

Guthrie, OK, Guthrie Muni, GPS RWY 16, Orig-A, CANCELLED

Guthrie, OK, Guthrie Muni, GPS RWY 34, Amdt 1, CANCELLED

Oklahoma City, OK, Clarence E. Page Muni, RNAV (GPS) RWY 17R, Orig

Oklahoma City, OK, Clarence E. Page Muni, RNAV (GPS) RWY 35L, Orig

Oklahoma City, OK, Clarence E. Page Muni, GPS RWY 17R, Orig-A, CANCELLED

Oklahoma City, OK, Clarence E. Page Muni, GPS RWY 35L, Orig-A, CANCELLED

Sallisaw, OK, Sallisaw Muni, NDB-A, Amdt 2

Sallisaw, OK, Sallisaw Muni, RNAV (GPS) RWY 35, Orig

Sallisaw, OK, Sallisaw Muni, GPS RWY 35, Orig, CANCELLED

Corvallis, OR, Corvallis Muni, RNAV (GPS) RWY 35, Orig

Corvallis, OR, Corvallis Muni, GPS RWY 35, Orig-A, CANCELLED

Rock Springs, WY, Rock Springs-Sweetwater County, VOR-B, Amdt 4A

Rock Springs, WY, Rock Springs-Sweetwater County, NDB-C, Amdt 2A

Rock Springs, WY, Rock Springs-Sweetwater County, ILS OR LOC/DME RWY 27, Orig

Rock Springs, WY, Rock Springs-Sweetwater County, ILS/DME RWY 27, Amdt 5A, CANCELLED

Rock Springs, WY, Rock Springs-Sweetwater County, GPS RWY 27, Orig, CANCELLED

Rock Springs, WY, Rock Springs-Sweetwater County, RNAV (GPS) Z RWY 27, Orig

Rock Springs, WY, Rock Springs-Sweetwater County, RNAV (GPS) Y RWY 27, Orig

\* \* \* Effective October 30, 2003

Bethel, AK, Bethel, VOR/DME RWY 36, Amdt 1

The FAA published the following procedures in Docket No. 30376; Amdt No. 3065 to Part 97 of the Federal Aviation Regulations (Vol. 68, FR No. 134, Page 41524; dated Monday, July 14, 2003) under section 97.33 effective September 4, 2003 which are hereby rescinded:

Frederick, MD, Frederick Muni, RNAV (GPS) 23, Amdt 1

The FAA published the following procedures in Docket No. 30376; Amdt No. 3065 to Part 97 of the Federal Aviation Regulations (Vol. 68, FR No. 134, Page 41524; dated Monday, July 14, 2003) under sections 97.23 and 97.33 as cancelled effective September 4, 2003. The following procedures are hereby reinstated and will be published effective September 4, 2003:

Pleasanton, TX, Pleasanton Muni, NDB-A, Amdt 5A

Pleasanton, TX, Pleasanton Muni, GPS RWY 34, Orig

[FR Doc. 03-18903 Filed 7-25-03; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30379; Amdt. No. 3068]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective July 28, 2003. The compliance date for each SIAP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 28, 2003.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which affected airport is located; or
3. The Flight Inspection Area Office which originated the SIAP.
4. The Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

#### FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation's Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

#### The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAMs for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been canceled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S.

Standard for Terminal Instrument Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

**Conclusion**

The FAA has determined that this 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 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 97**

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC on July 18, 2003.

**James J. Ballough,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is

amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended as follows:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]**

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

*Effective Upon Publication*

FDC date	State	City	Airport	FDC No.	Subject
07/03/03 .....	TX	EASTLAND .....	EASTLAND MUNI .....	3/5347	RNAV (GPS) RWY 35, ORIG
07/03/03 .....	SD	PIERRE .....	PIERRE REGIONAL .....	3/5274	RNAV (GPS) RWY 25, ORIG
07/03/03 .....	SD	PIERRE .....	PIERRE REGIONAL .....	3/5275	VOR OR TACAN RWY 25, ORIG
07/09/03 .....	AZ	CASA GRANDE .....	CASA GRANDE MUNI .....	3/5370	VOR RWY 5, AMDT 4B
06/25/03 .....	UT	WENDOVER .....	WENDOVER .....	3/4988	VOR/DME OR TACAN RWY 26, ORIG-A
07/09/03 .....	FL	VERO BEACH .....	VERO BEACH .....	3/5619	RNAV (GPS) RWY 11R, ORIG
07/09/03 .....	FL	VERO BEACH .....	VERO BEACH .....	3/5618	RNAV (GPS) RWY 29L, ORIG
07/10/03 .....	GA	SAVANNAH .....	SAVANNAH/HILTON HEAD INTL ....	3/5701	ILS RWY 9, AMDT 26
07/10/03 .....	GA	SAVANNAH .....	SAVANNAH/HILTON HEAD INTL ....	3/5700	NDB RWY 9, AMDT 22
07/09/03 .....	PR	SAN JUAN .....	SAN JUAN/LUIS MUNOZ MARIN INTL.	3/5635	RNAV (GPS) RWY 8, ORIG-A
07/09/03 .....	PR	SAN JUAN .....	SAN JUAN/LUIS MUNOZ MARIN INTL.	3/5637	RNAV (GPS) RWY 26, ORIG-A
07/09/03 .....	PR	SAN JUAN .....	SAN JUAN/LUIS MUNOZ MARIN INTL.	3/5636	RNAV (GPS) RWY 10, ORIG-B
07/09/03 .....	VI	CHRISTIANSTED, ST. CROIX.	CHRISTIANSTED, ST. CROIX/HENRY E. ROHLSSEN.	3/5634	RNAV (GPS) RWY 10, ORIG-B
07/11/03 .....	CA	SACRAMENTO .....	SACRAMENTO INTL .....	3/5599	RNAV (GPS) RWY 16L, ORIG
07/11/03 .....	CA	SACRAMENTO .....	SACRAMENTO INTL .....	3/5600	RNAV (GPS) RWY 16R, ORIG
07/11/03 .....	CA	SACRAMENTO .....	SACRAMENTO INTL .....	3/5601	RNAV (GPS) RWY 34L, ORIG
07/11/03 .....	CA	SACRAMENTO .....	SACRAMENTO INTL .....	3/5602	RNAV (GPS) RWY 34R, ORIG
07/11/03 .....	HI	HILO .....	HILO INTL .....	3/5611	RNAV (GPS) RWY 26, ORIG-A
07/11/03 .....	AK	ANCHORAGE .....	TED STEVENS ANCHORAGE INTL	3/5613	RNAV (GPS) RWY 14, ORIG
07/11/03 .....	AK	KENAI .....	KENAI .....	3/5614	RNAV (GPS) RWY 19R, ORIG
07/15/03 .....	IN	AUBURN .....	DE KALB .....	3/5903	VOR RWY 9, AMDT 7
07/15/03 .....	GU	AGANA .....	GUAM INTL .....	3/5603	RNAV (GPS) Z RWY, ORIG-A
3/17/03 .....	VT	BURLINGTON .....	BURLINGTON INTL .....	3/2181	NDB RWY 15, AMDT 19E
07/10/03 .....	MA	PROVINCETOWN .....	PROVINCETOWN MUNI .....	*3/5662	RNAV (GPS) RWY 17, ORIG-A
07/10/03 .....	TX	HOUSTON .....	ELLINGTON FIELD .....	3/5604	RNAV (GPS) RWY 4, ORIG
07/10/03 .....	TX	HOUSTON .....	ELLINGTON FIELD .....	3/5608	RNAV (GPS) RWY 17R, ORIG
07/10/03 .....	TX	AUSTIN .....	AUSTIN-BERGSTROM INTL .....	3/5725	ILS RWY 17R, AMDT 2
07/11/03 .....	AR	CARLISLE .....	CARLISLE MUNI .....	3/5803	GPS RWY 9, AMDT 1
07/11/03 .....	MO	JOPLIN .....	JOPLIN REGIONAL .....	3/5798	ILS RWY 13, AMDT 23A
07/15/03 .....	AR	CLARKSVILLE MUNI ....	CLARKSVILLE MUNI .....	3/5948	GPS RWY 9, ORIG
07/15/03 .....	AR	BENTON .....	SALINE COUNTY/WATTS FIELD .....	3/5949	GPS RWY 17, ORIG
07/15/03 .....	AR	BENTON .....	SALINE COUNTY/WATTS FIELD ....	3/5950	GPS RWY 35, ORIG
07/15/03 .....	NE	CAMBRIDGE .....	CAMBRIDGE MUNI .....	3/5973	NDB RWY 32, AMDT 4

FDC date	State	City	Airport	FDC No.	Subject
07/15/03 .....	TX	LAREDO .....	LAREDO INTL .....	3/5982	ILS RWY 17R, AMDT 9
07/15/03 .....	NM	ARTESIA .....	ARTESIA MUNI .....	3/5988	NDB RWY 30, AMDT 4
07/14/03 .....	PA	PERKASIE .....	PENNRIDGE .....	3/5888	RNAV (GPS) RWY 8, ORIG-A
07/14/03 .....	NY	LAKE PLACID .....	LAKE PLACID .....	3/5791	RNAV (GPS)-A, ORIG
07/11/03 .....	CO	HAYDEN .....	YAMPA VALLEY .....	3/5767	RNAV (GPS) Y RWY 10, ORIG
07/11/03 .....	CO	HAYDEN .....	YAMPA VALLEY .....	3/5769	RNAV (GPS) RWY 28, ORIG
07/11/03 .....	CO	HAYDEN .....	YAMPA VALLEY .....	3/5768	RNAV (GPS) Z RWY 10, ORIG

\*Replaces 3/5078.

[FR Doc. 03-18904 Filed 7-25-03; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 101

[Docket No. 2001Q-0313]

#### Food Labeling: Health Claims; Soluble Dietary Fiber From Certain Foods and Coronary Heart Disease

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

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is adopting as a final rule, without change, the provisions of the interim final rule that amended the regulation authorizing a health claim on the relationship between beta-glucan soluble fiber from whole oat sources and reduced risk of coronary heart disease (CHD). FDA is taking this action to complete the rulemaking initiated with the interim final rule.

**DATES:** This rule is effective July 28, 2003.

**FOR FURTHER INFORMATION CONTACT:** James E. Hoadley, Center for Food Safety and Applied Nutrition (HFS-830), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740-3835, 301-436-1450.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In the *Federal Register* of October 2, 2002 (67 FR 61773), the agency published an interim final rule to amend the regulation in part 101 (21 CFR part 101) that authorizes a health claim on the relationship between soluble dietary fiber from certain foods and reduced risk of CHD, to include an additional eligible source of whole oat beta-glucan soluble fiber, oatrim, the soluble fraction of alpha-amylase hydrolyzed oat bran or whole oat flour. Under section 403(r)(3)(B)(i) of the

Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 343(r)(3)(B)(i)), FDA issued this interim final rule in response to a petition filed under section 403(r)(4) of the act (21 U.S.C. 343(r)(4)). Section 403(r)(3)(B)(i) of the act states that the Secretary of Health and Human Services (the Secretary) (and, by delegation, FDA) shall issue a regulation authorizing a health claim only if he or she determines, based on the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which is consistent with generally recognized scientific procedures and principles), that there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims, that the claim is supported by such evidence (see also § 101.14(c)). Section 403(r)(4) of the act sets out the procedures that FDA is to follow upon receiving a health claim petition.

On April 21, 2001, the Quaker Oats Co. and Rhodia, Inc., (the petitioners) jointly filed a petition requesting that the agency amend the "soluble fiber from certain foods and coronary heart disease health claim" at § 101.81 to include a fourth source of beta-glucan soluble fiber eligible for the health claim. The petitioners requested that this amendment be made "with specific reference to the Quaker-Rhodia group oatrim, known as Oatrim (BETATRIM)" (Ref. 1). FDA filed the petition for comprehensive review in accordance with section 403(r)(4) of the act on July 20, 2001.

FDA considered the relevant scientific evidence presented in the petition as part of its review of the scientific literature on soluble fiber from the soluble fraction of alpha-amylase hydrolyzed oat bran or whole oat flour (referred to as "oatrim") and CHD risk. The agency summarized this evidence in the interim final rule and determined that based on the available evidence: (1) CHD continues to be a disease for which the U.S. population is at risk; (2) soluble fiber from oatrim when used at levels providing 0.75 grams of beta-glucan soluble fiber per serving is a food

because it provides nutritive value; (3) oatrim when used at levels necessary to justify the health claim is safe and lawful; (4) there is a physiological equivalence of beta-glucan soluble fiber from oatrim and beta-glucan soluble fiber from whole oat sources such as oat bran and rolled oats; and (5) there is significant scientific agreement, among qualified experts, that oatrim with a beta-glucan content of up to 10 percent on a dry weight basis (dwb) and not less than that of the starting material (dwb) may reduce the risk of CHD (67 FR 61773 at 61775 to 61779). Consequently, FDA published an interim final rule amending the health claim on the relationship between soluble dietary fiber from certain foods and reduced risk of CHD (§ 101.81) to include oatrim, the soluble fraction of alpha-amylase hydrolyzed oat bran or whole oat flour with a beta-glucan soluble fiber content of up to 10 percent on a dwb and not less than that of the starting material (dwb) as a source of oat beta-glucan soluble fiber eligible for the health claim.

##### II. Summary of Comments and the Agency's Response

FDA solicited comments on the interim final rule. The 75-day comment period closed on December 16, 2002. The agency received no comments in response to the interim final rule. Given the absence of contrary evidence on the agency's decisions announced in the interim final rule, FDA is adopting as a final rule, without change, the interim final rule that amended § 101.81 to add oatrim, the soluble fraction of alpha-amylase hydrolyzed oat bran or whole oat flour with a beta-glucan soluble fiber content of up to 10 percent on a dwb and not less than that of the starting material (dwb) as a substance eligible for the health claim.

##### III. Environmental Impact

The agency has determined under 21 CFR 25.32(p) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment