

Schenectady, NY, Schenectady County, NDB RWY 22, Amdt 15  
 Schenectady, NY, Schenectady County, NDB RWY 28, Amdt 10  
 Schenectady, NY, Schenectady County, GPS RWY 22, Orig  
 Schenectady, NY, Schenectady County, GPS RWY 28, Orig  
 Delaware, OH, Delaware Muni, GPS RWY 10, Orig  
 Delaware, OH, Delaware Muni, GPS RWY 28, Orig  
 Duncan, OK, Halliburton Field, GPS RWY 35, Orig  
 San Juan, PR, Luis Monoz Marin Intl, GPS RWY 10, Orig  
 San Juan, PR, Luis Monoz Marin Intl, RNAV RWY 10, Amdt 7A, Cancelled  
 Houston, TX, Ellington Field, VOR/DME OR TACAN RWY 4, Amdt 3, Cancelled  
 Houston, TX, Ellington Field, VOR OR TACAN RWY 22, Amdt 2, Cancelled  
 Houston, TX, Ellington Field, VOR/DME OR TACAN RWY 17R, Amdt 3, Cancelled  
 Houston, TX, Ellington Field, VOR/DME OR TACAN RWY 35L, Amdt 3, Cancelled  
 Everett, WA, Snohomish County (Paine Fld), GPS RWY 16R, Orig  
 Everett, WA, Snohomish County (Paine Fld), GPS RWY 34L, Orig

**Note:** The FAA published two Procedures in Docket No. 28907, Amdt. No. 1797 to Part 97 of the Federal Aviation Regulations (62 FR 25113, dated May 8, 1997) under § 97.23 effective 22 May 1997, which are hereby amended as follows:

Change Effective Date to June 19, 1997 for the following procedures:

St. Louis, MO, Arrowhead, VOR OR GPS RWY 2, Amdt 5, Cancelled  
 St. Louis, MO, Arrowhead, VOR OR GPS-B, Amdt 3, Cancelled

**Note:** The FAA published the following Permanent FDC Notice to Airmen (NOTAM) in Docket No. 28908, Amdt. No. 1798 to Part 97 of the Federal Aviation Regulations (62 FR 25112, dated Thursday, May 8, 1997) under § 97.23 effective upon publication, which is hereby rescinded:

**FDC Notam 7/2247 dated April 21, 1997—Chandler, AZ, Chandler Muni VOR GPS RWY 4L, Amdt 5A**

[FR Doc. 97-14092 Filed 5-28-97; 8:45 am]

BILLING CODE 4910-13-M

## FEDERAL TRADE COMMISSION

### 16 CFR Part 423

#### Concerning Trade Regulation Rule on Care Labeling of Textile Wearing Apparel and Certain Piece Goods; Conditional Exemption From Terminology Section of the Care Labeling Rule

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule, with conditional exemption.

**SUMMARY:** The Federal Trade Commission (the "Commission") has reviewed the public comments on an

interim conditional exemption to its Trade Regulation Rule on Care Labeling of Textile Wearing Apparel and Certain Piece Goods ("the Care Labeling Rule" or "the Rule") and has decided to make the conditional exemption final. The conditional exemption will permit the use of the system of care symbols developed by the American Society for Testing and Materials ("ASTM") and designated as ASTM Standard D5489-96c Guide to Care Symbols for Care Instructions on Consumer Textile Products, in lieu of words on the permanently attached care label, as long as explanatory information is provided to consumers for the first 18-month period after the effective date of the conditional exemption.

**DATES:** This conditional exemption is effective July 1, 1997. The incorporation by reference of the ASTM standard is approved by the Director of the Federal Register effective July 1, 1997.

**ADDRESSES:** Copies of this notice can be obtained through the Public Reference Branch, Room 130, Federal Trade Commission, Washington, D.C. 20580; (202) 326-2222; or through the Commission's homepage on the World Wide Web at <http://www.ftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Constance M. Vecellio or Edwin Rodriguez, Attorneys, Federal Trade Commission, Washington, DC 20580, (202) 326-2966 or (202) 326-3147.

#### SUPPLEMENTARY INFORMATION:

##### Introduction

On June 15, 1994, the Commission published a **Federal Register** notice ("FRN") requesting comment on various aspects of the Care Labeling Rule, including whether the rule should be modified to permit the use of symbols in lieu of words.<sup>1</sup> On November 16, 1995, the Commission published a FRN, 60 FR 57552, announcing that the Commission had tentatively determined to adopt a proposed conditional exemption to the Care Labeling Rule to permit the use of the system of care symbols developed by ASTM and designated as ASTM Standard D5489 Guide to Care Symbols for Care Instructions on Consumer Textile Products, with one exception and

addition.<sup>2</sup> The notice sought additional comment on the specifics of the proposal.

In particular, the November 1995 FRN stated that the Commission had tentatively decided to allow the use of certain other modifications to the system that ASTM was considering when the FRN was published. The FRN described these possible changes, noted that they appeared to be useful, and proposed adopting the ASTM system with those changes. These changes were adopted by ASTM, and were reflected in the standard designated ASTM Standard D5489-96a.<sup>3</sup>

Certain additional minor changes to the ASTM symbol system were adopted by ASTM later in 1996 and are embodied in the final standard designated ASTM Standard D5489-96c. In a FRN published on February 6, 1997, 62 FR 5724, the Commission announced that it had decided to adopt the conditional exemption. Because some additional minor changes had been made since the publication of the 1995 FRN, however, the Commission decided to again allow comment on these minor changes.<sup>4</sup> The comment period ended on March 10, 1997.

#### II. Background

The Care Labeling Rule was promulgated by the Commission on December 16, 1971, 36 FR 23883 (1971), and amended on May 20, 1983, 48 FR 22733 (1983). The Rule makes it an unfair or deceptive act or practice for manufacturers and importers of textile wearing apparel and certain piece goods to sell these items without attaching care labels stating "what regular care is needed for the ordinary use of the product." 16 CFR 423.6 (a) and (b). The Rule also requires that the manufacturer or importer possess, prior to sale, a reasonable basis for the care instructions. 16 CFR 423.6(c).

The "Terminology" section of the rule, 16 CFR 423.2(b), currently requires that care instructions be stated in "appropriate terms," although it also states that "any appropriate symbols may be used on care labels or care

<sup>2</sup> The exception and addition are no longer necessary because ASTM has changed its standard.

<sup>3</sup> The version of ASTM Standard D5489 discussed in the November 1995 FRN was adopted by ASTM in 1993 and officially referred to as ASTM Standard D5489-93. When ASTM changes a standard, the suffix is changed to reflect the year of the revision. Thus, when Standard D5489 was revised in early 1996, it was referred to as ASTM Standard D5489-96a.

<sup>4</sup> The conditional exemption references a specific version of the standard. If ASTM changes the standard, the Commission will determine whether it should seek comment on changing the conditional exemption.

<sup>1</sup> 59 FR 30733 (1994). This notice sought comment about the overall costs and benefits of the Rule and its overall regulatory and economic impact as part of the Commission's systematic review of all its current rules and guides. This notice also sought comment on certain other issues. With respect to the other issues, on December 28, 1995, the Commission published a notice, 60 FR 67102, seeking comment on other parts of the Rule and other proposed changes. The issues raised in the December 1995 notice will be addressed in a separate FRN at a later time.

instructions, *in addition to the required appropriate terms* so long as the terms fulfill the requirements of this regulation.” (Emphasis added.)

The 1994 FRN stated that the North American Free Trade Agreement (“NAFTA”) “has created industry interest in being permitted to use symbols in lieu of words to provide care instructions, and the Commission seeks comment on the costs and benefits of such a change.” Based on the comments, the Commission published the 1995 FRN proposing a conditional exemption to the “Terminology” section of the rule to allow the use of care symbols without language.

The Commission examined two existing symbol systems—the system of care symbols developed by the International Association for Textile Care Labeling (“Ginetex”) and adopted by the International Organization for Standardization (“ISO”) as International Standard 3758, and the system of care symbols developed by ASTM and designated as ASTM Standard D5489–93—to identify which system conveys all or most of the information required by the rule and meets other important criteria.<sup>5</sup> The Commission concluded that ASTM Standard D5489 provided symbols relating to the information required by the rule and that it best met the needs of consumers and industry. The Commission also concluded that the ASTM system was compatible with the care symbol systems used in Canada and Mexico, and that any differences among the symbol systems used in these countries did not pose insurmountable problems.

The Commission determined that the use of ISO Standard 3758 was not appropriate for the United States for three reasons. First, the ISO/Ginetex system does not provide symbols for some of the basic information required by the Rule and, therefore, cannot convey all the information that the Commission has found to be necessary to prevent the unfair and deceptive practices that the Rule was designed to prevent.<sup>6</sup> Second, the Ginetex system

<sup>5</sup>The ASTM and Ginetex systems use the same five basic symbols: a washtub to indicate washing (with a hand in the washtub to indicate hand washing), a triangle to indicate bleaching, a square to indicate drying (and a circle within a square to indicate machine drying), an iron to indicate ironing, and a circle to indicate dry cleaning. An “X” cancelling out the symbol warns against using the designated cleaning technique, e.g., “do not dry clean.” The differences in the systems consist in the manner in which refinements to the basic processes are conveyed (or are not conveyed).

<sup>6</sup>The Commission noted that the ISO/Ginetex system has no symbols for natural drying, the use of non-chlorine bleach, or the use of steam in ironing, which are care practices addressed by the Rule. The Commission also noted that the ISO/

also assumes that washing machines have internal mechanisms for heating water to a precise temperature, and it links symbols for cool-down rinse, reduced spin, and reduced mechanical action to precise temperature settings. In addition, it includes only normal and low temperature ranges for tumble drying. Both of these aspects of the Ginetex system are inconsistent with the technology of laundry equipment used in the United States. Finally, the Commission determined that Ginetex’s assertion of trademark rights relating to the ISO/Ginetex symbols weighed against adoption of that system.

### III. Analysis of Comments

As noted, the February 1997 FRN sought comment on certain minor changes made to the ASTM system.<sup>7</sup> Four comments were received. None of

Ginetex system’s symbol for drycleaning does not address all the warnings required by the Rule for dry cleaning. In the Ginetex system, an underlined circle warns professional drycleaners generally about potential harm from “mechanical action and/or drying temperature and/or water addition in the solvent.” But the ISO/Ginetex system does not have a method for providing warnings about which specific parts of the dry cleaning process should be avoided as required by Section 423.6(b)(2)(ii) of the Rule.

<sup>7</sup>ASTM changed the “do not bleach” symbol from a shaded triangle with an “X” through it to a blacked-in triangle with an “X” through it to make clear that no bleach, whether chlorine or non-chlorine, should be used. It changed its explanatory chart by deleting the water temperature *word* indicators (“cool,” “warm,” or “hot”) in the chart because these words have different definitions in different countries. ASTM also changed the definition of “one dot” from the definition in the Appendix to the Care Labeling Rule (a *maximum* of 85 Fahrenheit, with no minimum) to a *range* from 65 to 85 degrees Fahrenheit to educate consumers that detergents “are not effective at lower temperatures.”

Other changes clarified that the symbols used in the Canadian system of care symbols for a washtub and an iron are acceptable although they differ slightly in shape from the ASTM symbols and that instructions for “permanent press” or “gentle cycle” may be reported in symbols (*i.e.*, underlining the washtub) or words on a label with the symbolic instructions for machine wash or machine dry. ASTM also removed the steam markings from the iron symbol, clarified that the iron symbol may mean “Iron—dry or steam,” and created a symbol (an iron symbol with steam markings that have been canceled out by an “X”) that can be used for the warning “do not steam.” Finally, ASTM added a statement to the text of the Standard explaining that “the iron symbol may be used with the drycleaning symbol to report how to restore the item by ironing after wearing.”

ASTM also made changes in the Standard that are not an integral part of the symbol system (*e.g.*, the Table of Additional Words to Use with Care Symbols) or that involve additions to the explanatory text of the Standard or the text appearing under the symbols in the explanatory chart. In addition, one change relates to the order in which the symbols should be used. This change is not relevant to the use of the ASTM system to fulfill the requirements of the Care Labeling Rule because the Rule does not require that instructions appear in any particular order (though of course they must be intelligible).

these commented on the changes that had been made to the ASTM system.

### International Harmonization

All four comments focused on the need for international harmonization. The American Apparel Manufacturers Association (“AAMA”) complimented the Commission on moving to symbols and noted that “we now have a basis to harmonize our system with that of Canada and Mexico” and to “work toward an international standard within the International Standards Organization.”<sup>8</sup> Similarly, the American Textile Manufacturers Institute (“ATMI”) supported the amendment and stated that it “would like to see international harmonization.”<sup>9</sup> FEDERTESSILE, the Italian Federation of Associations of Textile and Clothing Industries, also stressed the need for harmonization with the ISO/Ginetex system, and suggested that “a joint committee be formed, possibly with the participation of representatives of ISO, ASTM, EURATEX, AAMA, and ATMI, in order to reach a prompt consensus on the harmonization of the international symbol system.”<sup>10</sup> The Association of Home Appliance Manufacturers (“AHAM”) stated that the Commission needs “to resolve potential trademark infringement issues that arise where U.S.-manufactured products are exported for sale in a Ginetex country.”<sup>11</sup>

The Commission agrees that harmonization of the symbol system adopted in the United States with the system used in Europe is very important. The Commission is aware that representatives of ASTM and Ginetex have been discussing harmonization of the two systems, and a Commission representative has attended ISO and Ginetex meetings. The Commission intends to continue its liaison efforts with Ginetex and ISO to promote harmonization.

### Need for Consumer Education

AHAM, while not opposing the conditional exemption, expressed concern that the conditional exemption would have “an adverse regulatory impact on consumers, appliance manufacturers, and others without an equal corresponding benefit.” It noted that consumers will have to learn the symbols and appliance manufacturers may have to answer inquiries from consumers about the symbols.<sup>12</sup> AHAM

<sup>8</sup> Comment 2, p. 1.

<sup>9</sup> Comment 1, p. 1.

<sup>10</sup> Comment 3, p. 1.

<sup>11</sup> Comment 4, p. 6.

<sup>12</sup> *Id.* at 1.

therefore emphasized the need for an adequate consumer education program, and stated that "the garment manufacturers, with the aid of other interested parties, must be prepared to *implement* a consumer education plan by July 1, 1997."<sup>13</sup> AHAM conditioned its willingness to participate in a consumer education campaign "on consumer education leadership from the garment manufacturers."<sup>14</sup>

The Commission agrees that a comprehensive consumer education campaign is necessary to help consumers make the transition from words to symbols. On January 28, 1997 the Commission launched Project CLEAN (Care Labeling Education & Awareness Network) with a forum that was attended by a large number of garment manufacturers, retailers, and other interested parties, including representatives from AHAM. The Commission is currently coordinating consumer education efforts on the part of those who attended. The Commission is planning a press conference on July 1, 1997 to announce the extensive consumer education efforts that will be occurring.

Finally, AHAM noted that the consumer education campaign for symbols presents a good opportunity to educate consumers about the temperature of water delivered to washing machines in North America. Most washing machines in North America, unlike European machines which have internal water heaters, "cannot guarantee delivery of specific water temperatures at specified machine settings due to variables such as geographical climate variations, water heater settings, and hot water line loss. The American consumer must be educated to adjust the machine setting where these variables dictate adjustment \* \* \*."<sup>15</sup> AHAM suggested including information on this issue in educational materials about care symbols. The Commission agrees that the consumer education campaign for care symbols provides an opportunity to educate consumers about water temperature in washing machines, and has included a statement explaining the various factors that can affect water temperature in the materials it is developing for the campaign.

**IV. Summary of Commission's Decision**

Section 18(g)(2) of the Federal Trade Commission Act, 15 U.S.C. 57a(d)(2)(B), provides that "[i]f . . . the Commission finds that the application of a rule

prescribed under subsection (a)(1)(B) to any person or class of persons is not necessary to prevent the unfair or deceptive act or practice to which the rule relates, the Commission may exempt such person or class from all or part of such rule." The Commission now finds that the provision presently found in the Terminology section of the Care Labeling Rule, that appropriate care symbols may be used on care labels or care instructions only in addition to the required appropriate terms, is not necessary to prevent the unfair or deceptive act or practice to which the rule relates. Specifically, the Commission exempts manufacturers and importers of textile wearing apparel who use the system of care symbols designated ASTM Standard D5489-96c from the requirement that care instructions in words accompany care instructions in symbols. The Commission has not specified a type size for the symbols, but they must be legible. The exemption is adopted on the condition that, from July 1, 1997 to December 31, 1998, explanatory information regarding the meaning of the care symbols that appear on the label of a garment be provided with any garment offered for sale. To implement this conditional exemption, the Commission revises Sections 423.2 and 423.8, the Terminology and Exemptions sections of the rule, respectively.

The incorporation by reference of ASTM Standard D5489-96c was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of ASTM Standard D5489-96c Guide to Care Symbols for Care Instructions on Consumer Textile Products may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or may be inspected at the Federal Trade Commission, room 130, 600 Pennsylvania Avenue, N.W., Washington, DC, or at the Office of the Federal Register, suite 700, 800 North Capitol Street, N.W., Washington, DC.

Pursuant to the requirements of section 18(g) of the Federal Trade Commission Act, 15 U.S.C. 57a(g), and the provisions of the Administrative Procedure Act, 5 U.S.C. 553(b), the Commission published notices requesting comment on the proposed conditional exemption on June 15, 1994 (59 FR 30733) and November 16, 1995 (60 FR 57552). This conditional exemption is not subject to the requirements of the Paperwork Reduction Act, 44 U.S.C. 3501, because the conditional exemption does not create requirements for information collection; rather, it provides an

alternative method of communicating information. The Regulatory Flexibility Act, 44 U.S.C. 601(2), does not apply to this conditional exemption because, pursuant to section 18(d)(2)(B) of the Federal Trade Commission Act, 15 U.S.C. 57a(d)(2)(B), an exemption to a rule under section 18(g) of the Federal Trade Commission Act, 15 U.S.C. 57(a)(g), shall not be treated as an amendment or repeal of a rule. The conditional exemption will become effective on July 1, 1997.

**List of Subjects in 16 CFR Part 423**

Labeling; Incorporation by reference; Textiles; Trade practices.

**Text of Amendments**

Accordingly, the Commission amends 16 CFR Part 423 as follows:

**PART 423—[AMENDED]**

1. The authority citation for part 423 continues to read as follows:

**Authority:** 38 Stat. 717, as amended; (15 U.S.C. 41, *et seq.*)

2. Section 423.2 is amended by revising paragraph (b) to read as follows:

**§ 423.2 Terminology.**

\* \* \* \* \*

(b) Any appropriate symbols may be used on care labels or care instructions, in addition to the required appropriate terms so long as the terms fulfill the requirements of this part. See § 423.8(g) for conditional exemption allowing the use of symbols without terms.

\* \* \* \* \*

3. Section 423.8 is amended by revising paragraph (g) to read as follows:

**§ 423.8 Exemptions.**

\* \* \* \* \*

(g) The symbol system developed by the American Society for Testing and Materials (ASTM) and designated as ASTM Standard D5489-96c Guide to Care Symbols for Care Instructions on Consumer Textile Products may be used on care labels or care instructions in lieu of terms so long as the symbols fulfill the requirements of this part. In addition, symbols from the symbol system designated as ASTM Standard D5489-96c may be combined with terms so long as the symbols and terms used fulfill the requirements of this part. Provided, however, that for the 18-month period beginning on July 1, 1997, such symbols may be used on care labels in lieu of terms only if an explanation of the meaning of the symbols used on the care label in terms is attached to, or provided with, the item of textile wearing apparel. This incorporation by reference was

<sup>13</sup> *Id.* at 2.

<sup>14</sup> *Id.* at 3.

<sup>15</sup> *Id.* at 6.

approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of ASTM Standard D5489-96c Guide to Care Symbols for Care Instructions on Consumer Textile Products may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or may be inspected at the Federal Trade Commission, room 130, 600 Pennsylvania Avenue, NW., Washington, DC, or at the Office of the Federal Register, suite 700, 800 North Capitol Street, NW., Washington, DC.

**Authority:** 15 U.S.C. 41-58.

By direction of the Commission.

**Donald S. Clark,**

Secretary.

[FR Doc. 97-13869 Filed 5-28-97; 8:45 am]

BILLING CODE 6750-01-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 178**

[Docket No. 96F-0370]

**Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers**

**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 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane as an antioxidant and/or stabilizer for olefin polymers intended for use in contact with food. This action is in response to a petition filed by Dover Chemical Corp.

**DATES:** Effective May 29, 1997; written objections and requests for a hearing by June 30, 1997.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Vir D. Anand, Center for Food Safety and

Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3081.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** of October 15, 1996 (61 FR 53748), FDA announced that a food additive petition (FAP 6B4521) had been filed by Dover Chemical Corp., 3676 Davis Rd. NW., Dover, OH 44622. The petition proposed to amend the food additive regulations in § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) to provide for the safe use of 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane as an antioxidant and/or stabilizer for olefin polymers intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that: (1) The proposed use of the additive is safe, (2) the food additive will have the intended technical effect, and (3) the regulations in § 178.2010 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before June 30, 1997, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be

separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects in 21 CFR Part 178**

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

**PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS**

1. The authority citation for 21 CFR part 178 continues to read as follows:

**Authority:** Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.2010 is amended in the table in paragraph (b) by alphabetically adding a new entry for 3,9-bis[2,4-bis(1-methyl-1-phenylethyl)phenoxy]-2,4,8,10-tetraoxa-3,9-diphosphaspiro[5.5]undecane to read as follows:

**§ 178.2010 Antioxidants and/or stabilizers for polymers.**

\* \* \* \* \*

(b) \* \* \*