

(reapproved 1989), which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The availability of this incorporation by reference is given in paragraph (a) (2) (iii) of this section.

(vii) *Peroxide value*. Not more than 5 milliequivalents per kilogram of oil as determined by the American Oil Chemists' Society Official Method Cd 8-53—"Peroxide Value, Acetic Acid—Chloroform Method" (updated 1992) or Recommended Practice Cd 8b-90—"Peroxide Value, Acetic Acid—Isooctane Method" (updated 1992), which are incorporated by reference in accordance with 5 U.S.C. 552(a) and 1

CFR part 51. The availability of this incorporation by reference is given in paragraph (a)(2)(iii) of this section.

(viii) *Lead*. Not more than 0.1 part per million as determined by the American Oil Chemists' Society Official Method Ca 18c-91—"Determination of Lead by Direct Graphite Furnace Atomic Absorption Spectrometry" (revised 1992), which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The availability of this incorporation by reference is given in paragraph (a)(2)(iii) of this section.

(ix) *Mercury*. Not more than 0.5 part per million as determined by the method entitled "Biomedical Test

Materials Program: Analytical Methods for the Quality Assurance of Fish Oil," published in the "NOAA Technical Memorandum NMFS-SEFC-211," F. M. Van Dolah and S. B. Galloway, editors, National Marine Fisheries Service, U. S. Department of Commerce, pages 71-88, November, 1988, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The availability of this incorporation by reference is given in paragraph (a)(2)(iii) of this section.

(3) In accordance with § 184.1(b)(2), the ingredient may be used in food only within the following specific limitations:

Category of food	Maximum level of use in food (as served)
Cookies, crackers, § 170.3(n)(1) of this chapter. ....	5.0 percent
Breads, rolls (white & dark), § 170.3(n)(1) of this chapter. ....	1.0 percent
Fruit pies, custard pies, § 170.3(n)(1) of this chapter. ....	7.0 percent
Cakes, § 170.3(n)(1) of this chapter. ....	10.0 percent
Cereals, § 170.3(n)(4) of this chapter. ....	4.0 percent
Fats, oils, § 170.3(n)(12) of this chapter, but not in infant formula. ....	20.0 percent
Yogurt, § 170.3(n)(31) of this chapter. ....	4.0 percent
Cheese products, § 170.3(n)(5) of this chapter. ....	5.0 percent
Frozen dairy products, § 170.3(n)(20) of this chapter. ....	5.0 percent
Meat products, § 170.3(n)(29) of this chapter. ....	10.0 percent
Egg products, § 170.3(n)(11) of this chapter. ....	5.0 percent
Fish products, § 170.3(n)(13) of this chapter. ....	20.0 percent
Condiments, § 170.3(n)(8) of this chapter. ....	5.0 percent
Soup mixes, § 170.3(n)(40) of this chapter. ....	3.0 percent
Snack foods, § 170.3(n)(37) of this chapter. ....	5.0 percent
Nut products, § 170.3(n)(32) of this chapter. ....	5.0 percent
Gravies, sauces, § 170.3(n)(24) of this chapter. ....	5.0 percent

(b) *Hydrogenated and partially hydrogenated menhaden oils*. (1) Partially hydrogenated and hydrogenated menhaden oils are prepared by feeding hydrogen gas under pressure to a converter containing crude menhaden oil and a nickel catalyst. The reaction is begun at 150 to 160 °C and after 1 hour the temperature is raised to 180 °C until the desired degree of hydrogenation is reached. Hydrogenated menhaden oil is fully hydrogenated.

(2) Partially hydrogenated and hydrogenated menhaden oils meet the following specifications:

- (i) *Color*. Opaque white solid.
- (ii) *Odor*. Odorless.
- (iii) *Saponification value*. Between 180 and 200.
- (iv) *Iodine number*. Not more than 119 for partially hydrogenated menhaden oil and not more than 10 for fully hydrogenated menhaden oil.
- (v) *Unsaponifiable matter*. Not more than 1.5 percent.
- (vi) *Free fatty acids*. Not more than 0.1 percent.

(vii) *Peroxide value*. Not more than 5 milliequivalents per kilogram of oil.

(viii) *Nickel*. Not more than 0.5 part per million.

(ix) *Mercury*. Not more than 0.5 part per million.

(x) *Arsenic (as As)*. Not more than 0.1 part per million.

(xi) *Lead*. Not more than 0.1 part per million.

(3) Partially hydrogenated and hydrogenated menhaden oils are used as edible fats or oils, as defined in § 170.3(n)(12) of this chapter, in food at levels not to exceed current good manufacturing practice.

(4) If the fat or oil is fully hydrogenated, the name to be used on the label of a product containing it shall include the term "hydrogenated," or if it is partially hydrogenated, the name shall include the term "partially hydrogenated," in accordance with § 101.4(b)(14) of this chapter.

Dated: May 22, 1997.

**Fred R. Shank,**  
Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 97-14683 Filed 6-4-97; 8:45 am]

BILLING CODE 4160-01-F

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**23 CFR Part 658**

[FHWA Docket No. 96-12]

RIN 2125-AEO4

**Truck Size and Weight; National Network; North Carolina**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The FHWA has modified the National Network for commercial motor vehicles by adding a route in North Carolina. The National Network was

established by a final rule on truck size and weight published at 49 FR 23302 on June 5, 1984. This rulemaking adds one segment to the National Network as requested by the State of North Carolina.

**EFFECTIVE DATE:** July 7, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Klimek, Offices of Motor Carrier Information Analysis (202-366-2976), or Mr. Charles Medalen, Office of Chief Counsel(202-366-1354), Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except legal Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Background**

The National Network of Interstate highways and federally-designated routes, on which commercial vehicles with the dimensions authorized by the Surface Transportation Assistance Act (STAA) of 1982, 49 U.S.C. 31111, 31113-31114, may operate, was established by the final rule published in the **Federal Register** on June 5, 1984 (49 FR 23302). These highways are located in each State, the District of Columbia, and Puerto Rico. Routes on the National Network are listed in appendix A of Part 658.

Procedures, for the addition and deletion of routes listed in appendix A are outlined in 23 CFR 658.11.

In accordance with these procedures the State of North Carolina, under authority of the Governor, requested the addition of one segment to the National Network. The segment was reviewed by State and FHWA offices for general adherence to the criteria of 23 CFR 658.9 and found to provide for the safe operation of larger commercial vehicles and for the needs of interstate commerce. A notice of proposed rulemaking (NPRM) listing North Carolina's proposed change to the National Network was published on October 21, 1996 [61 FR 54588].

The segment requested is generally described as: US 74 between alternate US 74 near Forest City and I-26 exit 36, approximately 20 miles. With this change the FHWA is adding the segment requested to the existing route descriptions for North Carolina.

**Rulemaking Analyses and Notices**

Two comments were received, one from a motor carrier and one from a household movers association. Both commentors supported the inclusion of the 20 mile segment for safety and convenience.

**Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures**

The FHWA has determined that this action does not constitute a significant regulatory action, within the meaning of E.O. 12866, nor is it considered significant under the regulatory policies and procedures of the DOT. It is anticipated that the economic impact of this rulemaking will be minimal. This rulemaking proposes technical amendments to 23 CFR 658, adding a certain highway segment in accordance with statutory provisions. This segment represents a very small portion of the National Network and has a negligible impact on the prior system. Therefore, a full regulatory evaluation is not required.

**Regulatory Flexibility Act**

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), FHWA has evaluated the effects of this proposal on small entities. As stated in the preceding paragraph, the rulemaking proposes technical amendments to 23 CFR 658, adding a highway segment in accordance with statutory provisions. This segment represents a very small portion of the National Network and have a negligible impact on the prior system. This rulemaking would, however, allow motor carriers, including small carriers, access to highways not available to them at the present time.

Based on its evaluation of this proposal, the FHWA certifies that this action would not have a significant economic impact on a substantial number of small entities.

**Executive Order 12612 (Federalism Assessment)**

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Executive Order 12372 (Intergovernmental Review)**

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The Regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal Programs and activities do not apply to this program.

**Paperwork Reduction Act**

The proposal in this document does not contain information collection requirements [44 U.S.C. 3501 *et seq.*]

**National Environmental Policy Act**

The agency has analyzed this action for the purpose of the National Environment Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

**Regulation Identification Number**

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

**List of Subjects in 23 CFR Part 658**

Grants programs—transportation, Highway and roads, Motor carrier—size and weight.

Issued on: May 22, 1997.

**Jane Garvey,**

*Acting Administrator, Federal Highway Administration.*

In consideration of the foregoing, the FHWA amends title 23, Code of Federal Regulations, chapter 1, appendix A to part 658 for the State of North Carolina, as set forth below:

**PART 658—TRUCK SIZE AND WEIGHT, ROUTE DESIGNATIONS— LENGTH, WIDTH AND WEIGHT LIMITATIONS**

1. The authority citation for 23 CFR part 658 continues to read as follows:

**Authority:** 23 U.S.C. 127 and 315; 49 U.S.C. 31111-31115; 49 CFR 1.48 (b)(19) and (c)(19).

2. Appendix A to Part 658 is amended for the State of North Carolina by inserting the route listing after the listing for US 74, I-277 Charlotte, US 17 W. Int. Wilmington to read as follows:

**Appendix A to Part 658—National Network—Federally-Designated Routes**

NORTH CAROLINA				
Route	From	To		
*	*	*	*	*
US 74	I-26 EXIT 36 ....	US 74 ALT: near Forest City		
*	*	*	*	*

[FR Doc. 97-14606 Filed 6-4-97; 8:45 am]

BILLING CODE 4910-22-P