

part number 129-384005-5 (or FAA-approved equivalent part number).

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(e) The replacements required by this AD shall be done in accordance with Puritan-Bennett Kit No. 280041-00: Lanyard Retrofit Drop Out Box, Revision A01, dated October 21, 1998, as referenced in Raytheon Mandatory Service Bulletin SB 35-3233, Issued: December, 1998. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the Raytheon Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(f) This amendment becomes effective on July 23, 1999.

Issued in Kansas City, Missouri, on June 2, 1999.

**Marvin R. Nuss,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-14536 Filed 6-10-99; 8:45 am]

BILLING CODE 4910-13-P

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 240

[Release No. 34-41453A, International Series Release No. 1198A, File No. S7-4-99]

RIN 3235-AH68

### Exemption of the Securities of the Kingdom of Sweden Under the Securities Exchange Act of 1934 for Purposes of Trading Futures Contracts on Those Securities; Correction

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Correction to final rule.

**SUMMARY:** This document contains a correction to the final rule that was

published on June 2, 1999 (64 FR 29550). The regulation relates to the designation of debt obligations issued by the Kingdom of Sweden as "exempted securities" for the purpose of marketing and trading futures contracts on those securities in the United States.

**EFFECTIVE DATE:** June 2, 1999.

**FOR FURTHER INFORMATION CONTACT:** Joshua Kans, Attorney, Office of Market Supervision ("OMS"), Division of Market Regulation ("Division"), Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-1001, at 202/942-0079.

**SUPPLEMENTARY INFORMATION:** On May 26, 1999, the Commission issued a final rule amending Rule 3a12-8 to designate debt obligations issued by the Kingdom of Sweden as "exempted securities" for the purpose of marketing and trading futures contracts on those securities in the United States. The amendment became effective on June 2, 1999, when the **Federal Register** published the final rule.

As published, the final regulation contains an error which may prove to be misleading and is in need of clarification.

Accordingly, the publication on June 2, 1999 of the final regulation that was the subject of FR Doc. 99-13927 is corrected as follows:

### PART 240—[CORRECTED]

On page 29553, in the text beginning on the second column and continuing onto the third column, the mandatory language for amendment 2 is corrected to read:

"2. Section 240.3a12-8 is amended by removing the word "or" at the end of paragraph (a)(1)(xix), removing the period at the end of paragraph (a)(1)(xx) and adding ";or" in its place, and adding paragraph (a)(1)(xix), to read as follows:"

Dated: June 7, 1999.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 99-14866 Filed 6-10-99; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 385

[Docket No. RM99-6-000; Order No. 604]

### Electronic Service of Documents

Issued May 26, 1999.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is amending Rule 2010(f) (18 CFR 385.2010(f)) to permit participants to proceedings before the Commission voluntarily to serve documents on one another by electronic means. This revision is intended to give the participants more flexibility in meeting the service requirements, and to encourage participants to gain experience with electronic service. This change is an important step in the Commission's plan to convert to broad-based electronic filing.

**DATES:** This final rule is effective July 12, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Brooks Carter, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 501-8145;

Wilbur Miller, Office of the General Counsel, 888 First Street, NE., Washington, DC 20426, (202) 208-0953.

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, NE, Room 2A, Washington, DC 20426

The Commission Issuance Posting System (CIPS) provides access to the texts of formal documents issued by the Commission from November 14, 1994, to the present. CIPS can be accessed via Internet through FERC's Home page (<http://www.ferc.fed.us>) using the CIPS Link or the Energy Information Online icon. Documents will be available on CIPS in ASCII and WordPerfect 6.1. User assistance is available at 202-208-2474 or by E-mail to [cipsmaster@ferc.fed.us](mailto:cipsmaster@ferc.fed.us).

This document is also available through the Commission's Records and Information Management System

(RIMS), an electronic storage and retrieval system of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed. RIMS is available in the Public Reference Room or remotely via Internet through FERC's Home page using the RIMS link or the Energy Information Online icon. User assistance is available at 202-208-2222, or by E-mail to [rismaster@ferc.fed.us](mailto:rismaster@ferc.fed.us).

Finally, the complete text on diskette in WordPerfect format may be purchased from the Commission's copy contractor, RVJ International, Inc. RVJ International, Inc. is located in the Public Reference Room at 888 First Street, NE, Washington, DC 20426.

Before Commissioners: James J. Hoecker, Chairman; Vicky A. Bailey, William L. Massey, Linda Breathitt, and Curt Hébert, Jr.

## I. Introduction

The Federal Energy Regulatory Commission (Commission) is amending 18 CFR 385.2010 to allow for electronic service of documents in certain circumstances. The Commission is modifying the existing service rule to make clear that willing participants may serve and receive documents by electronic means. This revision is intended to give participants more flexibility in meeting the service requirements, and to encourage participants to gain experience with electronic service. This change is an important step in the Commission's plan to convert to broad-based electronic filing.

## II. Background

In order to increase the efficiency with which it carries out its program responsibilities, the Commission is moving forward with measures to use information technology to reduce the amount of paperwork required in proceedings before the Commission. One part of that effort, and the subject of this rulemaking, is to make document service more efficient by employing electronic means where the participants so agree. This rule follows the Commission's action in 86 FERC ¶ 61,324 (1999) (rehearing pending), in which it amended its complaint procedures, in 18 CFR 385.206(c), to allow service of complaints by electronic mail.

Both the legislative and executive branches of the Federal Government have set as goals the substitution of electronic means of communication and information storage for paper means. For example, the Government Paperwork Elimination Act directs agencies to provide for the optional use

and acceptance of electronic documents and signatures, and electronic record-keeping, where practical, by October 2003.<sup>1</sup> Similarly, Office of Management and Budget Circular A-130 requires agencies to employ electronic information collection techniques where such means will reduce the burden on the public, increase efficiency, reduce costs, and help provide better service.<sup>2</sup>

On May 13, 1998, the Commission issued a request for comments and notice of intent to hold a technical conference in its Electronic Filings Initiative, Docket No. PL 98-1-000. The Commission stated, *inter alia*, that it intended to clarify its rules to facilitate the use of electronic service.<sup>3</sup> It also presented the question whether it should encourage electronic service among parties over the Internet.<sup>4</sup>

Most commenters and participants at the conference favored some form of electronic service, including the following recommendations: (a) allowing participants to reach agreement among themselves regarding electronic service; (b) allowing electronic service over the Internet; (c) allowing e-mail notice of filing with a reference to a copy of the filing on the filer's or the Commission's web site; and (d) use of a server to facilitate electronic service by the Commission and by participants in proceedings.

The Commission continues to believe that electronic service among participants should be encouraged. The revision contained in this rulemaking is preliminary to the separate task of implementing procedures governing electronic filing of documents.

## III. Discussion

Rule 2010(f) currently states that service may be effected by first-class United States mail or better, or "[b]y delivery in a manner that, and to a place where, the person on whom service is required may reasonably be expected to obtain actual and timely receipt." The current rule does not provide specifically for electronic service. To make clear that such service is permissible, the Commission is amending the service rule to add the express option of service by electronic means among participants who voluntarily agree to use electronic service.

This rule is only intended to address service among participants, and does not change the rules for filings made with the Commission. Electronic filing

with the Commission will be the subject of a future rulemaking.

This rule leaves it up to individual participants to come to agreement about the use of electronic service. It will not be necessary for every participant in a particular case to agree to use electronic service. Agreements need not be reciprocal. For instance, if participant A prefers to receive service electronically, participant B could agree to serve A electronically even if B did not want electronic service.

Under this rule, participants should not discriminate in their use of electronic service. For instance, if multiple participants agree to serve one another documents in a particular format via e-mail, they cannot refuse to serve another willing participant the same way. However, the rule contains no restriction on the number or variety of methods of electronic service that can be used in a particular matter. Some participants could agree to receive service in one format, while at the same time other participants could agree to receive service in another format.

Depending on the software used for creation of documents, the page numbering of documents may vary depending on the fonts, margins and other formatting options used. The Commission recognizes that such formatting differences can create problems in accurate citation to documents filed with the Commission. But such problems should be surmountable. To ensure a consistent citation format for documents officially filed with the Commission, participants should cite to the official version of the filed document in compliance with Rule 2003(c).<sup>5</sup>

Under this rule, in matters set for hearing before an Administrative Law Judge (ALJ), the ALJ should consult the participants to determine where use of electronic service is appropriate. One difficulty in litigated cases is that many of the documents served are not filed with the Commission, which may complicate the issue of which version of a document should be used for citation purposes. Moreover, Rule 403(c)<sup>6</sup> requires that responses to discovery be under oath or certified as true and accurate. The Commission believes that the ALJs are in the best position to determine whether participants may serve responses to discovery via electronic means, and if electronic service is permitted, how to satisfy the oath/certification requirement.

The Commission recognizes that some methods of electronic service, under

<sup>1</sup> Pub. L. 105-277, Sections 1702-1704.

<sup>2</sup> Circular A-130, Para. 8.a.1(k).

<sup>3</sup> 63 FR 27532 (May 13, 1998).

<sup>4</sup> Id.

<sup>5</sup> 18 CFR 385.2003(c).

<sup>6</sup> 18 CFR 385.403(c).

some circumstances, may not be as reliable as other traditional means of service. Participants under this rule will need to consider how to verify service. Some participants' mail systems may provide notification that a recipient has received a transmission. If that type of system verification were not available, the transmitter could agree to notify the recipients by telephone to let them know that they were being served, and the recipient could assume the obligation to notify the transmitter if the service was not received. Alternatively, the document itself could request that the recipient notify the transmitter that the document had been received. If the transmitter did not receive timely notification of receipt, it would contact the intended recipient to learn whether the document was successfully received.

The Commission has considered the potential effect of this final rule on Year 2000 preparations and has concluded that the rule will not have any adverse impact on Year 2000 readiness.

Due to the limited scope of this rule, the Commission is issuing it as a final rule without a period for public comment. Under 5 U.S.C. 553(b), notice and comment procedures are unnecessary where a rulemaking concerns only agency procedure and practice, or where the agency finds that notice and comment is unnecessary. This rule concerns only a matter of agency procedure. Furthermore, it merely clarifies the existing service rule to provide electronic service as an option expressly. Electronic service has in fact already been used in some Commission proceedings. Finally, the rule is entirely voluntary; no participant can be required to send or receive service electronically. Therefore, the Commission finds notice and comment procedures to be unnecessary.

Although the Commission invites participants to agree to use electronic service, this rulemaking does not include any change regarding service on or by the Office of the Secretary (OSEC); service on OSEC must be made via the more traditional methods of service found in Section 2010(f)(1) and (2).

To the extent that the regulations regarding a particular type of document place additional requirements on service, those rules will prevail over the generic rule on service. For instance, sections 4.22 and 375.314 require service or notification by certified mail; those requirements cannot be met by electronic service at this time. No changes to these regulations are being made at this time.

#### IV. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act (RFA) requires agencies to prepare certain statements, descriptions and analyses of rules that will have a significant impact on a substantial number of small entities.<sup>7</sup> The Commission is not required to make such analyses if a rule would not have such an effect.

The Commission does not believe that this rule will have such an impact on small entities. Most companies regulated by the Commission do not fall within the RFA's definition of small entity.<sup>8</sup> Further, the filing requirements of small entities are not impacted by this rule. No participants are required to use electronic service; they will do so only voluntarily. Therefore, the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities.

#### V. Environmental Statement

Commission regulations require that an environmental assessment or an

environmental impact statement be prepared for any Commission action that may have a significant adverse effect on the human environment.<sup>9</sup> The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Among these are rules that are clarifying, corrective, or procedural, or that do not substantively change the effect of the regulations being amended.<sup>10</sup> This rule is procedural in nature and therefore falls under this exception; consequently, no environmental consideration is necessary.

#### VI. Information Collection Statement

The following collection of information contained in this rule is being submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the Paperwork Reduction Act of 1995.<sup>11</sup> FERC identifies the information provided under 18 CFR Part 385 as FERC-601.

**Public Reporting Burden:** Estimated Annual Burden: The burden estimates for complying with current paper service regulations are reflected in all of the Commission's information collections which require service by the applicant or parties to a proceeding. As part of the Commission's ongoing efforts to streamline the regulatory process, the Commission has consolidated the burden hours associated with the service of documents to a proceeding under single collection of information for easier reference.<sup>12</sup> FERC-601 has been designated to be that point of reference. The total burden estimates for service under these existing information collections, based on 10,000 applications and 10,000 intervenors per year are as follows:

Data collection	No. of respondents (applicants plus intervenors)	No. of documents	No. of responses	Hours per response	Total annual hours
FERC-601 (see footnote 12) .....	20,000	40,000	1,000,000	0.50	500,000

Record keeping adds an additional 20,000 hours. Therefore, the total annual hours for Service under the current regulations, (Reporting + record keeping) = 520,000 hours.

Based on the Commission's experience with electronic service of documents, it is estimated that about 20% of the 1,000,000 responses will be served electronically in the first year, 30% in the second year, and 40% in the

third year, at a burden rate of 0.25 hours per document. This includes an allowance for the overhead of working out electronic service agreements, maintaining Internet addresses, and storing electronic records. The current

<sup>7</sup> 5 U.S.C. 601-612.

<sup>8</sup> 5 U.S.C. 601(3) provides the definition of small business concern.

<sup>9</sup> Order No. 486, Regulations Implementing National Environmental Policy Act, 52 FR 47897

(Dec. 17, 1987), FERC Stats. & Regs., Regulations Preambles 1986-1990 ¶ 30,783 (1987).

<sup>10</sup> 18 CFR 380.4(a)(2)(ii).

<sup>11</sup> 44 U.S.C. 3507(d).

<sup>12</sup> Currently, the burden hours are attributed to the following collections of information approved by OMB: 1902-0082; 1902-0083; 1902-0096; 1902-0098; 1902-0058; 1902-0115; 1902-0073; 1902-0060; 1902-0062; 1902-0153; 1902-0154; 1902-0155; 1902-0086; 1902-0089; 1902-0128.

annual reporting burden for proposed FERC-601, based on current regulations, is 520,000 hours.

The comparison of burden under the pre-existing and new regulation for the

estimated number of documents that will be served electronically is:

#### BURDEN HOURS FOR 3 YEAR PERIOD

Form of service	First Year reduction 20%	Second Year reduction 30%	Third Year Reduction 40%	Total burden hours
Current (all paper) .....	520,000	520,000	520,000	1,560,000
New (paper or optional electronic) .....	470,000	445,000	420,000	1,335,000

The burden reduction under the revised regulation is estimated to be 225,000 hours over three years.

**Information Collection Costs:** The Commission has projected the cost savings over three years to be approximately \$11,800,000. The Commission assumes that there are no other startup costs, such as having to acquire Internet access. The program is voluntary and contingent on agreement of the parties, so that no one is required to obtain Internet access if they do not have it for other business purposes. (The Commission makes the assumption that the average cost for a Commission employee is comparable to the costs for industry. This assumption equates to total number of reporting hours ÷ 2,080 hours in the work year × \$109,889 (current costs for FERC employee-salary + benefits). A true reflection of the costs to industry should be based on market prices for the resources necessary to comply with the information collection. Financial costs include both non-recurring costs such as the cost of capital investments necessary to fulfill the information collection and recurring costs such as the cost of operating and maintaining capital investments.)

The OMB regulations require OMB to approve certain information collection requirements imposed by agency rule.<sup>13</sup> Accordingly, pursuant to OMB regulations, the Commission is providing notice of this revised information collection to OMB.

**Title:** FERC-601, Electronic Service.

**Action:** Proposed Data Collection.

**OMB Control No.** (See footnote 12).

The respondent shall not be penalized for failure to respond to this collection of information unless the collection of information displays a valid OMB control number.

**Respondents:** Business or other for profit, including small businesses.

**Frequency of Responses:** On occasion.

**Necessity of Information:** This rule adds an optional method for service of documents. Because it is voluntary, parties will be able to determine for themselves the benefits costs of

electronic service, in particular the cost savings, over the traditional method of serving documents. The Commission believes that the rule will, in many cases, make service of documents quicker, more reliable and less expensive than the other existing options. **Internal Review:** The Commission already requires in most instances that parties filing documents in proceedings before it serve those documents upon other interested parties. This requirement is necessary to ensure fundamental fairness in the Commission's proceedings. This rule does not add any requirement, but instead adds an alternative method of a voluntary nature to accomplish service. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information collection requirements. Parties receiving service require the documents in order to inform themselves of arguments being made, and evidence and other information being submitted, in Commission proceedings. The parties use this information to form and develop their own positions and contentions.

Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, Attention: Michael Miller, Office of the Chief Information Officer, Phone: (202)208-1415, fax: (202)273-0873, e-mail: mike.miller@ferc.fed.us.

For submitting comments concerning the collection of information and the associated burden estimate, please send your comments to the contact listed above and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC, 20503. Attention: Desk Officer for the Federal Energy Regulatory Commission, phone: (202)395-3087, fax: (202)395-7285.

#### VII. Congressional Review

The provisions of 5 U.S.C. 801, regarding Congressional review of

rulemakings, do not apply to this rulemaking because it concerns agency procedure and practice and will not substantially affect the rights and obligations of non-agency parties. 5 U.S.C. 804(3)(C).

#### VIII. Effective Date

This regulation becomes effective July 12, 1999. The Commission has concluded, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a "major rule" as defined in section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996.

#### List of Subjects in 18 CFR Part 385

Administrative practice and procedure, Electric power, Penalties, Pipelines, Reporting and recordkeeping requirements.

By The Commission.

**David P. Boergers,**  
Secretary.

In consideration of the foregoing, part 385, chapter I, title 18, *Code of Federal Regulations*, is hereby amended as set forth below.

#### PART 385—RULES OF PRACTICE AND PROCEDURE

1. The authority citation for part 385 continues to read as follows:

**Authority:** 5 U.S.C 551-557; 15 U.S.C. 717-717z, 3301-3432; 16 U.S.C. 791a-825r, 2601-2645; 31 U.S.C. 9701; 42 U.S.C. 7101-7352; 49 U.S.C 60502; 49 App. U.S.C. 1-85.

2. Section 385.2010(f) is revised to read as follows:

#### § 385.2010 Service (Rule 2010).

\* \* \* \* \*

(f) *Methods of service.* Service of any document must be made:

(1) By United States mail, first-class or better;

(2) By delivery in a manner that, and to a place where, the person on whom service is required may reasonably be expected to obtain actual and timely receipt; or

(3) By electronic means to participants who have agreed to receive

<sup>13</sup> 5 CFR 1320.12.

service via the specified electronic means.

\* \* \* \* \*

[FR Doc. 99-13986 Filed 6-10-99; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 520 and 556

#### Oral Dosage Form New Animal Drugs; Neomycin Sulfate

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Pharmacia & Upjohn Co. The supplemental NADA provides for use of neomycin sulfate in turkey drinking water for the control of mortality associated with *Escherichia coli* organisms susceptible to neomycin sulfate in growing turkeys. The regulations are also amended to provide for a tolerance for neomycin residues in edible turkey tissues and an acceptable daily intake (ADI).

**EFFECTIVE DATE:** June 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** William T. Flynn, Center for Veterinary Medicine (HFV-133), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-7570.

**SUPPLEMENTARY INFORMATION:** Pharmacia & Upjohn Co., 7000 Portage Rd., Kalamazoo, MI 49001-0199, filed supplemental NADA 11-315 that provides for use of Neomix® 325 and Neomix® AG 325 (neomycin sulfate) soluble powder in turkey drinking water for the control of mortality associated with *E. coli* organisms susceptible to neomycin sulfate in growing turkeys. The supplemental NADA is approved as of May 5, 1999, and 21 CFR 520.1484 is amended to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In addition, a tolerance for residues of neomycin in edible tissues of turkeys has not been previously established. Section 556.430 is amended editorially to reflect current format, to provide tolerances for neomycin residues in edible turkey tissue, and to provide an ADI for neomycin.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of

safety and effectiveness data and information submitted to support approval of this supplemental application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this supplemental approval for use in turkey drinking water qualifies for 3 years of marketing exclusivity beginning May 5, 1999, because the supplemental application contains substantial evidence of the effectiveness of the drug involved, any studies of animal safety or, in the case of food-producing animals, human food safety studies (other than bioequivalence or residue studies) required for this approval and conducted or sponsored by the applicant. The 3 years marketing exclusivity is limited to use of the drug for the control of mortality associated with *E. coli* organisms susceptible to neomycin sulfate in growing turkeys.

FDA has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment. Therefore, an environmental impact statement is not required. FDA's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

#### List of Subjects

##### 21 CFR Part 520

Animal drugs.

##### 21 CFR Part 556

Animal drugs, Foods.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR parts 520 and 556 are amended as follows:

#### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 520 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

2. Section 520.1484 is revised to read as follows:

#### § 520.1484 Neomycin sulfate soluble powder.

(a) *Specifications.* Neomycin sulfate soluble powder contains 20.3 grams of neomycin sulfate (equivalent to 14.2 grams of neomycin base) per ounce.

(b) *Sponsors.* See 000069, 046573, 050604, and 051259 in § 510.600(c) of this chapter for use as in paragraph (d)(1) of this section. See 000009 for use as in paragraphs (d)(1) and (d)(2) of this section.

(c) *Related tolerances.* See § 556.430 of this chapter.

(d) *Conditions of use—(1) Cattle (excluding veal calves), swine, sheep, and goats.*

(i) *Amount.* 10 milligrams of neomycin sulfate per pound of body weight per day (22 milligrams per kilogram) in divided doses for a maximum of 14 days.

(ii) *Indications for use.* For the treatment and control of colibacillosis (bacterial enteritis) caused by *Escherichia coli* susceptible to neomycin sulfate in cattle (excluding veal calves), swine, sheep, and goats.

(iii) *Limitations.* Add to drinking water or milk; not for use in liquid supplements. Prepare a fresh solution daily. If symptoms persist after using this preparation for 2 or 3 days, consult a veterinarian. Treatment should continue 24 to 48 hours beyond remission of disease symptoms, but not to exceed a total of 14 consecutive days. Discontinue treatment prior to slaughter as follows: Cattle (not for use in veal calves), 1 day; sheep, 2 days; swine and goats, 3 days.

(2) *Turkeys—(i) Amount.* 10 milligrams of neomycin sulfate per pound of body weight per day (22 milligrams per kilogram) for 5 days.

(ii) *Indications for use.* For the control of mortality associated with *E. coli* organisms susceptible to neomycin sulfate in growing turkeys.

(iii) *Limitations.* Add to drinking water; not for use in liquid supplements. Prepare a fresh solution daily. If symptoms persist after using this preparation for 2 or 3 days, consult a veterinarian. Treatment should continue 24 to 48 hours beyond remission of disease symptoms, but not to exceed a total of 5 consecutive days.

#### PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

3. The authority citation for 21 CFR part 556 continues to read as follows:

**Authority:** 21 U.S.C. 342, 360b, 371.