

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket FAA 2005–20248; Airspace Docket 05–AWP–13]

Established Class D Airspace; Front Range Airport, Denver, CO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects an error in the altitude description of a final rule that was published in the **Federal Register** on June 28, 2005, (70 FR 37028), Airspace Docket No. 05–AWP–1.

EFFECTIVE DATE: 0901 UTC, February 16, 2006.

FOR FURTHER INFORMATION CONTACT:

Larry Tonish, Federal Aviation Administration, Western Terminal Operations, 15000 Aviation Boulevard, Lawndale, CA 90261; telephone (310) 725–6539.

SUPPLEMENTARY INFORMATION:**History**

On June 28, 2005, Airspace Docket No. 05–AWP–1 was published in **Federal Register** (70 FR 37028), establishing Class D airspace at Front Range Airport, Denver, CO. In that rule, the airspace altitude description was not correct. This action corrects that error.

Correction to Final Rule

■ Accordingly, pursuant to the authority delegated to me, the legal description for the airspace altitude for Class D airspace at Front Range Airport, Denver, CO, as published in the **Federal Register** on June 28, 2005, (70 FR 37028), and incorporated by reference in 14 CFR 71.1, is corrected as follows:

PART 71—[AMENDED]**§ 71.1 [Amended]**

■ The incorporation by reference in 14 CFR part 71.1 of the Federal Aviation Administration Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

Paragraph 5000 Class D Airspace area extending upward from the surface of the earth.

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ANM COD Front Range Airport, Denver, CO [NEW]

Front Range Airport, Denver, CO
(Lat. 39°47'07" N, long. 104°32'35" W)

That airspace extending upward from the surface to but not including 8,000 feet MSL within a 5.1 nautical mile radius of the Front Range Airport, Denver, CO, excluding the Denver International Airport Class B. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Los Angeles, California on November 18, 2005.

Tony DiBernardo,

Acting Area Director, Western Terminal Operations.

[FR Doc. 05–23756 Filed 12–7–05; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2003–22496; Airspace Docket No. 04–ANM–26]

RIN 2120–AA66

Amendment to Jet Route J–158; ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises a segment of Jet Route J–158 between the Malad City, ID, Very High Frequency Omni-directional Range/Distance Measuring Equipment (VOR/DME) and the Muddy Mountain, WY, Very High Frequency Omni-directional Range/Tactical Air Navigation (VORTAC). Specifically, the FAA is realigning the route from Malad City, ID, to Big Piney, WY, VOR/DME to Muddy Mountain, WY. This action replaces an airway segment taken out of service, reduces controller workload, and enhances the National Airspace System.

EFFECTIVE DATE: 0901 UTC, February 16, 2006.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:**History**

On October 4, 2005, the FAA published in the **Federal Register** a notice of proposed rulemaking to revise J–158 between the Malad City, ID, VOR/DME and the Muddy Mountain, WY,

VORTAC (70 FR 57806). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received. With the exception of editorial changes, this amendment is the same as that proposed in the notice.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 to revise a segment of J–158. This amendment would insert a segment extending from Malad City, ID, VOR/DME to Big Piney, WY, VOR/DME to Muddy Mountain, WY, VORTAC, and restores the use of J–158 between Malad City and Muddy Mountain.

Domestic Jet Routes are published in paragraph 2004 of FAA Order 7400.9N dated September 1, 2005, and effective September 15, 2005, which is incorporated by reference in 14 CFR 71.1. The domestic Jet Route listed in this document will be published subsequently in the order.

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. Therefore, 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) 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 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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 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:

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 the FAA Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

Paragraph 2004 Jet Routes

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J-158 [Revised]

From Mina, NV, via Lucin, UT; Malad City, ID; Big Piney, WY; Muddy Mountain, WY; Rapid City, SD; to Aberdeen, SD.

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Issued in Washington, DC, on December 1, 2005.

Edith V. Parish,

Manager, Airspace and Rules.

[FR Doc. 05-23758 Filed 12-7-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 172

[Docket No. 1994F-0153] (formerly Docket No. 94F-0153)

Food Additives Permitted for Direct Addition to Food for Human Consumption; Synthetic Fatty Alcohols

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 *n*-octanol (*n*-octyl alcohol) produced by a new manufacturing process, the hydrodimerization of 1,3-butadiene. This action is in response to a petition filed by Kuraray International Corp.

DATES: This rule is effective December 8, 2005. Submit written or electronic objections and requests for a hearing by January 9, 2006. See section VI of this document for information on the filing of objections. 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 certain publications in new § 172.864(a)(3) (21 CFR 172.864(a)(3)) as of December 8, 2005.

ADDRESSES: You may submit written or electronic objections and requests for a hearing, identified by Docket No. 1994F-0153, by any of the following methods:

Electronic Submissions

Submit electronic submissions in the following ways:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web site: <http://www.fda.gov/dockets/ecomments>. Follow the instructions for submitting comments on the agency Web site.

Written Submissions

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions): Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of submissions, FDA is no longer accepting submissions sent to the agency by e-mail. FDA encourages you to continue to send electronic submissions by using the Federal eRulemaking Portal or the agency Web site, as described in the *Electronic Submissions* portion of this section of this document.

Instructions: All submissions received must include the agency name and docket number and regulatory information number (RIN) (if a RIN number has been assigned) for this rulemaking. All objections received may be posted without change to <http://www.fda.gov/ohrms/dockets/default.htm>, including any personal information provided. For detailed instructions on submitting objections, see the "Objections" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.fda.gov/ohrms/dockets/default.htm> 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 Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Raphael A. Davy, Center for Food Safety and Applied Nutrition (HFS-265), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301-436-1272.

SUPPLEMENTARY INFORMATION:

I. Background

In a notice published in the **Federal Register** of May 26, 1994 (59 FR 27281), FDA announced that a food additive petition (FAP 4A4419) had been filed by

Kuraray International Corp., c/o 1001 G St. NW., Washington, DC 20001. The petition proposed to amend the food additive regulations in § 172.864 *Synthetic fatty alcohols* (21 CFR 172.864) to provide for the safe use of *n*-octanol produced by a new manufacturing process, the hydrodimerization of 1,3-butadiene. Subsequently, Kuraray America, Inc., notified the agency of the merging of Kuraray International Corp., into Kuraray America, Inc., and the transfer of ownership of the petition (FAP 4A4419) to Kuraray America, Inc. *n*-Octanol (*n*-octyl alcohol) synthesized by the proposed manufacturing process is intended for use in the same manner as *n*-octanol prepared by other manufacturing processes under § 172.864.

In evaluating the safety of *n*-octanol synthesized by the proposed manufacturing process, FDA has reviewed the safety of the additive and the chemical impurities that may be present in it resulting from its manufacturing process. Although *n*-octanol has not been shown to cause cancer, it may contain minute amounts of residual precursor as an impurity resulting from its method of production. In particular, *n*-octanol may contain traces of the precursor, 1,3-butadiene, which has been shown to cause cancer in test animals. Residual amounts of reactants and their impurities are commonly found as contaminants of chemical products, including food additives.

II. Determination of Safety

Under the general safety standard in section 409 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348), a food additive cannot be approved for a particular use unless a fair evaluation of the data available to FDA establishes that the additive is safe for that use. FDA's food additive regulations (21 CFR 170.3(i)) define safe as a "reasonable certainty in the minds of competent scientists that the substance is not harmful under the intended conditions of use."

The food additives anticancer, or Delaney, clause of the act (section 409(c)(3)(A)) provides that no food additive shall be deemed safe if it is found to induce cancer when ingested by man or animal, or if it is found, after tests which are appropriate for the evaluation of the safety of food additives, to induce cancer in man or animal. Importantly, however, the Delaney clause applies to the additive itself and not to impurities in the additive. That is, where an additive itself has not been shown to cause