

(4) * * * In fillets intended to contain bones, the presence of bones will not be considered a workmanship defect.

PART 267—[AMENDED]

17. The authority citation for Part 267 continues to read as follows:

Authority: 16 U.S.C. 742e; 7 U.S.C. 1922, 1624.

18. Section 267.101 is amended by adding a new paragraph (d) to read as follows:

§ 267.101 Scope and product description.

(d) The product may contain bones when it is clearly labeled on the principal display panel to show that the product contains bones.

19. Section 267.102 is amended by adding new paragraph (d) to read as follows:

§ 267.102 Product forms.

(d) *Bone classifications.* (1) Practically boneless fillet.

(2) Bone-in (fillet cut, with bones).

20. Section 267.104 is amended by revising paragraph (d)(9) to read as follows:

§ 267.104 Grade determination.

(d) *Examination for physical defects.*

(9) *Bones* (including pin bone) apply to all fillet and nugget market forms. Each bone is a bone or a part of a bone that is $\frac{3}{16}$ inch (0.48 cm) or more at its maximum length or $\frac{1}{32}$ inch (0.08 cm) or more at its maximum shaft width, or for bone chips, a length of at least $\frac{1}{16}$ inch (0.16 cm). An excessive bone defect is any bone which cannot be fitted into a

rectangle which has a length of $1\frac{1}{16}$ inch (3.97 cm) and a width of $\frac{3}{8}$ inch (0.95 cm). In market forms intended to contain bones, the presence of bones will not be considered a physical defect.

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50 CFR Part 642

RIN 0648-AC55

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan and request for comments.

SUMMARY: NOAA announces that the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) have submitted Amendment 4 to the Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and the South Atlantic for Secretarial review and are requesting comments from the public.

DATE: Comments will be accepted on or before July 26, 1989.

ADDRESSES: Copies of amendment are available from the South Atlantic Fishery Management Council, Southpark Building, Suite 306, 1 Southpark Circle, Charleston, SC 29407-4699.

Comments should be sent to Mark F. Godcharles, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702. Mark envelopes, "Comments on Amendment 4."

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813-893-3722.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act), as amended, requires that a council-prepared fishery management plan or amendment be submitted to the Secretary of Commerce (Secretary) for review and approval or disapproval. The Magnuson Act also requires that the Secretary, upon receipt, immediately publish a notice that the document is available for public review and comment. The Secretary will consider public comments in determining whether to approve the proposed action.

Amendment 4 would establish a procedure to modify the allocation of Atlantic group Spanish mackerel between the commercial and recreational sectors of the fishery so that ultimately the allocations become equal. The Councils believe that current allocations of 76 percent commercial and 24 percent recreational are no longer appropriate because they are based upon catch statistics collected over a brief period (1979-1985) when overfishing occurred. The Councils contend that catch allocations should be broader based, dating back to the early to mid 1970s before overfishing became evident.

Regulations proposed by the Councils to implement Amendment 4 are scheduled to be published within 15 days.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 25, 1989.

Joe P. Clem,

Acting Director, Office of Fisheries Conservation & Management, National Marine Fisheries Service.

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