

PART 65—COUNTRY OF ORIGIN LABELING OF LAMB, CHICKEN, AND GOAT MEAT, PERISHABLE AGRICULTURAL COMMODITIES, MACADAMIA NUTS, PECANS, PEANUTS, AND GINSENG

■ 1. The authority citation for part 65 continues to read as follows:

Authority: 7 U.S.C. 1621 *et seq.*

■ 2. Revise the heading for part 65 to read as set forth above.

§§ 65.110, 65.155, 65.175, and 65.215 [Removed]

■ 3. Remove §§ 65.110, 65.155, 65.175, and 65.215.

■ 4. Amend § 65.135 by revising paragraphs (a)(1) and (2) to read as follows:

§ 65.135 Covered commodity.

- (a) * * *
- (1) Muscle cuts of lamb, chicken, and goat;
- (2) Ground lamb, ground chicken, and ground goat;

* * * * *

■ 5. Revise § 65.220 to read as follows:

§ 65.220 Processed food item.

Processed food item means a retail item derived from a covered commodity that has undergone specific processing resulting in a change in the character of the covered commodity, or that has been combined with at least one other covered commodity or other substantive food component (*e.g.*, chocolate, breadings, tomato sauce), except that the addition of a component (such as water, salt, or sugar) that enhances or represents a further step in the preparation of the product for consumption, would not in itself result in a processed food item. Specific processing that results in a change in the character of the covered commodity includes cooking (*e.g.*, frying, broiling, grilling, boiling, steaming, baking, roasting), curing (*e.g.*, salt curing, sugar curing, drying), smoking (hot or cold), and restructuring (*e.g.*, emulsifying and extruding). Examples of items excluded include roasted peanuts, breaded chicken tenders, and fruit medley.

■ 6. Amend § 65.300 by revising paragraph (h) to read as follows:

§ 65.300 Country of origin notification.

* * * * *

(h) *Labeling ground lamb, ground goat, and ground chicken.* The declaration for ground lamb, ground goat, and ground chicken covered commodities shall list all countries of origin contained therein or that may be reasonably contained therein. In

determining what is considered reasonable, when a raw material from a specific origin is not in a processor's inventory for more than 60 days, that country shall no longer be included as a possible country of origin.

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■ 7. Amend § 65.500 by revising paragraph (b)(1) to read as follows:

§ 65.500 Recordkeeping requirements.

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(b) *Responsibilities of suppliers.* (1) Any person engaged in the business of supplying a covered commodity to a retailer, whether directly or indirectly, must make available information to the buyer about the country(ies) of origin of the covered commodity. This information may be provided either on the product itself, on the master shipping container, or in a document that accompanies the product through retail sale. In addition, the supplier of a covered commodity that is responsible for initiating a country(ies) of origin claim, which in the case of lamb, chicken, and goat, is the slaughter facility, must possess records that are necessary to substantiate that claim for a period of 1 year from the date of the transaction. For that purpose, packers that slaughter animals that are tagged with an 840 Animal Identification Number device without the presence of any additional accompanying marking (*i.e.*, "CAN" or "M") may use that information as a basis for a U.S. origin claim. Packers that slaughter animals that are part of another country's recognized official system (*e.g.*, Canadian official system, Mexico official system) may also rely on the presence of an official ear tag or other approved device on which to base their origin claims. Producer affidavits shall also be considered acceptable records that suppliers may utilize to initiate origin claims, provided it is made by someone having first-hand knowledge of the origin of the covered commodity and identifies the covered commodity unique to the transaction.

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Dated: February 26, 2016.

Elanor Starmer,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2016-04609 Filed 3-1-16; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No.: FAA-2014-0001; Amdt. No. 25-142]

RIN 2120-AK29

Harmonization of Airworthiness Standards—Fire Extinguishers and Class B and F Cargo Compartments; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting a final rule published on February 16, 2016. In that rule, the FAA amended certain airworthiness regulations for transport category airplanes by upgrading fire safety standards for Class B cargo compartments; establishing fire safety standards for a new type of cargo compartment, Class F; and updating related standards for fire extinguishers. This amendment eliminated certain regulatory differences between the airworthiness standards of the FAA and the European Aviation Safety Agency (EASA), without affecting current industry design practices. However, in that document, the amendment number for the final rule was incorrect, and this document now posts the correct amendment number.

DATES: This correction is effective on March 2, 2016.

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this action, contact Stephen M. Happenny, Propulsion/Mechanical Systems Branch, ANM-112, Transport Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 1601 Lind Ave. SW., Renton, WA 98055-4056; telephone (425) 227-2147; facsimile (425) 227 1232; email: stephen.happenny@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

On February 16, 2016 (81 FR 7698), the FAA published a final rule entitled, "Harmonization of Airworthiness Standards—Fire Extinguishers and Class B and F Cargo Compartments" (81 FR 7698).

This rule amended certain airworthiness regulations for transport category airplanes by upgrading fire safety standards for Class B cargo compartments; establishing fire safety standards for a new type of cargo compartment, Class F; and updating

related standards for fire extinguishers. The rule was based on recommendations from the Aviation Rulemaking Advisory Committee (ARAC) and the National Transportation Safety Board (NTSB), and the changes addressed designs for which airworthiness directives (ADs) have been issued by both the FAA and the French civil aviation authority, Direction Générale de l'Aviation Civile (DGAC). It eliminated certain regulatory differences between the airworthiness standards of the FAA and EASA, without affecting current industry design practices. These changes ensured an acceptable level of safety for these types of cargo compartments by standardizing certain requirements and procedures.

However, the rule was published with an incorrect amendment number, "25-141," which is the same amendment number as the rule entitled "Harmonization of Airworthiness Standards—Gust and Maneuver Load Requirements" (79 FR 73462), published on December 11, 2014. The correct amendment number for this rule should be "25-142."

Correction

In FR Doc. 2016-03000, beginning on page 7698 in the **Federal Register** of February 16, 2016, make the following correction:

Correction

1. On page 7698, in the third column, correct the 4th header paragraph from "[Docket No.: FAA-2014-0001; Amdt. No. 25-141]" to read as "[Docket No.: FAA-2014-0001; Amdt. No. 25-142]".

Issued under authority provided by 49 U.S.C. 106(f) in Washington, DC, on February 24, 2016.

Lirio Liu,

Director, Office of Rulemaking.

[FR Doc. 2016-04508 Filed 3-1-16; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2016-0100]

RIN 1625-AA00

Safety Zone; Newtown Creek, Queens, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of Newtown Creek between the Greenpoint Avenue Bridge (mile 1.3) and the entrance to Dutch Kills. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a sunken vessel adjacent to the Federal navigation channel. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port New York.

DATES: This rule is effective without actual notice from March 2, 2016 through March 5, 2016. For the purposes of enforcement, actual notice will be used from February 3, 2016 through March 2, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2016-0100 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Jeff Yunker, Coast Guard Sector New York Waterways Management Division, U.S. Coast Guard; telephone 718-354-4195, email jeff.m.yunker@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because a vessel sank adjacent to the Federal navigation channel at the Sims Hugo Neu facility on Newtown Creek and immediate action is needed to respond to the potential safety hazards associated with

removing cargo from the vessel and refloating the vessel. It is impracticable to publish an NPRM because we must establish this safety zone by February 3, 2016.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to public interest because immediate action is needed to respond to the potential safety hazards associated with removing cargo from the vessel and refloating the vessel.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The COTP has determined that potential hazards associated with refloating a sunken barge adjacent to the Federal navigation channel starting February 4, 2016 will be a safety concern for anyone between the Greenpoint Avenue Bridge (mile 1.3) and the confluence of Newtown Creek and Dutch Kills during this process. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while cargo is removed from the vessel and the vessel is refloated. Therefore, this rule will remain in effect for the time stated herein but will be cancelled if response activities are finished cease before March 5, 2016. The preliminary estimate for completion of the cargo removal and refloating the vessel is February 6, 2016. This TFR provides for an extended enforcement period in case of unforeseen circumstances that prevent the contractors from completing the work within their initial estimated timeline.

IV. Discussion of the Rule

This rule establishes a safety zone from 7 a.m. on Wednesday, February 3, 2016 through 11:59 p.m. on Saturday, March 5, 2016. The safety zone will cover all navigable waters between the Greenpoint Avenue Bridge (mile 1.3) and the confluence of Newtown Creek and Dutch Kills. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the vessel is being refloated. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive order related to rulemaking.