and show that the requested advance is reasonable and necessary.

(2) You must submit to us or the State agency, as appropriate, an itemized list of what you spent and supporting receipts to be reimbursed.

(3) Arrangements for special means of transportation and related unusual costs may be made only if we or the State agency authorizes the costs in writing in advance of travel, unless the costs are unexpected or unavoidable. If they are unexpected or unavoidable we or the State agency must determine their reasonableness and necessity and must approve them before payment may be made.

(4) If you receive prepayment, you must, within 20 days after your trip, provide to us or the State agency, as appropriate, an itemized list of your actual travel costs and submit supporting receipts. We or the State agency will require you to pay back any balance of the advanced amount that exceeds any approved travel expenses within 20 days after you are notified of the amount of that balance. (State agencies may have their own time limits in place of the 20-day periods in the preceding two sentences.)

(b) You may claim reimbursable travel expenses incurred by your representative for which you have been billed by your representative, except that if your representative makes a claim for them to us or the State, he or she will be reimbursed directly.

(Information collection requirements in paragraph (b) approved by OMB under control number 0960———)

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Food and Drug Administration

21 CFR Part 558

Antibiotic, Nitrofuran, and Sulfonamide Drugs in the Feed of Animals; Republication of Regulation

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is revising the animal drug regulation concerning antibiotic, nitrofuran, and sulfonamide drugs in the feed of animals (21 CFR 558.15) to correct typographical errors, update certain information contained in the regulation, and provide a more readable format. The changes are nonsubstantive.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Robert S. Brigham, Center for Veterinary Medicine (HFV-238), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6243.

SUPPLEMENTARY INFORMATION: FDA established 21 CFR 558.15 by publication in the **Federal Register** of February 25, 1976 (41 FR 8282). To clarify the tables in paragraph (g), FDA republished that portion in the **Federal Register** of March 11, 1977 (42 FR 13549). In this document, FDA is revising 21 CFR 558.15 to correct certain erroneous entries, to reflect the current names of several drug sponsors, to reflect changes in sponsorship, to update certain FDA office designations, and to further clarify the tables. The specific changes are as follows:

1. "Bureau of Veterinary Medicine" is replaced by "Center for Veterinary Medicine" and the proper designation of the office to which reports were required to be sent is inserted.

2. The correct names for several new animal drug application (NADA) sponsors are inserted. The regulation substitutes "Solvay Veterinary Inc." for "E. R. Squibb & Sons, Inc.," "Purina Mills, Inc." for "Ralston Purina," "CEVA Laboratories, Inc." for "Abbott Laboratories," "Hoechst-Roussel Agri-Vet Co." for "American Hoechst Corp," and "VPO, Inc.," for "Vitamin Premixers of Omaha."

3. "Pfizer, Inc., oxytetracycline, sheep * * *" replaces "Pfizer, Inc., penicillin, sheep * * *" to correct an error in paragraph (g)(1).

4. For Pfizer's oxytetracycline/neomycin milk replacer for calves at the higher dose of 40 to 200 and 200 to 400 milligrams per gallon, the indications for use should read "an aid in the treatment of bacterial diarrhea (scours)." This corrects the error in paragraph (g)(2) indicating the "prevention" claim for both lower and higher dose levels.

5. The format in paragraph (g)(2) has been simplified.

6. Several typographical errors have been eliminated in the tables.

The changes are editorial in nature and do not provide substantive revisions to the section. The changes do not in any way alter the status of any of the listed drugs.

Because this revision of 21 CFR 558.15 does not result in any substantive changes in the regulation, the Commissioner of Food and Drugs finds good cause that notice and public comment under the provisions of 5 U.S.C. 553 are unnecessary. The effective date of the revised regulation will be 30 days after the date of publication.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

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, Part 558 is amended to read as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR Part 558 continues to read as follows:

Authority: Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b); 21 CFR 5.10 and 5.83.

2. Section 558.15 is revised to read as follows:

§ 558.15 Antibiotic, nitrofuran, and sulfonamide drugs in the feed of animals.

(a) The Commissioner of Food and Drugs will propose to revoke currently approved subtherapeutic (increased rate of gain, disease prevention, etc.) uses in animal feed of antibiotic and sulfonamide drugs whether granted by approval of new animal drug applications, master files and/or antibiotic or food additive regulations, by no later than April 20, 1975, or the nitrofuran drugs by no later than September 5, 1975, unless data are submitted which resolve conclusively the issues concerning their safety to man and animals and their effectiveness under specific criteria established by the Food and Drug Administration based on the guidelines included in the report of the FDA task force on the use of antibiotics in animal feeds. All persons or firms previously marketing identical, related, or similar products except the nitrofuran drugs not the subject of an approved new animal drug application must submit a new animal drug application by July 19, 1973, or by December 4, 1973, in the case of nitrofuran drugs, if marketing is to continue during the interim. New animal drug entities with antibacterial activity not previously marketed, now pending approval or submitted for approval prior to, on, or following the effective date of this publication, shall satisfy such criteria prior to approval.

(b) Any person interested in developing data which will support retaining approval for such uses of such antibiotic, nitrofuran, and sulfonamide drugs pursuant to section 512(l) of the Federal Food, Drug, and Cosmetic Act shall submit to the Commissioner the following:

(1) By July 19, 1973, records and reports of completed, ongoing, or planned studies, including protocols, on the tetracyclines, streptomycin, dihydrostreptomycin, penicillin, and the sulfonamides; for all other antibiotics by

October 17, 1973; and for the nitrofuran drugs by March 4, 1974. The Food and Drug Administration encourages sponsors to consult with the Center for Veterinary Medicine on protocol design and plans for future studies.

(2) By April 20, 1974, data from completed studies on the tetracyclines, streptomycin, dihydrostreptomycin, the sulfonamides, and penicillin assessing the effect of the subtherapeutic use of the drug in feed on the salmonella reservoir in the target animal as compared to that in nonmedicated controls. Failure to complete the salmonella studies for any of these drugs by that time will be grounds for proceeding to immediately withdraw approval.

(3) By April 20, 1975, data satisfying all other specified criteria for safety and effectiveness, including the effect on the salmonella reservoir for any antibiotic or sulfonamide drugs and by September 5, 1975, for the nitrofuran drugs, approved for subtherapeutic use in animal feeds. Drug efficacy data shall be submitted for any feed-use combination product containing such drug and any feed-use single ingredient antibiotic, nitrofuran, or sulfonamide not reviewed by the National Academy of Sciences—National Research Council, Drug Efficacy Study covering drugs marketed between 1938 and 1962.

(4) Progress reports on studies underway every January 1 and July 1 until completion.

(c) Failure on the part of any sponsor to comply with any of the provisions of paragraph (b) of this section for any of the antibacterial drugs included in paragraph (b)(1) of this section, or interim results indicating a health hazard, will be considered as grounds for immediately proceeding to withdraw approval of that drug for use in animal feeds under section 512(l) of the act in the case of failure to submit required records and reports and under section 512(e) where new information shows that such drug is not shown to be safe.

(d) Criteria based upon the guidelines laid down by the task force may be obtained from the Food and Drug Administration, Center for Veterinary Medicine, 5600 Fishers Lane, Rockville, MD 20857.

(e) Reports as specified in this section shall be submitted to: Food and Drug Administration, Center for Veterinary Medicine, Office of New Animal Drug Evaluation (HFV–100), 5600 Fishers Lane, Rockville, MD 20857.

(f) Following the completion of the requirements of paragraphs (a) and (b) of this section and the studies provided for therein:

(1) Those antibiotic, nitrofuran, and sulfonamide drugs which fail to meet the prescribed criteria for subtherapeutic uses but which are found to be effective for the therapeutic purposes will be permitted in feed only for high-level, short-term therapeutic use and only by or on the order of a licensed veterinarian.

(2) Animal feeds containing antibacterial drugs permitted to remain in use for subtherapeutic purposes shall be labeled to include a statement of the quantity of such drugs.

(g) The submission of applications and data required by paragraphs (a) and (b) of this section is not required for the continued manufacture of any Type B feed which is produced solely from a Type A article that is in compliance with the requirements of this section: *Provided,* That the Type B feed contains no drug ingredient whose use in or on animal feed requires an approved application pursuant to section 512(m) of the act and/or where the Type A article is approved by regulation in this part.

(1) The following antibacterial Type A articles manufactured by the designated sponsors are eligible for interim marketing based on their compliance with the requirements of this section:

Drug sponsor	Type A article	Species	Use levels	Indications for use
International Minerals & Chemicals Corp	Bacitracin zinc	Chickens, turkeys, swine, pheasants, quail, and cattle.	Sec. 558.78	Sec. 558.78.
A. L. Laboratories Inc	do	Chickens, turkeys, pheasants, and quail.	do	Do.
A.L. Laboratories, Inc., SDS Biotech Corp	Bacitracin methylene disalicylate.	Chicken turkeys, swine, and cattle.	Sec. 558.76	Sec. 558.76.
Elanco Products Co	Hygromycin B	Chickens and swine	Sec. 558.274	Sec. 558.274.
Do	Tylosin	Chickens, swine, and beef cattle.	Sec. 558.625	Sec. 558.625.
CEVA Laboratories, Inc	Erythromycin	Chickens, turkeys, and swine.	Sec. 558.248	Sec. 558.248.
The Upjohn Co	Lincomycin	Chickens	Sec. 558.325	Sec. 558.325.
Pfizer, Inc	Oleandomycin	Chickens, turkeys, and swine.	Sec. 558.435	Sec. 558.435.
Hoechst-Roussel Agri-Vet, Inc	Bambermycins	Chickens	Sec. 558.95	Sec. 558.95.
Elanco Products Co	Tylosin and sulfamethazine.	Swine	Sec. 558.630	Sec. 558.630.
American Cyanamid Co., SDS Biotech Corp., Hess & Clark, Pfizer, Inc., and VPO, Inc.	Chlortetracycline	Chickens, turkeys, swine, and cattle.	Sec. 558.128	Sec. 558.128.
Merck Sharp & Dohme Research Labs., and Solvay Veterinary, Inc.	Procaine Penicillin	Chickens, turkeys, swine, pheasants, and quail.	Sec. 558.460	Sec. 558.460.
Pfizer, Inc., VPO, Inc., and Purina Mills, Inc.	Oxytetracycline	Chickens and turkeys	Sec. 558.450	Sec. 558.450.
Do	do	Swine (10 to 30 lb)	25 to 50 g/ton	To increase rate of gain and improve feed efficiency.
Do	do	Swine (30 to 200 lb)	7½ to 10 g/ton	Do.
Do	do	Swine	50 g/ton	As an aid in the prevention of bacterial enteritis, also known as scours, baby pig diarrhea, vibrio dysentery, bloody dysentery, and salmonelosis (necro or necrotic enteritis).
Do	do	do	100 g/ton	As an aid in the treatment of bacterial enteritis, also known as scours, baby pig diarrhea, vibrio dysentery, bloody dysentery, and salmoneliosis (necro or necrotic enteritis).
Do	do	do	50 to 150 g/ton	As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis.
Do	do	do	500 g/ton	In presence of porcine leptospirosis reduces instances of abortion, gives higher survival rate, heavier and healthier new born pigs, reduces urinary shedding of leptospirae and aids in maintenance of normal weight gains and feed consumption. Feed 7 to 14 days, approximately 1 month before farrowing.
Do	do	Calves	0.05 to 0.1 mg/lb of body weight daily or 25 to 75 mg per head daily.	To increase rate of gain and improve feed efficiency.

Drug sponsor	Type A article	Species	Use levels	Indications for use
Do	do	do	0.5 mg/lb of body weight daily or in complete feed at 50 g/ton.	As an aid in the prevention of bacterial diarrhea.
Do	do	do	0.5 to 5.0 mg/lb of body weight daily or complete feed at 50 g/ton.	As an aid in the treatment of bacterial diarrhea.
Do	do	Cattle	75 to 80 mg per head daily.	As an aid in reducing incidence and severity of bloat. As an aid in reducing incidence and severity of liver abscesses (for cattle weighing over 400 lb). To increase rate of gain and improve feed efficiency. As an aid in increasing milk production in lactating dairy cows.
Do	do	do	0.1 to 0.5 mg/lb of body weight daily.	As an aid in the prevention of bacterial diarrhea.
Do	do	do	0.5 to 5.0 mg/lb of body weight daily.	As an aid in the treatment of bacterial diarrhea, also known as scours.
Do	do	do	0.5 to 2.0 g per head daily.	For the prevention and treatment of the early stages of shipping fever complex. Oxytetracycline is effective prophylaxis when fed 3 to 5 days preceding shipment and/or 3 to 5 days following arrival in feed-lots. For treatment of shipping fever, these levels should be fed at onset of the disease symptoms until symptoms disappear.
Do	Oxytetracycline	Sheep	10 to 20 g/ton	To increase rate of gain and improve feed efficiency during finishing period.
Do	do	do	50 g/ton	As an aid in the prevention of bacterial diarrhea, also known as scours, lamb dysentery, and white scours of lambs.
Do	do	do	100 g/ton	As an aid in the treatment of bacterial diarrhea, also known as scours, lamb dysentery, and white scours of lambs.
Do	do	do	25 mg per head daily	As an aid in reduction of losses due to enterotoxemia, also known as overeating disease.
Do	Penicillin and streptomycin.	Chickens, turkeys, and swine.	Secs. 510.515 and 558.460.	Secs. 510.515 and 558.460.
American Cyanamid Co	Chlortetracycline and sulfamethazine.	Cattle	Sec. 558.128	Sec. 558.128.
Merck Sharp & Dohme Research Labs	Procaine penicillin and streptomycin sulfate.	Sec. 558.460	Sec. 558.460	Sec. 558.460.
CEVA Laboratories, Inc	Erythromycin	Cattle	37 mg per head per day	Sec. 558.248.
Hoffman-La Roche, Inc	Sulfadimethoxine and ormetoprim.	Chickens and turkeys	Sec. 558.575	Sec. 558.575.
Pfizer, Inc	Oxytetracycline	Chickens	10 to 50 g/ton	As an aid in increasing egg production.
Pfizer, Inc	do	do	50 to 100 g/ton	To extend period of high egg production, to improve feed efficiency, to improve fertility, and to improve egg production and feed efficiency in presence of disease and at time of stress; as an aid in maintaining and improving hatchability where birds are suffering stress from moving, vaccination, culling, extreme temperature change, and worming; to improve livability of progeny when losses are due to oxytetracycline-susceptible organisms; to improve egg shell quality.
Do	Oxytetracycline and neomycin.	Chickens, turkeys, swine, and calves.	As provided in paragraph (g)(2) of this section.	As provided in paragraph (g)(2) of this section.
American Cyanamid Co. and Pfizer, Inc	Chlortetracycline, sulfamethazine, and penicillin.	Swine	do	Do.
SDS Biotech Corp	Chlortetracycline, sulfathiazole, and penicillin.	do	do	Do.
Hess & Clark and SmithKline Animal Health Products.	Furazolidone	Chickens and turkeys	0.00083 to 0.0011 percent (7½ to 10 g/ton).	To stimulate growth and improve feed efficiency of chickens and turkeys when fed continuously.
Do	do	do	0.0055 percent (50 g/ton)	For prevention of fowl typhoid, paratyphoid, and pullorum in chickens and turkeys when fed continuously in birds older than 2 weeks of age. For aid in prevention of coccidiosis in chickens caused by *E. tenella, E. necatrix*, or *E. acervulina* when fed continuously.
Do	do	do	0.0055–0.011 percent (50–100 g/ton).	Aid in maintenance of feed consumption and growth and reduction of morbidity and mortality due to stress and the following nonspecific conditions. Chronic respiratory disease (air-sac), infectious sinusitis, synovitis (arthritis due to a filterable agent), nonspecific enteritis (bluecomb, mud fever) and quail disease (ulcerative enteritis) when fed continuously prior to or throughout the danger period and during times of stress.
Do	do	do	0.011 percent (100 g/ton)	For prevention of fowl typhoid, paratyphoid and pullorum in chickens and turkeys when fed for the first 2 weeks of the birds' life and followed continuously thereafter by ½ this level (i.e., 0.0055 percent). For treatment of fowl typhoid, paratyphoid, and pullorum in chickens and turkeys when fed for at least 2 weeks except when paratyphoid is due to *S. typhimurium*.
Hess & Clark and SmithKline Animal Health Product.	do	do	do	For reduction of condemnations due to chronic respiratory disease air-sac complex associated with vaccination stress, feed continuously beginning at least 1 week before vaccination. For prevention of infectious hepatitis when fed continuously during the danger period. For control of coccidiosis in chickens caused by *E. tenella, E. necatrix* or *E. acervulina* when fed for 5 to 7 days or longer and followed by ½ this level (i.e., 0.0055 percent) for 2 weeks to aid in preventing recurrence.

Drug sponsor	Type A article	Species	Use levels	Indications for use
Do	do	do	do	For prevention of blackhead (histomoniasis, enterohepatitis) in chickens and turkeys when fed continuously. For prevention of paracolon in chickens and turkeys and hexamitiasis in turkeys when fed throughout the danger period. For control of chronic respiratory disease (air-sac), infectious sinusitis, synovitis (arthritis due to a filterable agent), nonspecific enteritis (bluecomb, mud fever) and quail disease (ulcerative enteritis) when fed for 5 to 10 days and followed with ½ this level (i.e., 0.0055 percent) to aid in preventing recurrence. (NOTE.—Severe outbreaks may require twice the level specified; i.e., 0.022 percent).
Do	do	do	0.011 to 0.022 percent (100 to 200 g/ton)	Aid in maintenance of feed consumption and growth, and reduction of mortality and morbidity due to stress; for the control of the following nonspecific conditions: Chronic respiratory disease (air-sac), infectious sinusitis, synovitis (arthritis due to a filterable agent), nonspecific enteritis (bluecomb, mud fever), and quail disease (ulcerative enteritis) when fed 5 to 10 days. Follow with preventive level to prevent recurrence.
Hess & Clark and SmithKline Animal Health Products.	do	do	0.022 percent (200 g/ton)	For treatment of paratyphoid due to *S. typhimurium* when fed for 2 weeks. For treatment of blackhead (histomoniasis enterohepatitis) in chickens and turkeys when fed for 2 to 3 weeks (following diagnosis). For treatment of paracolon in chickens and turkeys and hexamitiasis in turkeys when fed for 2 weeks or longer (following diagnosis). For control of chronic respiratory disease (air-sac), infectious sinusitis, synovitis (arthritis due to a filterable agent), nonspecific enteritis (bluecomb, mud fever), and quail disease (ulcerative enteritis) when fed for 5 to 10 days and followed with ¼ this level (i.e., 0.0055 percent) to aid in preventing recurrences. For treatment of infectious hepatitis in chickens when fed for 14 days and repeated as necessary.
Do	do	Swine	Sec. 558.262	Sec. 558.262.
Do	Nitrofurazone	Chickens	0.0055 percent (50 g/ton)	Aid in prevention of coccidiosis when fed continuously.
Do	do	Turkeys	do	As an aid in controlling losses due to secondary bacterial invasions concurrent with coccidiosis outbreaks when fed continuously throughout the danger period.
Do	do	Swine	0.055 percent (500 g/ton)	Treatment of necrotic enteritis caused by *S. choleraesuis*.

(2) The following is a list of drug combinations permitted when prepared from antibacterial type A articles listed in paragraph (g)(1) of this section. Drug combinations listed in Subpart B of this part name their sponsors and are incorporated herein by reference since they are safe and effective by contemporary standards, or such sponsors have been notified of any additional safety or efficacy data required on an individual basis:

Drug sponsor	Type A article	Species	Use levels	Indications for use
SDS Biotech Corp	Chlortetracycline and arsanilic acid.	Swine	10 to 50 g/ton and 0.005 to 0.01 percent.	Enhancement of growth and feed efficiency.
American Cyanamid Co	Chlortetracycline and sulfamethazine.	Cattle	Sec. 558.128	Sec. 558.128.
Pfizer, Inc., and VPO, Inc	Oxytetracycline and neomycin base.	Chickens	50 g/ton and 35 to 140 g/ton.	Prevention of diseases from oxytetracycline susceptible organisms during periods of stress. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Pfizer, Inc., and VPO, Inc	do	Chickens (first 2 weeks)	50 to 100 g/ton and 35 to 140 g/ton.	Prevention of early chick mortality due to oxytetracycline-susceptible organisms. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	Chickens	do	To extend period of high egg production, to improve feed efficiency, to improve egg production and feed efficiency in presence of disease and at time of stress. As an aid in maintaining and improving hatchability where birds are suffering stress from moving, vaccinations, culling, extreme temperature changes, and worming; to improve livability of progeny when losses are due to oxytetracycline-susceptible organisms, to improve egg shell quality, prevention of bluecomb (mud fever or nonspecific enteritis). As an aid in the prevention of bacterial enteritis and in the control of nermycon-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	do	100 to 200 g/ton and 35 to 140 g/ton.	Prevention of complicated chronic respiratory disease (air-sac infection) and control of complicated chronic respiratory disease by lowering mortality and severity during outbreaks. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Pfizer, Inc	do	Turkeys	50 g/ton and 35 to 140 g/ton.	As an aid in the prevention of disease from oxytetracycline susceptible organisms during periods of stress. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).

Drug sponsor	Type A article	Species	Use levels	Indications for use
Pfizer, Inc.	do	do	50 to 100 g/ton and 35 to 140 g/ton.	To extend period of high egg production, to improve egg production, to improve feed efficiency, to improve fertility, to improve egg production and feed efficiency in presence of disease and time of stress; as an aid in maintaining and improving hatchability where birds are suffering from stress, exposure, moving, vaccination, culling, extreme losses due to oxytetracycline-susceptible organisms, and to improve egg shell quality prevention of hexamitiasis. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	Turkeys (first 4 weeks)	do	As an aid in the prevention of early poult mortality due to oxytetracycline-susceptible organisms. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	do	100 to 150 g/ton and 35 to 100 g/ton.	As an aid in reducing mortality in birds which have suffered an attack of air-sacculitis (it is recommended, wherever possible, to feed from time of attack to marketing).
Do	do	Turkeys	do	As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	do	100 to 200 g/ton and 35 to 140 g/ton.	Control of bluecomb (mud fever or nonspecific enteritis), infectious sinusitis and hexamitiasis, prevention of infectious synovitis. As an aid in the prevention of bacterial enteritis and in the control of neomycin-sensitive organisms associated with bluecomb (mud fever or nonspecific enteritis).
Do	do	do	200 g/ton and 70 to 140 g/ton.	Control of infectious synovitis. For the treatment of bacterial enteritis and bluecomb (mud fever or nonspecific enteritis).
Pfizer, Inc., and VPO, Inc.	do	Swine	50 g/ton and 35 to 140 g/ton.	As an aid in the prevention of bacterial enteritis (scours), baby pig diarrhea (in baby pigs only), vibrionic dysentery, bloody dysentery, and salmonellosis (necro or necrotic enteritis).
Do	do	do	50 to 150 g/ton and 70 to 140 g/ton.	As an aid in the maintenance of weight gains and feed consumption in the presence of atrophic rhinitis. As an aid in the treatment of bacterial enteritis.
Pfizer, Inc.	do	Calves	50 g/ton and 35 to 140 g/ton.	As an aid in the prevention of bacterial enteritis (scours).
Pfizer, Inc.	do	do	100 g/ton and 70 to 140 g/ton.	As an aid in the treatment of bacterial enteritis (scours).
Do	do	do	8 to 100 mg/gal and 100 to 200 mg/gal reconstituted milk replacer.	As an aid in the prevention of bacterial diarrhea (scours).
Do	do	do	40 to 200 mg/gal and 200 to 400 mg/gal reconstituted milk replacer.	As an aid in the treatment of bacterial diarrhea (scours).
The Upjohn Co.	Lincomycin, amprolium, and ethopabate.	Chickens	Secs. 558.58 and 558.325.	Secs. 558.58 and 558.325.
Do	Lincomycin and zoalene	do	Secs. 558.325 and 558.680.	Secs. 558.325 and 558.680.
Do	Lincomycin, amprolium, ethopabate, and roxarsone.	do	Secs. 558.58, 558.325, and 558.530.	Secs. 558.58, 558.325, and 558.530.
Do	Lincomycin, monensin, and roxarsone.	do	Secs. 558.325, 558.355, and 558.530.	Secs. 558.325, 558.355, and 558.530.
Merck Sharp & Dohme Research Labs, and Pfizer, Inc.	Procaine penicillin and streptomycin.	Chickens and turkeys	2.4 to 7.5 g/ton and 12.0 to 37.5 g/ton.	Sec. 558.460.
Merck Sharp & Dohme Research Labs, and Pfizer, Inc.	do	do	3.75 to 7.5 g/ton and 18.75 to 37.5 g/ton.	Do
Do	do	Chickens	3.75 to 30 g/ton and 18.75 to 150 g/ton.	Do.
Do	do	Turkeys	15 to 30 g/ton and 75 to 150 g/ton.	Do.
Do	do	Chickens	2.4 to 25 g/ton and 15 to 75 g/ton.	Sec. 510.515.
Do	do	Swine	1.5 to 7.5 g/ton and 7.5 to 37.5 g/ton.	Sec. 558.460.
Merck Sharp & Dohme Research Labs., and Pfizer, Inc.	do	do	7.5 to 45 g/ton and 37.5 to 225 g/ton.	Do.
Do	do	do	5 to 25 g/ton and 15 to 75 g/ton.	Sec. 510.515.
Merck Sharp & Dohme Research Labs	Procaine penicillin, streptomycin, and arsanilic acid.	do	1.5 to 7.5 g/ton, 7.5 to 37.5 g/ton, and 45 to 90 g/ton.	Do.
Do	Nicarbazin and procaine penicillin.	Chickens	0.01 to 0.02 percent and 2.4 to 50 g/ton.	Do.
Do	Nicarbazin and bacitracin methylene disalicylate.	do	0.01 to 0.02 percent and 4 to 50 g/ton.	Do.
Do	Nicarbazin, bacitracin methylene disalicylate, and roxarsone.	do	0.01 to 0.02 percent, 4 to 50 g/ton, and 0.0025 to 0.005 percent.	Do.
Do	Nicarbazin, procaine penicillin, and roxarsone.	do	0.01 to 0.02 percent, 2.4 to 50 g/ton, and 0.0025 to 0.025 percent.	Do.
Do	Amprolium and bacitracin methylene disalicylate.	Chickens and turkeys	0.0125 to 0.025 percent and 4 to 50 g/ton.	Secs. 558.55 and 558.76.
Do	Amprolium, ethopabate, and bacitracin methylene disalicylate.	Chickens	0.0125 to 0.025 percent, 0.0004 percent, and 4 to 50 g/ton.	Secs. 558.58 and 558.76.

Drug sponsor	Type A article	Species	Use levels	Indications for use
Do	Amprolium, ethopabate, bacitracin methylene disalicylate, and roxarsone..	do	0.0125 to 0.025 percent, 0.0004 percent, 4 to 50 g/ton, and 0.0025 to 0.005 percent.	Secs. 558.58, 558.76, and 558.530.
Do	Amprolium and procaine penicillin.	Chickens and turkeys	0.004 to 0.025 percent and 2.4 to 50 g/ton.	Secs. 558.55 and 558.460.
Do	Amprolium, procaine penicillin, and roxarsone.	Chickens	0.004 to 0.025 percent, 2.4 to 50 g/ton, and 0.0025 to 0.005 percent.	Secs. 558.55, 558.460, and 558.530.
Do	Amprolium, ethopabate, procaine penicillin, and erythromycin.	do	0.0125 to 0.025 percent, 0.0004 percent, 2.4 to 50 g/ton, and 4.6 to 18.5 g/ton.	Secs. 558.58 and 558.460.
Do	Amprolium and erythromycin.	do	0.0125 to 0.025 percent and 4.6 to 18.5 g/ton.	Sec. 558.55.
Do	Amprolium and ethopabate.	do	0.0125 to 0.025 percent and 0.0004 percent.	Sec. 558-58.
Do	Amprolium, arsanilic acid, and erythromycin.	do	0.0125 to 0.025 percent 0.01 percent, and 4.6 to 18.5 g/ton.	Sec. 558.55.
Do	Amprolium, arsanilic acid, and ethopabate.	do	0.0125 to 0.025 percent, 0.01 percent, and 0.0004 percent.	Sec. 558.58.
Do	Amprolium, ethopabate, and bacitracin methylene disalicylate.	do	0.0125 percent, 0.004 percent, and 4 to 50 g/ton.	Do.
Do	Amprolium, ethopabate, bacitracin methylene disalicylate, and roxarsone.	do	0.0125 percent, 0.004 percent, 5 to 35 g/ton, and 0.00375 percent.	Do.
International Minerals & Chemicals Corp	Bacitracin zinc, amprolium, and ethopabate.	do	4 to 50 g/ton, 0.0125 to 0.025 percent, and 0.0004 percent.	Prevention of coccidiosis. Growth promotion and feed efficiency. Sec.558.78.
Do	Bacitracin zinc, amprolium, ethopabate, and roxarsone.	do	4 to 50 g/ton, 0.0125 to 0.025 percent, 0.0004 percent, and 0.0025 to 0.005 percent.	Prevention of coccidiosis. Growth promotion and feed efficiency. Improving pigmentation. Sec. 558.78.
International Minerals & Chemicals Corp	Bacitracin zinc and arsanilic acid.	Swine	10 to 50 g/ton and 0.005 to 0.01 percent.	Increased rate of weight gain and improved feed efficiency.
Merck Sharp & Dohme Research Labs	Amprolium, ethopabate, procaine penicillin, and roxarsone.	Chickens	0.125 to 0.025 percent, 0.0004 percent, 2.4 to 50 g/ton, and 0.0025 to 0.005 percent.	Secs. 558.58, 558.460 and 558.530.
Pfizer, Inc.	Penicillin and streptomycin.	Chickens and turkeys	2.4 to 25 g/ton and 15 to 75 g/ton.	Sec. 510.515.
Do	Penicillin and streptomycin.	Swine	5 to 25 g/ton and 15 to 75 g/ton.	Do.
Dow Chemical Co	Zoalene and bacitracin methylene disalicylate.	Chickens	0.0125 percent and 4 to 50 g/ton.	Sec. 558.680.
Do	Zoalene, roxarsone, and bacitracin methylene disalicylate.	do	0.0125 percent, 0.005 percent, and 4 to 50 g/ton.	Do.
Do	Zoalene and bacitracin zinc.	do	0.0125 percent and 4 to 50 g/ton.	Do.
Do	Zoalene, roxarsone, and bacitracin zinc.	do	0.0125 percent, 0.0025 to 0.005 percent, and 4 to 50 g/ton.	
Do	Zoalene and penicillin	do	0.0125 percent and 2.4 to 50 g/ton.	Do.
Do	Zoalene, roxarsone, and penicillin.	do	0.0125 percent, 0.0025 to 0.005 percent, and 2.4 to 50 g/ton.	Do.
Do	Zoalene, arsanilic acid, and bacitracin methylene disalicylate or bacitracin zinc.	do	0.0125 percent, 0.01 percent, and 4 to 50 g/ton.	
Dow Chemical Co.	Zoalene, arsanilic acid, and penicillin.	do	0.0125 percent, 0.01 percent, and 2.4 to 50 g/ton.	Do.
Do	Zoalene, and bacitracin methylene disalicylate.	do	0.004 to 0.0125 percent and 4 to 50 g/ton.	Do.
Do	Zoalene, roxarsone, and bacitracin methylene disalicylate.	do	0.004 to 0.0125 percent, 0.0025 to 0.005 percent, and 4 to 50 g/ton.	Do.
Hess & Clark and SmithKline Animal Health Products.	Furazolidone and oxytetracycline.	Swine	0.022 percent (200 g/ton) and 50 to 150 g/ton.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication when fed in prestarters, starters, and growing rations to baby pigs and growing swine for 2 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis.
Do	Furazolidone, oxytetracycline, and arsanilic acid.	do	0.011 percent (100 g/ton), 50 to 100 g/ton, and 0.005 to 0.01 percent.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication and when fed in prestarters, starters, and growing rations to baby pigs and growing swine for 5 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis. Growth promotion and feed efficiency.
Hess & Clark and SmithKline Animal Health Products.	Furazolidone and bacitracin methylene disalicylate, bacitracin zinc, or procaine penicillin.	Chickens and turkeys	0.011 to 0.022 percent (100 to 200 g/ton) and 4 to 50 g/ton, 4 to 50 g/ton, or 2.4 to 50 g/ton.	Sec. 510.515.

Drug sponsor	Type A article	Species	Use levels	Indications for use
Do	Furazolidone and oxytetracycline.	Swine	0.011 percent (100 g/ton) and 50 to 150 g/ton.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication and when fed in prestarters, starters, and growing swine for 5 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis.
Do	do	do	0.0165 percent (150 g/ton) and 50 to 150 g/ton.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication and when fed in prestarters, starters, and growing swine for 3 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis.
Do	Furazolidone, oxytetracycline, and arsanilic acid.	do	0.0165 percent (150 g/ton), 50 to 100 g/ton, and 0.005 to 0.01 percent.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication when fed in prestarters, starters, and growing rations to baby pigs and growing swine for 3 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis. Growth promotion and feed efficiency.
Do	do	do	0.022 percent, 50 to 100 g/ton, and 0.005 to 0.01 percent.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibrionic (bloody) dysentery; growth promotion while on medication when fed in prestarters, starters, and growing rations to baby pigs and growing swine for 2 weeks. As an aid in the maintenance of weight gains and feed consumption in presence of atrophic rhinitis. Growth promotion and feed efficiency.
Whitmoyer Labs, Inc	Carbarsone and bacitracin	Turkeys	Sec. 558.120	Sec. 558.120.
Elanco Products Co	Hygromycin B and tylosin	Chickens	8 to 12 g/ton and 4 to 50 g/ton.	Sec. 558.274.
Do	do	Swine	12 g/ton and 10 to 100 g/ton.	Do.
Salsbury Laboratories	Nitarsone and bacitracin zinc.	Turkeys	0.01875 percent, 4 to 50 g/ton.	As an aid in the prevention of blackhead. To increase rate of weight gain and improve feed efficiency.

Dated: March 7, 1986.

Gerald B. Guest,

Acting Director, Center for Veterinary Medicine.

[FR Doc. 86-5434 Filed 3-13-86; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF JUSTICE

28 CFR Parts 3, 8, and 9a

[Order No. 1128-86]

Seizure for Forfeiture; Assignment of Functions to the Director, Federal Bureau of Investigation

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This order reassigns the delegated responsibilities contained in Parts 3, 8 and 9a from the U.S. Marshals Service to the Federal Bureau of Investigation and revised Part 8 to include delegated authorities to the Federal Bureau of Investigation under the following statutes: Copyrights Act, Motor Vehicle Theft Law Enforcement Act of 1984, Child Protection Act of 1984, Child Protection Act of 1984, and statutes governing Transportation of Gambling Devices, Racketeering (Prohibition of Illegal Gambling Businesses), Prison-Made Goods, Wire Interception and Interception of Oral Communications and Foreign Wars, War Materials, and Neutrality (Illegal Exportation of War Materials). Functions include seizure, appraisement, providing notice of intent to forfeit and declaring that property forfeited.

EFFECTIVE DATE: February 28, 1986.

FOR FURTHER INFORMATION CONTACT: Brad Cates, Director, Asset Forfeiture Office, Department of Justice, P.O. Box 521, Benjamin Franklin Station, Washington, DC 20044, (202) 272-6420.

SUPPLEMENTARY INFORMATION: The existing provisions of Parts 3, 8 and 9a of 28 CFR provide for the FBI to seize property for forfeiture pursuant to Transportation of Gambling Devices, Wire Interception and Interception of Oral Communications and Prohibition of Illegal Gambling Businesses violations but do not provide for the FBI to handle the administrative forfeiture provisions. There are no provisions for the FBI to handle administrative forfeitures pursuant to Prison-Made Goods and Illegal Exportation of War Materials violations and the Copyrights Act, the Motor Vehicle Theft Law Enforcement Act of 1984 and the Child Protection Act of 1984.

This final rule amends the applicable regulations to create one Part, Part 8, which permits the FBI to handle administrative forfeitures regarding all eight identified statutes.

It has been determined that this is an internal management matter not requiring consultation with the Office of Management and Budget under E.O. 12291. Moreover, we hereby certify that this matter will have no impact upon small entities with the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq.

By virtue of the authority vested in me by 28 United States Code 509, 510 and 5 United States Code 301, Chapter I of Title 28, Code of Federal Regulations is amended as follows:

PART 3—[AMENDED]

1. The authority citation for Part 3 continues to read as follows:

Authority: 89 Stat. 379; 5 U.S.C., Sec. 2, Reorganization Plan No. 2 of 1950, 64 Stat. 1261; 3 CFR 1949-1953, unless otherwise noted.

1. Section 3.5 is revised to read as follows:

§ 3.5 Forfeiture of gambling devices.

For purposes of seizure and forfeiture of gambling devices see section 8 of this Chapter.

§ 3.6 [Removed]

2. Section 3.6 is removed in its entirety.

3. The table of contents entry for § 3.5 is revised to read as follows:

Sec.

* * * * *

3.5 Forfeiture of gambling devices

* * * * *

PART 9a—[REMOVED]

4. Part 9a is removed in its entirety.

5. Part 8 is revised to read as follows:

PART 8—FBI FORFEITURE AUTHORITY FOR CERTAIN STATUTES

Sec.
8.1 Definition.
8.2 Designation of officials having seizure authority.
8.3 Designation of the investigative bureau having administrative forfeiture authority, claims for awards, offers in compromise and matter relating to bonds.
8.4 Custody of seized property, inventory and receipt.
8.5 Appraisement of property subject to forfeiture.
8.6 Quick-release authority.
8.7 Judicial forfeiture.
8.8 Notice of seizure when value does not exceed $100,000; advertisement; Declaration of Forfeiture.
8.9 Disposition of Forfeited Property.
8.10 Remission or mitigation of forfeiture.

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510.

§ 8.1 Definition.

For the purpose of this part, the term "statutes" shall include the following statutes unless otherwise noted in this part: Interstate and Foreign Commerce—Gambling Devices—Transportation Prohibited, Jan. 2, 1951, ch. 1194 section 7, 64 Stat. 1135 (codified at 15 U.S.C. 1177, commonly referred to as Transportation of Gambling Devices); Organized Crime Control Act of 1970, Pub. L. 91–452, Title VIII, Part C, section 803(a), 84 Stat. 937 (1970) (codified at 18 U.S.C. 1955, commonly referred to as Illegal Gambling Businesses); Copyrights Act, Pub. L. 94–553, Title I, section 101, 90 Stat. 2768 (1976) (codified at 17 U.S.C. 509); Motor Vehicle Theft Law Enforcement Act of 1984, Pub. L. 98–547, Title II, section 201, 98 Stat. 2754 (1984) (codified at 18 U.S.C. 512); Crimes and Criminal Procedure, June 25, 1948, ch. 645, section 1, 62 Stat. 786 (codified at 18 U.S.C. 1762, commonly referred to as Prison-Made Goods); Child Protection Act of 1984, Pub. L. 98–292, section 6, 98 Stat. 205 (1984) (codified at 18 U.S.C. 2254); Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90–351, Title III, section 802, 82 Stat. 215 (1968) (codified at 18 U.S.C. 2513, commonly referred to as Wire Interception and Interception of Oral Communications); Seizure of Arms and Other Articles Intended for Export, June 15, 1917, ch. 30, Title VI section 1, 40 Stat. 223; June 17, 1930, ch. 497, Title IV, 523, 46 Stat. 740; Aug. 13, 1953, ch. 434, section 1, 67 Stat. 577 (codified at 22 U.S.C. 401, commonly referred to as Illegal Exportation of War Materials).

§ 8.2 Designation of officials having seizure authority.

The Director, Associate Director, Assistants to the Director, Assistant Directors, inspectors, and Agents of the Federal Bureau of Investigation are authorized to seize such property as may be subject to seizure pursuant to statutes identified in § 8.1.

§ 8.3 Designation of the investigative bureau having administrative forfeiture authority; claims for awards, offers in compromise and matters relating to bonds.

The Federal Bureau of Investigation is, in accordance with the statutes identified in § 8.1, authorized and designated as the investigative bureau to perform various duties with respect to forfeiture which are comparable to the duties performed by collectors of customs or other persons with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the customs' laws. The Director of the Federal Bureau of Investigation or his designee is designated as the officer authorized to take final action under these statutes on claims for award of compensation to informers, offers in compromise, and matters relating to bonds or other security.

§ 8.4 Custody of seized property, inventory, and receipt.

All property seized pursuant to the statutes identified in § 8.1 shall be turned over to the United States Marshals Service when not held as evidence or to be placed into official use following forfeiture. An inventory shall be prepared by the Federal Bureau of Investigation of the seized property and a receipt given for it to the person from whom it was seized at the time of seizure or as soon thereafter as practical.

§ 8.5 Appraisement of property subject to forfeiture.

Seized property shall be appraised. The appraisement shall be the function of the Special Agent in Charge, Federal Bureau of Investigation or his designee having custody of the property. The value of an article seized shall be the price at which it or a similar article is fairly offered for sale at the time and place of appraisement.

§ 8.6 Quick-release authority.

Where the forfeiture proceedings are administrative, the Special Agent in Charge, prior to forfeiture, is authorized to release property seized for forfeiture. The property can be quick-released when the Special Agent in Charge deems that there is an innocent owner having an immediate right to possession of the property or when the release would be in the best interest of justice and the Government.

§ 8.7 Judicial forfeiture.

If the appraised value is greater than $100,000 or a claim and satisfactory bond have been received for property appraised at $100,000 or less, the Special Agent in Charge of the FBI field office that seized the property shall transmit the claim and bond to the U.S. Attorney for the judicial district in which the seizure was made for the purpose of instituting judicial forfeiture proceedings. Also transmitted with the claim and bond will be description of the property and a complete statement of the facts and circumstances leading to the seizure of the property.

§ 8.8 Notice of seizure when value does not exceed $100,000; advertisement; Declaration of Forfeiture.

(a) The notice required by customs laws, section 607, Tariff Act of 1930, as amended (19 U.S.C. 1607), of seizure and intention to forfeit and sell or otherwise dispose of property not exceeding $100,000 in value seized pursuant to the statutes identified in 8.1, shall describe the property seized, state the date seized, cause, and place of seizure; and state that any person desiring to claim the property must file with the Special Agent in Charge, Federal Bureau of Investigation (FBI) within 20 days from the date of the first publication of the notice a claim to such property and a bond.

(b) The bond amount shall be $2,500 or ten percent of the value of the claimed property whichever is lower, but not less than $250. The bond posted to cover costs may be in cash, certified check, or satisfactory sureties. When the claim and bond are received by the Special Agent in Charge, he shall, after finding the documents in proper form and the sureties satisfactory, transmit the documents, together with a description of the property and a complete statement of the facts and circumstrances surrounding the seizure, to the United States Attorney for the judicial district in which the seizure was made for purpose of proceeding to forfeiture of the property in a manner prescribed by law. If the documents are not in satisfactory condition when first received, a reasonable time for correction may be allowed. If correction is not made within a reasonable time, the documents may be treated as nugatory, and the administrative forfeiture shall proceed as though they had not been tendered. The filing of the claim and the posting of the bond does not entitle the claimant to possession of the property, however, it does stop the administrative forfeiture proceeding.

(c) The notice for administrative forfeiture proceedings shall be published once each week for at least three successive weeks in a newspaper of general circulation in the judicial district in which the property was seized. If a claim is not made within the time period, the FBI Property Management Officer shall declare the property forfeited.

§ 8.9 Disposition of Forfeited Property.

(a) If the laws of a state in which an article of forfeited property is located prohibit the sale of such property or if the United States Marshals Service is of the opinion that it would be more advantageous to sell the forfeited property in another district, the property may be moved to and sold in such other district as the United States Marshals Service may direct.

(b) If, after the administrative forfeiture of property is completed, it appears that the proceeds of sale will not be sufficient to pay the costs of sale or the proceeds will be insignificant in relation to the expenses involved in the forfeiture, the United States Marshals Service may order the destruction of the property. Similarly, property forfeited under a decree of a court may be destroyed in accordance with section 611, Tariff Act of 1930 (19 U.S.C. 1611). Also, if the sale or use of any article is prohibited under any law of the United States or the state where it is stored, the United States Marshals Service may order it destroyed or cause alteration of the property into an article that is not prohibited.

(c) If arms and munitions are forfeited pursuant to 22 U.S.C. 401(c), the Secretary of Defense should be contacted to determine if he desires this property.

§ 8.10 Remission or mitigation of forfeiture

(a) Any person claiming a legal or equitable interest in any property which has been forfeited pursuant to statutes identified in 8.1, may file, in accordance with the provisions of 28 Code of Federal Regulations (CFR) Part 9, a petition for remission or mitigation of the forfeiture or a petition for restoration of the proceeds of sale or for value of the property placed in official use. If the foreiture proceedings are administrative, the petition shall be addressed to the Director of the FBI and shall be filed in triplicate with the Special Agent in Charge of the FBI field office that seized the property. It must be executed and sworn to by the person alleging interest in the property. If the forfeiture proceedings are judicial, the petition shall be addressed to the Attorney General of the United States and filed in triplicate with the Special Agent in Charge of the FBI field office that seized the property. The petition for a judicial forfeiture shall be sworn to by the petitioner, or by his or her counsel upon information and belief.

(b) The petition shall include the following: (1) A complete description of the property, including model and serial numbers, if any, and the date and place of seizure; (2) the petitioner's interest in the property, which shall be supported by bills of sale, contracts, mortgages, or other satisfactory documentary evidence; and, (3) the facts and circumstances, established by satisfactory proof, relied upon by the petitioner to justify remission or mitigation of the forfeiture. For further information regarding the content of a petition, see 28 CFR 9.5.

(c) Where the petition is for restoration of the proceeds of sale, or for value of the property placed in official use, it must be supported by satisfactory proof that the petitioner did not know of the seizure prior to the declaration of forfeiture and was in such circumstances as prevented petitioner from knowing of the same.

(d) A petition for remission or mitigation of forfeiture should be filed within 30 days of the receipt of the notice of seizure. Once forfeited property is disposed of, a petition for remission or mitigation of forfeiture will no longer be accepted. A petition for restoration of proceeds of sale or for value of the property placed in official use must be filed within 90 days of the sale of the property, or within 90 days of the date the property is placed in official use.

(e) Upon receipt of a petition, an appropriate investigation shall be conducted by the FBI. No hearing shall be held. For administrative forfeitures, the petition and the results of the petition investigation shall be forwarded to the Legal Counsel Division, FBI. Final decisions on petitions for property forfeited administratively shall be made by the Assistant Director, Legal Counsel, FBI or his designee within the Legal Counsel Division, FBI. For judicial forfeitures, the petition and the results of the petition investigation shall be forwarded to the United States Attorney who prosecuted the property. The United States Attorney shall forward the petition and the results of the investigation together with a recommendation as to allowance or denial of the petition to the Assistant Attorney General, Criminal Division. The matter shall be assigned to the Asset Forfeiture Office who shall either grant the petition by remission or mitigation of the forfeiture or shall deny it.

(f) A request for reconsideration of the denial of the petition for an administrative forfeiture must be submitted within 10 days from receipt of the letter denying the petition. Such request shall be addressed to the Director of the FBI for referral to the FBI Legal Counsel Division and shall be based on evidence recently developed or not previously considered. Only one request for reconsideration of a denial of a petition shall be considered. For further information regarding petitions see 28 CFR Part 9.

Dated: February 27, 1986.

Edwin Meese III,

Attorney General.

[FR Doc. 86-5462 Filed 3-13-86; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

South Carolina State Plan; Approval of Revised Compliance Staffing Benchmarks; Corrections

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Approval of revised compliance staffing benchmarks.

SUMMARY: In FR Doc. 86-867 published January 17, 1986, OSHA amended Subpart C of 29 CFR Part 1952 to reflect the Assistant Secretary's approval of revised compliance staffing requirements for the South Carolina State plan and to make related revisions. In redesignating §§ 1952.102, "Level of Federal Enforcement," and 1952.101, "Where the plan may be inspected," as §§ 1952.105 and 1952.106, respectively, the redesignated sections inadvertently duplicated sections already codified under Subpart D of 29 CFR Part 1952 related to the Oregon State plan. This notice will correct that error by redesignating §§ 1952.100, 1952.101, 1952.102, 1952.103, 1952.104, 1952.105 and 1952.106 under Subpart C as §§ 1952.90, 1952.91, 1952.92, 1952.93, 1952.94, 1952.95 and 1952.96, and by making minor editorial modifications to reflect these redesignations. For the purposes of clarity, the full text of "Subpart C—South Carolina" is contained in this notice.

EFFECTIVE DATE: March 14, 1986.

FOR FURTHER INFORMATION CONTACT: James Foster, Director, Office of