

addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance.

FOR FURTHER INFORMATION CONTACT:

Ellen Anderson, Center for Food Safety and Applied Nutrition, Office of Food Additive Safety (HFS-255), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-1309; or Philip Chao, Center for Food Safety and Applied Nutrition, Office of Regulations and Policy (HFS-024), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2378.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a guidance for industry entitled “Revocation of Uses of Partially Hydrogenated Oils in Foods: Guidance for Industry; Small Entity Compliance Guide.” We are issuing this SECG consistent with our good guidance practices regulation (21 CFR 10.115). The SECG represents the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

In the **Federal Register** of August 9, 2023 (88 FR 53764), we published a direct final rule entitled “Revocation of Uses of Partially Hydrogenated Oils in Foods” (“the final rule”). The final rule amends our regulations that provide for the use of partially hydrogenated oils (PHOs) in food in light of our determination that PHOs are no longer generally recognized as safe (GRAS).

The final rule:

- Removes PHOs as an optional ingredient in the standards of identity for canned tuna and for peanut butter at §§ 161.190 (21 CFR 161.190) and 164.150 (21 CFR 164.150), respectively;

- Revises our regulations affirming food substances as GRAS pertaining to menhaden oil (21 CFR 184.1472) and to low erucic acid rapeseed oil (LEAR oil) (21 CFR 184.1555) to no longer include partially hydrogenated forms of these oils;

- Deletes the regulation affirming partially hydrogenated fish oil as GRAS as an indirect food substance (21 CFR 186.1551); and

- Revokes prior sanctions for the use of PHOs in margarine, shortening, and bread, rolls, and buns. (A “prior sanction” exempts a specific use of a substance in food from the definition of food additive and from all related food additive provisions of the Federal Food,

Drug, and Cosmetic Act if the use was sanctioned or approved before September 6, 1958. In accordance with our general regulations regarding prior sanctions, we may revoke a prior sanctioned use of a food ingredient where scientific data or information demonstrate that prior-sanctioned use of the food ingredient may be injurious to health (see 21 CFR 181.1.)

The final rule became effective on December 22, 2023 (88 FR 86580, December 14, 2023).

Because we revised, removed, or revoked the regulations mentioned above, the SECG informs small entities that they should no longer use:

- PHOs as an optional ingredient in canned tuna under the standard of identity for canned tuna at § 161.190;
- PHOs as an optional ingredient in peanut butter under the standard of identity for peanut butter at § 164.150;
- Partially hydrogenated versions of menhaden oil or LEAR oil as a direct food substance;
- Partially hydrogenated fish oil as an indirect food substance used as a constituent of cotton and cotton fabrics used for dry food packaging; and
- PHOs as an ingredient in margarine, shortening, bread, rolls, and buns.

II. Paperwork Reduction Act of 1995

FDA tentatively concludes that this guidance contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

III. Electronic Access

Persons with access to the internet may obtain the guidance at <https://www.fda.gov/FoodGuidances>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>. Use the FDA website listed in the previous sentence to find the most current version of the guidance.

Dated: April 22, 2024.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2024-08955 Filed 4-26-24; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 573

[Docket No. FDA-2024-F-1850]

Food Additives Permitted in Feed and Drinking Water of Animals; Condensed, Extracted Glutamic Acid Fermentation Product

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to update the production organism *Corynebacterium lilium* that has been scientifically reclassified to *Corynebacterium glutamicum*. This action is being taken to improve the accuracy and clarity of the regulations.

DATES: This rule is effective April 29, 2024.

FOR FURTHER INFORMATION CONTACT:

Chelsea Cerrito, Center for Veterinary Medicine (HFV-221), Food and Drug Administration, 12225 Wilkins Ave., Rockville, MD 20852, 240-402-6729, Chelsea.Cerrito@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: FDA is amending the food additive regulation at 21 CFR 573.500 *Condensed, extracted glutamic acid fermentation product* for use in animal feed to update the production organism *Corynebacterium lilium* that has been scientifically reclassified to *Corynebacterium glutamicum*. This action is being taken to improve the accuracy and clarity of the regulations.

Publication of this document constitutes final action under the Administrative Procedures Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment to the regulations provides only technical changes to update scientific nomenclature and is nonsubstantive.

List of Subjects in 21 CFR Part 573

Animal feeds, Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act, and the Public Health Service Act, and under the authority delegated to the Commissioner of Food and Drugs, 21 CFR part 573 is amended as follows:

PART 573—FOOD ADDITIVES PERMITTED IN FEED AND DRINKING WATER OF ANIMALS

■ 1. The authority citation for part 573 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348.

§ 573.500 [Amended]

■ 2. In § 573.500, in paragraph (a), remove the words “*Corynebacterium lilium*” and add in their place the words “*Corynebacterium glutamicum*”.

Dated: April 22, 2024.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2024–09073 Filed 4–26–24; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2024–0157]

RIN 1625–AA87

Security Zone; Port Valdez and Valdez Narrows, Valdez, AK

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The current Trans-Alaska Pipeline Valdez Terminal complex (Terminal) security zone encompasses a waterside portion and 2000 yards inland, which includes the shoreside portion of the terminal and adjacent land. The Coast Guard is amending the TAPS Terminal security zone to exclude the land portion from the security zone. The Coast Guard has never exercised any legal authority, nor has it enforced regulations within the inland portion of the security zone.

DATES: This rule is effective May 29, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0157 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Junior Grade Abigail Ferrara, Marine Safety Unit Valdez, US Coast Guard. Telephone 907–835–7209, email Abigail.C.Ferrara@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Prince William Sound
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
TAPS Trans-Alaska Pipeline
U.S.C. United States Code

II. Background Information and Regulatory History

In response to the terrorist attacks on September 11, 2001, the Coast Guard instituted several temporary security zones in the Trans-Alaska Pipeline (TAPS) Terminal and Port Valdez areas. Between 2002 and 2004, Coast Guard published several proposed and supplemental proposed rulemakings to establish security zones in the area. This culminated with a final rule (71 FR 2152) published on January 13, 2006, which established the current permanent security zones in 33 CFR 165.1710.

The current TAPS Terminal security zone encompasses a waterside portion and 2000 yards inland, which includes the shoreside portion of the terminal and adjacent land. The Coast Guard has never exercised any legal authority, nor has it enforced regulations within the inland portion of the security zone. The Captain of the Port Prince William Sound (COTP) determined that the current practice of non-enforcement within the inland portion of the security zone could create confusion for future stakeholders and the public. It would be an arbitrary and unreasonable burden upon the facility and industry employees who have freely entered the inland portion without COTP permission for decades if a COTP were to begin enforcing their authority over the inland portion of the security zone in the future.

The Coast Guard is issuing this rulemaking under authority in 46 U.S.C. 70051 and 70124.

On February 20, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Security Zone; Port Valdez and Valdez narrows, Valdez, AK (89 FR 13015). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this security zone. During the comment period that ended March 22, 2024, we received no comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70051 and 70124. The COTP determined that the current practice of non-enforcement

within the inland portion of the security zone could create confusion for future stakeholders and the public. It would be an arbitrary and unreasonable burden upon the facility and industry employees who have freely entered the inland portion without COTP permission for decades if a COTP were to begin enforcing their authority over the inland portion of the security zone in the future. The purpose of this rule is to prevent future confusion.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published February 20, 2024. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

The COTP is amending the current security zone found in 33 CFR 165.1710(a)(1) to excise the 2000-yard inland portion of the zone. This will result in the security zone encompassing only the water up to the shoreline. The regulatory text we are amending appears at the end of this document.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size and location of the current waterside portion security zone remaining the same. Moreover, the landside portion of the facility has had other security regulations in place for roughly two decades.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations