

Carolina. Updating these coordinates does not change the boundary of the restricted areas, but rather increases the accuracy of the waterway due to digital precision survey. The point “lat. 35°10’47” N, long. 79°01’55” W” is changed to “lat. 35°10’40” N, long. 79°01’56” W”; and the point “lat. 35°09’41” N, long. 79°20’09” W” is changed to “lat. 35°09’43” N, long. 79°20’07” W”.

This action consists of administrative name changes and minor technical amendments only and does not affect the boundaries, altitudes, time of designation, or activities conducted in the restricted areas. Therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

Regulatory Notices and Analyses

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 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of making administrative name changes to the geographic location and using agency information of restricted areas R-5311A, R-5311B, and R-5311C, and minor geographic coordinate technical amendments, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5d, which categorically excludes from further environmental impact review rulemaking actions where modification of the technical description of special use airspace (SUA) that does not alter the dimensions, altitudes, or times of designation of the airspace (such as changes in designation of the controlling or using agency, or correction of typographical errors). In

accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—Special Use Airspace

- 1. The authority citation for 14 CFR part 73 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 73.53 North Carolina [Amended]

- 2. Section 73.53 is amended as follows:

* * * * *

R-5311A Fort Bragg, NC [Removed]

R-5311B Fort Bragg, NC [Removed]

R-5311C Fort Bragg, NC [Removed]

R-5311A Fort Liberty, NC [New]

Boundaries. Beginning at lat. 35°10’40” N, long. 79°01’56” W; to lat. 35°08’48” N, long. 79°01’59” W; to lat. 35°07’01” N, long. 79°02’29” W; to lat. 35°05’36” N, long. 79°01’49” W; to lat. 35°02’56” N, long. 79°05’39” W; to lat. 35°02’46” N, long. 79°20’09” W; to lat. 35°07’06” N, long. 79°22’49” W; to lat. 35°09’43” N, long. 79°20’07” W; thence along Little River to the point of beginning.

Designated altitudes. Surface to but not including 7,000 feet MSL.

Time of designation. Continuous.

Controlling agency. FAA, Washington ARTCC.

Using agency. U.S. Army, Commanding General, Fort Liberty, NC.

R-5311B Fort Liberty, NC [New]

Boundaries. Beginning at lat. 35°10’40” N, long. 79°01’56” W; to lat. 35°08’48” N, long. 79°01’59” W; to lat. 35°07’01” N, long. 79°02’29” W; to lat. 35°05’36” N, long. 79°01’49” W; to lat. 35°02’56” N, long. 79°05’39” W; to lat. 35°02’46” N, long. 79°20’09” W; to lat. 35°07’06” N, long. 79°22’49” W; to lat. 35°09’43” N, long. 79°20’07” W; thence along Little River to the point of beginning.

Designated altitudes. From 7,000 feet MSL to but not including 12,000 feet MSL.

Time of designation. Continuous.

Controlling agency. FAA, Washington ARTCC.

Using agency. U.S. Army, Commanding General, Fort Liberty, NC.

R-5311C Fort Liberty, NC [New]

Boundaries. Beginning at lat. 35°10’40” N, long. 79°01’56” W; to lat. 35°08’48” N, long. 79°01’59” W; to lat. 35°07’01” N, long. 79°02’29” W; to lat. 35°05’36” N, long. 79°01’49” W; to lat. 35°02’56” N, long. 79°05’39” W; to lat. 35°02’46” N, long. 79°20’09” W; to lat. 35°07’06” N, long. 79°22’49” W; to lat. 35°09’43” N, long. 79°20’07” W; thence along Little River to the point of beginning.

Designated altitudes. From 12,000 feet MSL to but not including FL 290.

Time of designation. Continuous.

Controlling agency. FAA Washington ARTCC.

Using agency. U.S. Army, Commanding General, Fort Liberty, NC.

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Issued in Washington, DC, on November 20, 2023.

Karen L. Chiodini,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2023–26003 Filed 11–27–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 130 and 131

[Docket No. FDA–2023–D–4722]

Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt; Small Entity Compliance Guide; Availability

AGENCY: Food and Drug Administration, Department of Health and Human Services (HHS).

ACTION: Notification of availability.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the availability of a guidance for industry entitled “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt—Small Entity Compliance Guide.” The small entity compliance guide (SECG) is intended to explain the actions a small entity must take to comply with FDA’s regulations after recent changes made by our 2021 final rule titled “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt

and Nonfat Yogurt and To Amend the Standard for Yogurt,” 2022 final rule titled “International Dairy Foods Association and Chobani, Inc.: Response to the Objections and Requests for a Public Hearing on the Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt,” and 2023 final order titled “International Dairy Foods Association: Response to the Objections and Requests for a Public Hearing on the Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and Amend the Standard for Yogurt.”

DATES: The announcement of the guidance is published in the **Federal Register** on November 28, 2023.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and

identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2023-D-4722 for “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt; Small Entity Compliance Guide.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> 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 Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the SECG to the Office of Nutrition and Food Labeling, Product Evaluation and Labeling Branch, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the SECG.

FOR FURTHER INFORMATION CONTACT:

Vivien Yan Peng, Office of Nutrition and Food Labeling (HFS-820), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2371; or Jessica Ritsick, Office of Regulations and Policy (HFS-024), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-2378.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a guidance for industry entitled “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt; Small Entity Compliance Guide.”

In the **Federal Register** of June 11, 2021 (86 FR 31117), we issued a final rule titled “Milk and Cream Products and Yogurt Products; Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and To Amend the Standard for Yogurt” (2021 final rule). The 2021 final rule amended title 21 of the *Code of Federal Regulations* at parts 130 and 131 (21 CFR parts 130 and 131) by revoking the standards of identity for lowfat yogurt and nonfat yogurt and amending the standard of identity for yogurt in numerous respects. In brief, we revoked the standards for lowfat yogurt and nonfat yogurt. Consequently, lowfat yogurt and nonfat yogurt became covered under the general definition and standard of identity in 21 CFR 130.10, which sets out requirements for foods that deviate from other standardized foods due to compliance with a nutrient content claim. The 2021 final rule also amended the standard of identity for yogurt by making certain technical changes, established functional classes of safe and suitable ingredients, replaced the list of nutritive sweeteners with the term “nutritive carbohydrate sweeteners,” and permitted and required certain statements about cultures under certain conditions.

The International Dairy Foods Association (IDFA) and Chobani, Inc., timely filed objections and requested a hearing with respect to several provisions in the 2021 final rule. In the **Federal Register** of March 23, 2022 (87 FR 16394), we issued a notice providing clarification on which provisions of the final rule were stayed and which requirements of the previous final rule that we issued in 1981 (46 FR 9924) were in effect pending final action. We completed our evaluation of the objections, and, on December 15, 2022, we published a final rule denying requests for a hearing with respect to all but one of the objections, providing modifications to certain provisions in the 2021 final rule, and announcing that the stay of effectiveness of provisions for which hearings were denied was lifted (87 FR 76559) (2022 final rule). The 2022 final rule did not address IDFA's objections and request for a hearing on the acidity requirement of yogurt, and we instead addressed this in a proposed order sent to IDFA and posted to the docket for public review.

We did not receive any response to the proposed order, and on April 14, 2023, we published a final order, "International Dairy Foods Association: Response to the Objections and Requests for a Public Hearing on the Final Rule To Revoke the Standards for Lowfat Yogurt and Nonfat Yogurt and Amend the Standard for Yogurt" (88 FR 22907) (2023 final order). The 2023 final order modified the acidity requirement in 21 CFR 131.200(a) of the 2021 final rule.

Manufacturers must begin complying with the rule for products labeled on or after January 1, 2024.

We examined the economic implications of the final rule as required by the Regulatory Flexibility Act (5 U.S.C. 601–612) and determined that the final rule would have a significant economic impact on a substantial number of small entities. In compliance with section 212 of the Small Business Regulatory Enforcement Fairness Act (Pub. L. 104–121, as amended by Pub. L. 110–28), we are making available the SECG to explain the actions that a small entity must take to comply with the rule.

We are issuing this SECG consistent with our good guidance practices regulation (21 CFR 10.115). The SECG represents the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

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

III. Electronic Access

Persons with access to the internet may obtain the SECG at <https://www.fda.gov/FoodGuidances>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>. Use the FDA website listed in the previous sentence to find the most current version of the guidance.

Dated: November 21, 2023.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2023–26095 Filed 11–27–23; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2023–0231]

RIN 1625–AA09

Drawbridge Operation Regulation; Old River, Between Victoria Island and Byron Tract, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary interim rule and request for comments.

SUMMARY: The Coast Guard is temporarily modifying the operating schedule that governs the draw of the California Department of Transportation (Route 4) highway bridge, mile 14.8 between Victoria Island and Byron Tract, CA. This action is necessary to allow the bridge owner to complete rehabilitation of the bridge after an unexpected delay in delivery of custom made electronics.

DATES:

Effective date: This temporary interim rule is effective from 5 p.m. on November 30, 2023, through 5 p.m. on March 1, 2024.

Comments: Comments and related material must reach the Coast Guard on or before December 28, 2023.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG–2023–0231) in the "SEARCH" box and click "SEARCH". In the Document Type column, select "Supporting & Related Material".

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary interim rule, call or email Carl Hausner, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510–437–3516, email Carl.T.Hausner@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations [Delete/add any abbreviations not used/used in this document]

CFR Code of Federal Regulations
Caltrans California Department of Transportation
CADFW California Department of Fish and Wildlife
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary interim 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), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. This bridge is non-operational and will be non-operational until rehabilitation work can be completed.

On October 27, 2022 the Coast Guard issued a General Deviation which allowed the bridge owner, Caltrans, to deviate from the current operating schedule in 33 CFR 117.183 to conduct major mechanical and electrical rehabilitation of the bridge. Due to delays in procuring materials, vandalism of critical electrical submarine cables, and an active winter storm season, the project ran past the end date of April 23, 2023 of the General Deviation. The bridge could not be brought back to operating condition until the delivery of the critical Program Logic Control circuit and the replacement or repairs to the submarine cable could be made. On October 17, 2023, Caltrans informed the Coast Guard that critical electronic components, needed to complete the rehabilitation of the bridge, were still on back-order and not expected to be delivered in time for a project completion deadline of November 30, 2023. It is anticipated that