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(b) Statements. (1) Except as provided in paragraph (c) of this section, any person who makes a written statement that—\* \* \*

(ii) Contains, or is accompanied by, an express certification or affirmation of the truthfulness and accuracy of the contents of the statement, shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than \$5,500.<sup>2</sup>

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Issued this 3rd day of February, 1997, at Washington, D.C.

Federico Peña,

*Secretary of Transportation.*

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 101

[T. D. 97-7]

#### Establishment of Port of Entry at Spirit of St. Louis Airport

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations pertaining to the field organization of Customs by designating a port of entry at the Spirit of St. Louis Airport in St. Louis County, Missouri. This designation is pursuant to Congressional direction in Public Law 104-208.

**EFFECTIVE DATE:** March 17, 1997.

**FOR FURTHER INFORMATION CONTACT:** Harry Denning, Office of Field Operations, (202) 927-0196.

#### SUPPLEMENTARY INFORMATION:

##### Background

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and to the general public, Customs is amending § 101.3, Customs Regulations (19 CFR 101.3), by designating a port of entry at the Spirit of St. Louis Airport in St. Louis County, Missouri. This designation is pursuant to Congressional direction in Public Law 104-208 of September 30, 1996.

<sup>2</sup> As adjusted in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101-140), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-143, section 31001).

### Port Limits

The port limits of the Spirit of St. Louis Airport encompass the following territory:

A tract of land in the City of Chesterfield, St. Louis County, Missouri, described as follows: The point of beginning located at the intersection of the Missouri River Interstate 64/U.S. Highway 40/61 Bridge and the Monarch-Chesterfield Levee; thence eastwardly along said Levee to Bonhomme Creek; thence southwestwardly along said Levee across its eastern intersection with Interstate 64 and its intersection with Chesterfield Airport Road to its connection with the St. Louis Southwestern Railroad rail bed just east of Long Road; thence westwardly along said Railroad right-of-way to its intersection with Eatherton Road; thence northwardly along Eatherton Road to a point where it intersects with Olive Street Road and the Levee; thence northeastwardly along said Levee to the point of beginning.

Regulatory Flexibility Act and Executive Order 12866

Because this document relates to agency management and organization and because this amendment is directed by Congress, this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553. Accordingly this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This document does not meet the criteria for a significant regulatory action under Executive Order 12866.

Inapplicability of Public Notice and Comment Requirements

Inasmuch as this amendment is the direct result of Congressional direction, pursuant to 5 U.S.C. 553(a)(2) and (b)(B), good cause exists for dispensing with the notice and public procedure thereon as unnecessary.

#### Drafting Information

The principal author of this document was Janet Johnson, Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

#### List of Subjects in 19 CFR Part 101

Customs duties and inspection, Organization and functions (Government agencies).

#### Amendments to the Regulations

For the reasons set forth in the preamble, part 101 of the Customs

Regulations is amended as set forth below.

## PART 101—GENERAL PROVISIONS

1. The general authority citation for Part 101 and the specific authority for § 101.3 continue to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624. Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

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#### § 101.3 [Amended]

2. Section 101.3(b)(1) is amended by adding, in alphabetical order under the state of Missouri, "Spirit of St. Louis Airport" in the "Ports of entry" column and, adjacent to this entry, "Including territory described in T. D. 97-7" in the "Limits of port" column.

Approved: January 17, 1997.

George J. Weise,

*Commissioner of Customs.*

John P. Simpson,

*Deputy Assistant Secretary of the Treasury.*

[FR Doc. 97-3619 Filed 2-12-97; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 178

[Docket No. 89F-0331]

#### 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 2,3,4,5-tetrachloro-6-cyanobenzoic acid, methyl ester reaction products with *p*-phenylenediamine and sodium methoxide as a colorant in all food-contact polymers. This action is in response to a petition filed by Ciba-Geigy Corp.

**DATES:** Effective February 13, 1997; written objections and requests for a hearing by March 17, 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:** Richard H. White, Center for Food