

Dated: May 7, 1997.

Robert C. Livingston,

Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1310

[DEA-154E]

RIN 1117-AA42

Temporary Exemption From Chemical Registration for Distributors of Combination Ephedrine Products; Extension of Application Deadline

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Interim rule.

SUMMARY: DEA is amending its regulations to extend the temporary exemption from the chemical registration requirements from May 12, 1997 to July 12, 1997. Certain segments of the industry that distribute combination ephedrine products did not realize that they would be subject to the registration requirement due to questions regarding the application of the registration requirements to their activities. Persons failing to meet the May 12, 1997 deadline would have been required to cease all distributions of combination ephedrine products until they had obtained a registration. In order to avoid interruption of legitimate distributions of combination ephedrine products, based upon the request of this industry group, DEA is extending the temporary exemption from the registration requirement for the additional period to allow affected persons sufficient time to make application for registration.

EFFECTIVE DATE: May 21, 1997. The new deadline for submitting an application for registration is July 12, 1997.

FOR FURTHER INFORMATION CONTACT: G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537, Telephone (202) 307-4025.

SUPPLEMENTARY INFORMATION: The Comprehensive Methamphetamine Control Act of 1996 (MCA) removed the exemption from DEA's chemical controls for combination ephedrine drug products, effective October 3, 1996. As a result, these products became subject to the chemical registration, recordkeeping, and reporting

requirements set forth in Title 21, Code of Federal Regulations (CFR), parts 1309, 1310, and 1313.

To allow businesses to continue to distribute combination ephedrine products pending issuance of a registration to engage in such activities, DEA amended its regulations by interim rule published in the **Federal Register** on February 10, 1997 (62 FR 5914) to provide that any person who submitted a properly completed application for registration to DEA on or before May 12, 1997, would be exempt from the registration requirement until DEA took final action on such application (21 CFR 1310.09).

Following publication of the interim rule, questions were raised by a segment of the industry distributing combination ephedrine products regarding whether the registration requirements applied to their activities. Following clarification of the chemical registration requirements, a request was received from Food Distributors International for an extension of the application deadline to allow adequate time for the affected distributors to make application for registration. DEA has no objection to granting the request. Therefore, 21 CFR 1310.09 is being amended to provide that the deadline for submitting an application is extended to July 12, 1997.

The Acting Deputy Administrator of the Drug Enforcement Administration hereby certifies that this interim rulemaking will have no significant impact upon entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* This interim rulemaking extends a temporary exemption from the registration requirement for distributors of combination ephedrine products.

This rule is not a significant regulatory action and therefore has not been reviewed by the Office of Management and Budget pursuant to Executive Order 12866.

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

List of Subjects in 21 CFR Part 1310

Drug traffic control, List I and List II chemicals, Reporting and recordkeeping requirements.

For reasons set out above, Title 21, Code of Federal Regulations, part 1310 is amended as follows.

PART 1310—[AMENDED]

1. The authority citation for part 1310 continues to read as follows:

Authority: 21 U.S.C. 802, 830, 871(b).

2. Section 1310.09 is revised to read as follows:

§ 1310.09 Temporary exemption from registration.

Each person required by Section 302 of the Act (21 U.S.C. 822) to obtain a registration to distribute, import, or export a combination ephedrine product is temporarily exempted from the registration requirement, provided that the person submits a proper application for registration on or before July 12, 1997. The exemption will remain in effect for each person who has made such application until the Administration has approved or denied that application. This exemption applies only to registration; all other chemical control requirements set forth in parts 1309, 1310, and 1313 of this chapter remain in full force and effect.

Dated: May 14, 1997.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 97-13313 Filed 5-20-97; 8:45 am]

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DEPARTMENT OF STATE

Bureau of Consular Affairs

22 CFR Part 42

[Public Notice 2546]

Visas: Documentation of Immigrants Under the Immigration and Nationality Act; Validity of Immigrant Visas

AGENCY: Bureau of Consular Affairs, Department of State.

ACTION: Final rule.

SUMMARY: On September 30, 1996, the Immigration and Nationality Act (INA) was amended to, inter alia, grant authority to the Secretary of State to extend the period of validity of an immigrant visa to six months from the date of issuance. The Secretary of State, hereby, exercises that authority and amends the Department's regulations accordingly.

DATES: This rule is effective October 1, 1997.

ADDRESSES: Chief, Legislation and Regulations Division, Visa Office, Room L603-C, SA-1, Washington, D.C. 20520-0106.

FOR FURTHER INFORMATION CONTACT: Stephen K. Fischel, Chief, Legislation

and Regulations Division, (202) 663-1203.

SUPPLEMENTARY INFORMATION: On September 30, 1996 the President signed into law Division "C" of the Omnibus Consolidated Appropriations Act, 1997, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, (IIRIRA), Public Law 104-208, 110 stat. 3009. Section 631(a) amends INA 221(c) by altering the maximum period of validity of an immigrant visa from four months to six months. The Department is amending the corresponding regulation at 22 CFR 42.72(a) to extend the validity period of an immigrant visa to six months. The Department is also amending 22 CFR 42.72(e) regarding the scheduling of the immigrant visa appointment to comply.

Benefit to State Department and Visa Applicants

The Department has found that the four-month validity period of the immigrant visa does not always provide sufficient time for visa recipients to finalize their plans and complete necessary preparations for their permanent move to the United States. It sometimes takes longer than four months to sell homes and businesses, as well as coordinate school schedules for family members. Other unforeseen events such as medical emergencies may arise. Such unforeseen events often result in the necessity of issuing a new visa. The amendment of the regulations to extend the validity period to six months will greatly reduce the necessity of issuing new visas to visa recipients who could not gain admission to the United States during that four-month period for reasons beyond their control. It also will provide visa recipients greater flexibility in preparing for the transfer of their permanent residence.

Final Rule

The implementation of this rule as a final rule is based upon the "good cause" exceptions established by 5 U.S.C. 553(b)(B) and 553(d)(3). This rule grants or recognizes an exemption or relieves a restriction under 5 U.S.C. 553(d)(1) and is considered beneficial to the United States Government.

This rule is not expected to have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act (5 U.S.C. 605(b)). This rule imposes no reporting or record-keeping action from the public requiring the approval of the Office of Management and Budget under the Paperwork Reduction Act requirements. This rule has been reviewed as required by E.O. 12988 and

certified to be in compliance therewith. This rule is exempted from E.O. 12866 but has been reviewed to ensure consistency therewith.

List of Subjects in 22 CFR Part 42

Aliens, Immigrants, Passports and visas, Visa validity.

In view of the foregoing, 22 CFR is amended as follows:

PART 42—[AMENDED]

1. The authority citation for Part 42 continues to read:

Authority: 8 U.S.C. 1104.

2. Section 42.72 is amended by revising the first sentence in paragraph (a), paragraph (e)(1), and the first two sentences of paragraph (e)(4) to read as follows:

§ 42.72 Validity of visas.

(a) Period of validity. With the exception indicated herein, the period of validity of an immigrant visa shall not exceed six months, beginning with the date of issuance. * * *

(e) Aliens entitled to the benefits of sections 154 (a) and (b) of Pub. L. 101-649. (1) Notwithstanding the provisions of paragraphs (a) through (d) of this section, the period of validity of an immigrant visa issued to an immigrant described in paragraph (e)(2) of this section may, at the request of the applicant, be extended until January 1, 2002, if the applicant so requests either at the time of issuance of the visa or within six months thereafter. If an applicant entitled to issuance of an immigrant visa having an extended period of validity fails to request extended validity at the time of issuance but subsequently, within six months thereafter, requests that the validity be extended pursuant to this paragraph, the consular officer shall issue a replacement visa to the alien in accordance with the provisions of § 42.74(b). * * * * *

(4) An alien who has elected to have the period of validity of his or her visa extended pursuant to paragraph (e)(1) of this section shall, if his or her contemplated date of application for admission into the United States is no later than six months following the date of visa issuance, notify the appropriate consular officer of his or her intention to travel to the United States for this purpose. The consular officer shall thereupon schedule an appointment with such alien for the purpose of determining whether or not the alien

remains admissible into the United States as an immigrant. Such appointment shall be scheduled not sooner than six months preceding the alien's contemplated date of application for admission for permanent residence. * * *

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Dated: April 30, 1997.

Mary A. Ryan,

Assistant Secretary for Consular Affairs.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[OPPTS-50623A; FRL-5715-7]

RIN 2070-AB27

Significant New Uses of Certain Chemical Substances; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA issued a document (FR Doc. 96-30474) in the **Federal Register** of December 2, 1996 (61 FR 63726), promulgating significant new use rules in § 721.4484. Two cross-references were inadvertently incorrect. This document corrects those cross-references.

EFFECTIVE DATE: The effective date of this rule is January 31, 1997.

FOR FURTHER INFORMATION CONTACT: Susan Hazen, Director, Environmental Assistance Division (7408), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460; telephone: (202) 554-1404; TDD: (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued a document (FR Doc. 96-30474) in the **Federal Register** of December 2, 1996 (61 FR 63726) (FRL-4964-3), adding § 721.4484. In § 721.4484, two cross-references were inadvertently incorrect. This document corrects the cross-references appearing in § 721.4484 (a)(2)(i) and (a)(2)(ii).

On page 63737, in the second column, in § 721.4484, in paragraph (a)(2)(i), in the third line, "§ 721.72" should read "§ 721.63" and in paragraph (a)(2)(ii), in the third line, "§ 721.63" should read "§ 721.72".