

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (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) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

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

Authority: 49 U.S.C. 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 Federal Aviation Administration Order 7400.9L, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

Paragraph 6002 Class E Airspace Designated as Surface Areas.

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ACE KS E2 Hays, KS

Hays Regional Airport, KS
(Lat. 38°50'32" N., long. 99°16'23" W.)
Hays VORTAC

(Lat. 38°50'52" N., long. 99°16'36" W.)
Within a 4.2-mile radius of Hays Regional Airport and within 1.8 miles each side of the Hays VORTAC 360° radial extending from the 4.2-mile radius of the airport to 6 miles north of the VORTAC and within 1.8 miles each side of the Hays VORTAC 160° radial extending from the 4.2-mile radius of the airport to 6 miles south of the VORTAC.

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Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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ACE KS E5 Hays, KS

Hays Regional Airport, KS
(Lat. 38°50'32" N., long. 99°16'23" W.)
Hays VORTAC
(Lat. 38°50'52" N., long. 99°16'36" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Hays Regional Airport and within 2.6 miles each side of the Hays VORTAC 360° radial extending from the 6.7-mile radius to 7.9 miles north of the airport and within 2.6 miles each side of the Hays VORTAC 162° radial extending from the 6.7-mile radius to 7.9 miles south of the airport.

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Issued in Kansas City, MO, on February 13, 2004.

Paul J. Sheridan,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 04–5026 Filed 3–4–04; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket FAA 2003–16756; Airspace Docket 03–ACE–94]

Modification of Class E Airspace; Benton, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: This document confirms the effective date of the direct final rule which revises Class E airspace at Benton, KS.

EFFECTIVE DATE: 0901 UTC, April 15, 2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE–520C, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329–2525.

SUPPLEMENTARY INFORMATION: The FAA published this direct final rule with a request for comments in the **Federal Register** on January 12, 2004 (69 FR 1667). The FAA uses the direct final 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

April 15, 2004. No adverse comments were received, and thus this notice confirms that this direct final rule will become effective on that date.

Issued in Kansas City, MO on February 24, 2004.

Paul J. Sheridan,

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 04–5036 Filed 3–4–04; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 882

Neurological Devices; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is correcting a neurological device classification regulation. FDA is changing the name of the device from "cottonoid paddie" to "neurosurgical paddie." FDA is making this change because interested persons have advised FDA that the word "cottonoid" is a registered trademark and its use has created problems for competitors of the company that has registered the trademark. FDA is also removing the word "cotton" from the identification because devices of this type are not always made of cotton.

DATES: This rule is effective March 5, 2004.

FOR FURTHER INFORMATION CONTACT:

Joseph M. Sheehan, Center for Devices and Radiological Health (HFZ–215), Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850, 301–827–2974.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of September 4, 1979 (44 FR 51758), FDA published a final rule to classify the cottonoid paddie, a neurological device into class II (performance standards at that time). Only recently, several people have brought to the attention of FDA that the word, cottonoid, is a registered trademark, of Johnson & Johnson. These persons pointed out that the use of this classification name has created some problems for competitors of Johnson & Johnson. FDA is therefore changing the name of the device from cottonoid