.

**SUPPLEMENTARY INFORMATION:** Under section 721(d)(1) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379e(d)(1)), we are giving notice that we have filed a color additive petition (CAP 1C0320), submitted by Fermentalg, 4

Rue Rivière, 33500 Libourne, France. The petition proposes to amend the color additive regulations in part 73 (21 CFR 73), “Listing of Color Additives Exempt from Certification,” to provide for the safe use of blue *Galdieria* extract as a color additive at levels consistent with good manufacturing practice in: (1) Beverages and beverage bases, non-alcoholic; (2) breakfast cereals; (3) chewing gum; (4) confections and frostings; (5) dairy product analogs; (6) frozen dairy desserts and mixes; (7) fruit and water ices; (8) gelatins, puddings, and fillings; (9) hard candy and cough drops; (10) milk products; (11) processed fruits and fruit juices; (12) processed vegetables and vegetable juices; and (13) soft candy.

The petitioner has claimed that this action is categorically excluded under 21 CFR 25.32(r) because the substance occurs naturally in the environment, and the proposed action does not alter significantly the concentration or distribution of the substance, its metabolites, or degradation products in the environment. In addition, the petitioner has stated that, to their knowledge, no extraordinary