Since the OBA standards are now complete, the Commission is establishing an April 1, 1999 date for the pipelines to comply with the requirement to enter into OBAs with interconnecting interstate and intrastate pipelines. In Order No. 587–G, the Commission determined that pipelines would not have to file OBAs with the Commission as long as they maintained the contracts and made them available, along with all relevant records of volumes and amounts paid, to the Commission and any person requesting copies.[6] Since pipelines are not required to file OBA contracts with the Commission, each pipeline will be required to file by April 1, 1999, a statement as to whether it has complied with § 284.10(c)(2)(i) of the regulations at all pipeline to pipeline interconnects on its system.

The Commission orders:

(A) Each interstate pipeline must comply with § 284.10(c)(2)(i) of the Commission's regulations by April 1, 1999.

(B) Each interstate pipeline must file by April 1, 1999, a statement setting forth its compliance with § 284.10(c)(2)(i) of the Commission's regulations.

By the Commission.

David P. Boergers,

Secretary.

[FR Doc. 98–33986 Filed 12–22–98; 8:45 am]

BILLING CODE 6717–01–U

[6] Order No. 587–G, 63 FR at 20080, III FERC Stats. & Regs. Regulations Preambles ¶ 31,062 at 30,676.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 101

[Docket No. 98N–1149]

Uniform Compliance Date for Food Labeling Regulations

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is establishing January 1, 2002, as the uniform compliance date for food labeling regulations that are issued between January 1, 1999, and December 31, 2000. FDA periodically announces uniform compliance dates for new food labeling requirements to minimize the economic impact of label changes. On December 27, 1996, FDA established January 1, 2000, as the uniform compliance date for food labeling regulations that issued between January 1, 1997, and December 31, 1998.

DATES: This regulation is effective December 23, 1998. Submit written comments by March 8, 1999.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Hilario R. Duncan, Center for Food Safety and Applied Nutrition (HFS–150), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–8281.

SUPPLEMENTARY INFORMATION: FDA periodically issues regulations requiring changes in the labeling of food. If the effective dates of these labeling changes were not coordinated, the cumulative economic impact on the food industry of having to respond separately to each change would be substantial. Therefore, the agency periodically has announced uniform compliance dates for new food labeling requirements (see e.g., the **Federal Registers** of October 19, 1984 (49 FR 41019), December 24, 1996 (61 FR 67710), and December 27, 1996 (61 FR 68145)). Use of a uniform compliance date provides for an orderly and economical industry adjustment to new labeling requirements by allowing sufficient lead time to plan for the use of existing label inventories and the development of new labeling materials. This policy serves consumers' interests as well because the cost of multiple short-term label revisions that would otherwise occur would likely be passed on to consumers in the form of higher prices.

The agency has determined under 21 CFR 25.30(k) 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 nor an environmental impact statement is required.

This final rule contains no collections of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

FDA has examined the economic implications of this final rule as required by Executive Order 12866. Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, safety, distributive, and equity effects). Executive Order 12866 classifies a rule as ''economically significant'' if it meets any one of a number of specified conditions including having an annual effect on the economy of $100 million, adversely affecting some sector of the economy in a material way, or adversely affecting jobs or competition. A regulation is considered a ''significant'' regulatory action under Executive Order 12866 if it raises novel legal or policy issues. FDA finds that this final rule is neither an economically significant rule nor a significant regulatory action as defined by Executive Order 12866. In addition, in accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the administration of the Office of Management and Budget has determined that this final rule is not a major rule for purposes of congressional review. The establishment of a uniform compliance date does not impose either costs or benefits. For future labeling requirements, FDA will assess the costs and benefits of the uniform compliance date as well as the option of setting other dates.

Because FDA has issued this final rule without first publishing a general notice of proposed rulemaking, a final regulatory analysis is not required by the Regulatory Flexibility Act (5 U.S.C. 601–612). Nonetheless, the uniform compliance date does not impose any burden on small entities. The agency will assess the costs and benefits of setting alternative dates as part of the regulatory flexibility analyses of future labeling regulations.

This action is not intended to change existing requirements for compliance dates contained in final rules published before publication of this final rule. Therefore, all final FDA regulations published in the **Federal Register** before December 23, 1998, will still go into effect on the date stated in the respective final rule.

The agency generally encourages industry to comply with new labeling regulations as quickly as feasible, however. Thus, when industry members voluntarily change their labels, it is appropriate that they incorporate any new requirements that have been published as final regulations up to that time.

In rulemaking that began with publication of a proposal on April 15, 1996 (61 FR 16422), and ended with a final rule on December 24, 1996 (61 FR 67710), FDA provided notice and an opportunity for comment on the practice of establishing uniform compliance dates by issuance of a final rule announcing the date. Receiving no comments objecting to this practice, FDA finds any further rulemaking

unnecessary for establishment of the uniform compliance date. Nonetheless, under 21 CFR 10.40(e)(1), FDA is providing an opportunity for comment on whether this uniform compliance date should be modified or revoked.

Interested persons may, on or before March 8, 1999, submit to the Dockets Management Branch (address above) written comments regarding this final rule. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday though Friday. After its review of any comments received to this final rule, FDA will either publish a document providing its conclusions concerning the comments or will initiate document and comment rulemaking to modify or revoke the uniform compliance date established by this final rule.

The new uniform compliance date will apply only to final FDA food labeling regulations that require changes in the labeling of food products and that publish after January 1, 1999, and before December 31, 2000. Those regulations will specifically identify January 1, 2002, as their compliance date. All food products subject to the January 1, 2002, compliance date must comply with the appropriate regulations when initially introduced into interstate commerce on or after January 1, 2002. If any food labeling regulation involves special circumstances that justify a compliance date other than January 1, 2002, the agency will determine for that regulation an appropriate compliance date, which will be specified when the final regulation is published.

Dated: December 15, 1998.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 98–33984 Filed 12–22–98; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 175

[Docket No. 92F–0443]

Indirect Food Additives: Adhesives and Components of Coatings

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 dimethylpolysiloxane coatings produced by cross-linking a vinyl-containing dimethylpolysiloxane with methylhydrogen polysiloxane and dimethylmethylhydrogen polysiloxane using a platinum catalyst. FDA is also amending the food additive regulations to provide for the safe use of 3,5-dimethyl-1-hexyne-3-ol, 1-ethynylcyclohexene, bis(methoxymethyl)ethyl maleate, methylvinyl cyclosiloxane, and tetramethyltetravinylcyclotetrasiloxane as optional polymerization inhibitors. This action is in partial response to a petition filed by Dow Corning Corp.

DATES: The regulation is effective December 23, 1998; written objections and requests for a hearing by January 22, 1999.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Julius Smith, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3091.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of February 12, 1993 (58 FR 8290), FDA announced that a petition (FAP 3B4346) had been filed by Dow Corning Corp., P.O. Box 994, Midland, MI 48686–0994. The petition proposed to amend the food additive regulations in § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300), § 175.320 *Resinous and polymeric coatings for polyolefin films* (21 CFR 175.320), and § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 176.170) to provide for the safe use of dimethylpolysiloxane coatings produced by cross-linking a vinyl-containing dimethylpolysiloxane with methylhydrogen-containing polysiloxane and dimethylmethylhydrogen polysiloxane polymers using a platinum catalyst. The petition further proposed that the food additive regulations be amended to provide for the safe use 3,5-dimethyl-1-hexyne-3-ol, 1-ethynylcyclohexene, bis(methoxymethyl)ethyl maleate and methylvinyl cyclosiloxane as optional polymerization inhibitors. Additionally, the petition proposed that the regulations be amended to provide for the safe use of 5-chloro-2-methyl-4-isothiazolin-3-one and 2-methyl-4-isothiazolin-3-one mixture, optionally containing magnesium nitrate, as an antimicrobial agent for emulsion-based silicone coating formulations.

Subsequent to the filing of the petition, the petitioner requested that tetramethyltetravinylcyclotetrasiloxane be included in the petition. Therefore, in a notice published in the **Federal Register** of July 2, 1998 (63 FR 36246), FDA announced that it was amending the filing notice of February 12, 1993, to indicate that the petitioner was also proposing that the food additive regulations be amended to provide for the safe use of tetramethyltetravinylcyclotetrasiloxane as an optional polymerization inhibitor in the manufacture of dimethylpolysiloxane coatings produced by cross-linking a vinyl-containing dimethylpolysiloxane with methylhydrogen-containing polysiloxane and dimethylmethylhydrogen polysiloxane polymers using a platinum catalyst.

In 1996, Congress enacted the Food Quality Protection Act (the FQPA). As a result of certain changes made by that law, antimicrobial formulations used in or on food contact articles were made subject to regulation as pesticide chemicals by the U.S. Environmental Protection Agency. Thus, after the FQPA, the proposed use of 5-chloro-2-methyl-4-isothiazolin-3-one and 2-methyl-4-isothiazolin-3-one mixture, with magnesium nitrate as an optional ingredient, intended for use as an antimicrobial agent for emulsion-based silicone coating formulations was no longer under the jurisdiction of FDA. Because FDA lacked the authority to regulate this substance for the antimicrobial use, the agency did not complete its review of the safety of this additive.

Congress recently passed the Antimicrobial Regulation Technical Corrections Act of 1998 (the ARTCA) (Pub. L. 105–324) that reverses some of the jurisdictional changes made by the FQPA. As a result of the ARTCA, the antimicrobial use of 5-chloro-2-methyl-4-isothiazolin-3-one and 2-methyl-4-isothiazolin-3-one mixture, with magnesium nitrate as an optional ingredient, is once again subject to regulation by FDA as a food additive. The safety of the proposed use of this substance will be considered by FDA and the agency's decision announced in a subsequent issue of the **Federal Register**.

As noted, the petition proposed to amend § 176.170, however, because the petitioned additives will be listed under § 175.300(b)(3) they may, by cross-reference, be used under § 176.170(b)(2). Therefore, this action does not include an amendment that would establish a