

in the **Federal Register** on December 27, 2024 (89 FR 106064). The final rule was published with an effective date of February 25, 2025. On January 20, 2025, the President issued a memorandum entitled “Regulatory Freeze Pending Review” (90 FR 8249 (January 28, 2025)). With respect to rules that have been published in the **Federal Register**, but have not taken effect, the memorandum orders Agencies to consider postponing the rules’ effective dates for 60 days (*i.e.*, until April 28, 2025) for the purpose of reviewing any questions of fact, law, and policy the rules may raise.

In accordance with this direction, FDA is delaying the effective date of the final rule “Food Labeling: Nutrient Content Claims; Definition of Term ‘Healthy’” (89 FR 106064), until April 28, 2025. We note that the compliance date remains unchanged at this time. The final rule:

- updates the requirements for when the term “healthy” can be used as an implied nutrient content claim in the labeling of human food products to help consumers identify foods that can serve as the foundation of a nutritious diet that is consistent with current dietary recommendations;
- establishes parameters for use of the term “healthy” or derivative terms “health,” “healthful,” “healthfully,” “healthfulness,” “healthier,” “healthiest,” “healthily,” and “healthiness” as an implied nutrient content claim on the label or in labeling of a food that suggests that a food, because of its nutrient content, may help consumers maintain healthy dietary practices, where there is also implied or explicit information about the nutrition content of the food on the label or in the labeling;
- establishes a framework based on food groups and nutrients to limit (NTL) for the “healthy” claim;
- establishes that “food group,” for the purposes of the “healthy” claim, refers to the groups of foods recommended in the *Dietary Guidelines, 2020–2025* (for adults and children 2 years of age and older; available at <https://www.dietaryguidelines.gov>), which are vegetables, fruits, dairy, grains, protein foods, as well as oils;
- establishes food group equivalents (FGEs) that identify qualifying amounts of foods from each food group based on nutritional content;
- requires that, to bear a claim subject to the rule, individual food products, mixed products, main dishes, and meals must meet FGEs and specific limits for added sugars, saturated fat, and sodium based on a percentage of the Daily Value for these nutrients;

- provides that individual foods or mixed products that are comprised of one or more of the following foods encouraged by the *Dietary Guidelines, 2020–2025*, with no other added ingredients except for water: vegetable; fruit; whole grains; fat-free and low-fat dairy; lean meat, seafood, eggs, beans, peas, lentils, nuts and seeds, automatically qualify (*i.e.*, without having to meet the FGE and NTL requirements) for the “healthy” claim because of their nutrient profile and positive contribution to an overall healthy diet;

- provides that all water, tea, and coffee with less than 5 calories per reference amount customarily consumed and per labeled serving automatically qualify for the “healthy” claim; and

- requires the establishment and maintenance of certain records for foods bearing the “healthy” claim where the FGE contained in the product is not apparent from the label of the food. The records must be kept for a period of at least 2 years after introduction or delivery for introduction of the food into interstate commerce. During an inspection, such records must be provided to FDA upon request for official review and photocopying or other means of reproduction.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). Alternatively, FDA’s implementation of this action without opportunity for public comment, effective immediately, is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and (d)(3). Seeking public comment is impracticable, unnecessary, and contrary to the public interest. The temporary delay in the effective date until April 28, 2025, is necessary to give Agency officials the opportunity for further review and consideration of the new regulation, consistent with the memorandum described previously. Seeking public comment is unnecessary because of the limited impact of the delayed effective date; the compliance date, and not the effective date, controls when parties must comply with this rule, and the compliance date in the final rule is not until 2028. FDA also stated in the final rule that parties are free to begin implementing the rule earlier than the compliance date. In addition, given the imminence of the effective date and the brief length of the extension of the effective date, seeking prior public comment on this temporary delay would have been impracticable, as well as contrary to the public interest in the orderly promulgation and

implementation of regulations. FDA also recognizes that certain affected entities would benefit from being informed as soon as possible of the extension and its length in order to plan and adjust their implementation process accordingly.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 3280, 3282, 3285, and 3286

[Docket No. FR–6233–F–03]

RIN 2502–AJ58

Manufactured Home Construction and Safety Standards; Postponing Effective Date

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Final rule; delay of effective date.

SUMMARY: On September 16, 2024, HUD published the “Manufactured Home Construction and Safety Standards” final rule (MHCSS 4th and 5th Sets) in the **Federal Register**. The MHCSS 4th and 5th Sets final rule established a March 17, 2025, effective date. Consistent with the President’s January 20, 2025, memorandum titled “Regulatory Freeze Pending Review”, this document announces that HUD is delaying the effective date for the MHCSS 4th and 5th Sets final rule until September 15, 2025.

DATES: As of February 25, 2025, the effective date for the MHCSS 4th and 5th Sets, published at 89 FR 75704 (September 16, 2024), is delayed from March 17, 2025, until September 15, 2025.

FOR FURTHER INFORMATION CONTACT:

Teresa B. Payne, Deputy Assistant Secretary—Administrator, Office of Manufactured Housing Programs, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; telephone 202–402–5365 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit:

<https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION:

I. Background

On September 17, 2024 (89 FR 75704), HUD published the Manufactured Home Construction and Safety Standards final rule in the **Federal Register**. The MHCSS 4th and 5th Sets final rule revises the Manufactured Housing Construction and Safety Standards to ensure that construction standards remain practical, relevant, uniform, and to the extent possible, performance-based.¹ HUD is focused on promoting the quality, durability, safety, and affordability of manufactured homes, encouraging innovation and cost-effective construction techniques, and increasing the production and availability of affordable housing for all Americans.

On January 20, 2025, the President issued a memorandum titled “Regulatory Freeze Pending Review” to executive departments and agencies.² The memorandum, among other things, asks executive departments and agencies to consider postponing for 60 days from the date of the memorandum the effective date of rules that have been published in the **Federal Register** but that have not yet taken effect. Delay of the effective date of rules that have not yet taken effect allows executive departments and agencies time to review any questions of fact, law, and policy that the rules may arise.

II. Delayed Effective Date of MHCSS 4th and 5th Sets Final Rule

HUD is delaying the effective date of the MHCSS 4th and 5th Sets final rule in accordance with the Presidential Memorandum titled “Regulatory Freeze Pending Review”. The effective date for the MHCSS 4th and 5th Sets final rule is now September 15, 2025.

HUD acknowledges this action is a departure from the six month deadline established by the MHCSS 4th and 5th Sets final rule. In the notice-and-comment process on the proposed rule, HUD received comments from

manufacturers and stakeholders expressing concern about the six month deadline to HUD and asked for additional time to modify designs and implement processes to ensure compliance with new regulations. HUD did not accept the recommendations and established the March 17, 2025, effective date.

Since the final rule, manufacturers and program stakeholders have requested additional time to modify manufactured home floorplan designs and submit them through Design Approval Primary Inspection Agencies (DAPIA) review, revision, and approval process to ensure compliance with new or amended requirements before use in production. Manufacturers and program stakeholders have noted that updating and redesigning entire floorplans to adjust for revised load specifications for specific wood types and fasteners, as well as electrical designs that comply with the newer version of the National Electric Code, requires multiple rounds of planning, design, and feedback to successfully implement new designs. These redesigns have also required significant third-party vendor feedback to assess costs, materials, product sourcing and procurement, and adjusting production processes. Industry stakeholders have also expressed a desire for additional time to implement and modify designs with drafting teams and thorough consultation with DAPIAs to ensure compliance with the new regulations.

In light of the Presidential Memorandum, as well as consideration of the information received by HUD since the publication of the final rule, HUD is delaying the effective date of the MHCSS 4th and 5th Sets final rule to September 15, 2025.

Jeffrey Little,

General Deputy Assistant Secretary, Office of Housing.

[FR Doc. 2025–03038 Filed 2–24–25; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2024–0393]

RIN 1625–AA11

Regulated Navigation Area; Cuyahoga River, Cleveland, OH

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is issuing a final rule establishing a Regulated Navigation Area (RNA) for certain waters of the Cuyahoga River in Cleveland, Ohio. This action is necessary to provide for the safety of life on these navigable waters near the “Irishtown Bend” in Cleveland, Ohio, during a bank stabilization construction project from December 2, 2024, with an anticipated completion date of all waterside work on July 11, 2025. This rulemaking limits vessel speeds near the area and prohibits vessels from being inside the RNA during construction hours unless authorized by the Captain of the Port Sector Eastern Great Lakes or a designated representative.

DATES: This final rule is effective from March 27, 2025 through July 11, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0393 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: For information about this document call or email, call or email MST1 Cody Mayrer at Marine Safety Unit Cleveland’s Waterways Management Division, U.S. Coast Guard; telephone 216–937–0111, email D09-SMB-MSUCLEVELAND-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
IFR Interim Final Rule
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

On December 17, 2023, Goettle Construction company notified the Coast Guard that they will be conducting waterside construction associated with a bank stabilization project on the Cuyahoga River in Cleveland, Ohio from August 15, 2024, through November 30, 2025. Construction is intended to shore-up and replace approximately 2,400 linear feet of corrugated steel bulkhead located on the western (left descending) bank of the Cuyahoga River between the Detroit-Superior Bridge and the Columbus Road Bridge. The Captain of the Port Sector Eastern Great Lakes (COTP) has determined that potential hazards associated with the equipment used to complete this project would be a safety

¹ The National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401–5426) (the Act), authorizes HUD to establish and amend the MHCSS codified at 24 CFR part 3280 and their supporting regulations, for the design and construction of all manufactured homes built in America. The Manufactured Housing Improvement Act of 2000 (Pub. L. 106–569, approved December 27, 2000), established the Manufactured Housing Consensus Committee (MHCC) to provide HUD with recommendations to adopt, revise, and interpret the Construction and Safety Standards, which applies to the design, construction, and installation of new manufactured homes.

² 90 FR 8249 (January 28, 2025).