

City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(g) Questions or technical information related to Pilatus PC XII SB No. 24-002, Rev. No. 1, dated September 20, 1996, should be directed to Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6370 Stans, Switzerland; telephone: +41 41 6196 233; facsimile: +41 41 6103 351. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(h) The modification, replacement, insertion, and installation required by this AD shall be done in accordance with Pilatus PC XII Service Bulletin No. 24-002, Rev. No. 1, dated September 20, 1996. 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 Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6370 Stans, Switzerland. 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.

Note 3: The subject of this AD is addressed in Swiss AD No. HB-96-140, dated March 18, 1996, and Swiss AD No. HB 97-001, dated January 1, 1997.

(i) This amendment becomes effective on July 31, 1998.

Issued in Kansas City, Missouri, on June 9, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

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FEDERAL TRADE COMMISSION

16 CFR Parts 2 and 4

Delegation of Authority to Respond To Requests for Information

AGENCY: Federal Trade Commission (FTC).

ACTION: Final rules.

SUMMARY: The Commission is revising its rules to authorize the General Counsel's designee to: determine whether information is confidential or should be placed on the public record; respond to requests for nonpublic information by Federal and State agencies; determine which portions of closed meeting transcripts or minutes to

make public; determine which portions of compliance reports, prior approval requests and related supplemental materials, will be treated as confidential when confidential treatment is requested at the time of submission; and respond to requests to use nonpublic memoranda as writing samples or for purposes of teaching, lecturing or writing. The General Counsel will designate the Deputy General Counsel or an Assistant General Counsel (or a senior manager in an equivalent level) to make these determinations. The Commission is adopting these changes in order to improve and expedite the process for responding to such requests. The changes will affect internal procedures only and are not intended to influence the outcomes of requests made under the Rules.

The Commission is inserting cross-references to certain confidentiality rules to clarify and make consistent its procedures and is removing language that is thereby made repetitive or is otherwise unnecessary.

EFFECTIVE DATE: These amendments are effective June 17, 1998.

FOR FURTHER INFORMATION CONTACT:

Laura Berger, Attorney, 202-326-2471, Office of the General Counsel, FTC, Sixth Street & Pennsylvania Avenue, NW, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: The rule amendments relate solely to agency practice and thus are not subject to the notice and comment requirements of the Administrative Procedure Act, 5 U.S.C. 553(a)(2), or to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601(2). The Paperwork Reduction Act, 44 U.S.C. 3501-3520, does not apply to these amendments because they do not involve a request for any person to report, keep records, or disclose information, and because the amendment is purely administrative and does not affect persons as defined by the Act. See 5 CFR 1320.3(c), 5 CFR 1320.3(c)(4).

List of Subjects

16 CFR Part 2

Administrative practice and procedure.

16 CFR Part 4

Administrative practice and procedure, Sunshine Act.

For the reasons set forth in the preamble, the Federal Trade Commission amends Title 16, chapter 1, subchapter A, of the Code of Federal Regulations as follows:

PART 2—NONADJUDICATIVE PROCEDURES

1. The authority citation for part 2, continues to read as follows:

Authority: Sec. 6, 38 Stat. 721; 15 U.S.C. 46.

2. Section 2.33 is revised to read as follows:

§ 2.33 Compliance procedure.

The Commission may in its discretion require that a proposed agreement containing an order to cease and desist be accompanied by an initial report signed by the respondent setting forth in precise detail the manner in which the respondent will comply with the order when and if entered. Such report will not become part of the public record unless and until the accompanying agreement and order are accepted by the Commission. At the time any such report is submitted a respondent may request confidentiality for any portion thereof with a precise showing of justification therefor as set out in § 4.9(c) and the General Counsel or the General Counsel's designee will dispose of such requests in accordance with that section.

3. Section 2.41(f)(5) is revised to read as follow:

§ 2.41 Reports of compliance.

* * * * *

(f) * * *
(5) Persons submitting information that is subject to public record disclosure under this section may request confidential treatment for that information or portions thereof in accordance with § 4.9(c) and the General Counsel or the General Counsel's designee will dispose of such requests in accordance with that section. Nothing in this section requires that confidentiality requests be resolved prior to, or contemporaneously with, the disposition of the application.

PART 4—MISCELLANEOUS RULES

4. The authority citation for part 4 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721; 15 U.S.C. 46.

5. Section 4.9 is amended by revising paragraphs (b)(7)(i), (c)(1) and (c)(3) to read as follows:

§ 4.9 The public record.

* * * * *

(b) * * *
(7) Compliance/Enforcement (16 CFR 2.33, 2.41). (i) Reports of compliance filed pursuant to the rules in this chapter or pursuant to a provision in a Commission order and supplemental

materials filed in connection with these reports, except for reports of compliance, and supplemental materials filed in connection with Commission orders requiring divestitures or establishment of business enterprises of facilities, which are confidential until the last divestiture or establishment of a business enterprise or facility, as required by a particular order, has been finally approved by the Commission, and staff letters to respondents advising them that their compliance reports do not warrant any further action. At the time each such report is submitted the filing party may request confidential treatment in accordance with paragraph (c) of this section and the General Counsel or the General Counsel's designee will pass upon such request in accordance with that paragraph;

* * * * *

(c) Confidentiality and in camera material. (1) Persons submitting material to the Commission described in this section may designate that material or portions of it confidential and request that it be withheld from the public record. All requests for confidential treatment shall be supported by a showing of justification in light of applicable statutes, rules, orders of the Commission or its administrative law judges, orders of the courts, or other relevant authority. The General Counsel or the General Counsel's designee will act upon such request with due regard for legal constraints and the public interest. No such material or portions of material (including documents generated by the Commission or its staff containing or reflecting such material or portions of material) will be placed on the public record until the General Counsel or the General Counsel's designee has ruled on the request for confidential treatment and provided any prior notice to the submitter required by law.

* * * * *

(3) To the extent that any material or portions of material otherwise falling within paragraph (b) of this section contain information that is not required to be made public under § 4.10 of this part, the General Counsel or the General Counsel's designee may determine, with due regard for legal constraints and the public interest, to withhold such materials from the public record.

6. Section 4.11 is amended by revising paragraphs (c), (d), (f) and (g) to read as follows:

§ 4.11 Disclosure requests.

* * * * *

(c) *Requests from Federal and State law enforcement agencies.* Requests

from law enforcement agencies of the Federal government for nonpublic records shall be addressed to the liaison officer for the requesting agency, or if there is none, to the General Counsel. Requests from State agencies for nonpublic records shall be addressed to the General Counsel. With respect to requests under this paragraph, the General Counsel, the General Counsel's designee, or the appropriate liaison officer is delegated the authority to dispose of them. Alternatively, the General Counsel may refer such requests to the Commission for determination, except that requests must be referred to the Commission for determination where the Bureau having the material sought and the General Counsel do not agree on the disposition. Prior to granting access under this section to any material submitted to the Commission, the General Counsel, the General Counsel's designee, or the liaison officer will obtain from the requester a certification that such information will be maintained in confidence and will be used only for official law enforcement purposes. The certificate will also describe the nature of the law enforcement activity and the anticipated relevance of the information to that activity. A copy of the certificate will be forwarded to the submitter of the information at the time the request is granted unless the agency requests that the submitter not be notified.

(d) *Requests from Federal and State agencies for purposes other than law enforcement.* Requests from Federal and State agencies for access to nonpublic records for purposes not related to law enforcement should be addressed to the General Counsel. The General Counsel or the General Counsel's designee is delegated the authority to dispose of requests under this paragraph. Disclosure of nonpublic information will be made consistent with sections 6(f) and 21 of the FTC Act. Requests under this section shall be subject to the fee and fee waiver provisions of § 4.8.

* * * * *

(f) Requests by current or former employees to use nonpublic memoranda as writing samples shall be addressed to the General Counsel. The General Counsel or the General Counsel's designee is delegated the authority to dispose of such requests consistent with applicable nondisclosure provisions, including sections 6(f) and 21 of the FTC Act.

(g) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, Executive order, or regulation. However, an employee shall not use information

obtained as a result of his Government employment, except to the extent that such information has been made available to the general public or will be made available on request, or when the General Counsel or the General Counsel's designee gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

7. Section 4.15 is amended by revising paragraph (c)(3) to read as follows:

§ 4.15 Commission meetings.

* * * * *

(c) * * *

(3) Closed meeting transcripts or minutes required by 5 U.S.C. 552b(f)(1) will be released to the public insofar as they contain information that either is not exempt from disclosure under 5 U.S.C. 552b(c), or, although exempt, should be disclosed in the public interest. The Commission will determine whether to release, in whole or in part, the minutes of its executive sessions to consider oral arguments. With regard to all other closed meetings, the General Counsel or the General Counsel's designee shall determine, in accordance with § 4.9(c), which portions of the transcripts or minutes may be released.

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By direction of the Commission.

Donald S. Clark,

Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 510

[Docket No. 96N-0007]

Labeling of Drugs for Use in Milk-Producing Animals

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the new animal drug regulations to remove the existing 96-hour withdrawal time limitation, eliminate the requirement to calculate and label on the basis of the number of 12-hour milking periods that have elapsed since treatment, and permit a milk-discard or withdrawal time to be calculated by elapsed hours since treatment. The agency is taking these actions to allow greater flexibility