14 CFR Part 71

[Airspace Docket No. 88-ASW-39]

Establishment of Transition Area: George West, TX; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: This action corrects a typographical error that was published in the **Federal Register** on April 10, 1989, (54 FR 14211) Document 88-ASW-39, concerning the latitude and longitude coordinates of the Live Oak Airport. The correct coordinates of the Live Oak Airport are as follows:

Latitude—28°21'48" N.
Longitude—98°06'59" W.

EFFECTIVE DATE: May 22, 1989.

FOR FURTHER INFORMATION CONTACT: Bruce C. Beard, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone (817) 624-5561.

Issued in Fort Worth, TX, on May 5, 1989.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 89-12201 Filed 5-19-89; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 770, 771, 774 and 779

[Docket No. 90409-9109]

Exports to Australia and COCOM Membership

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Final rule.

SUMMARY: Australia has joined the Coordinating Committee, or COCOM, a multilateral organization that cooperates in restricting strategic exports to controlled countries. Other members of COCOM include Belgium, Canada, Denmark, France, the Federal Republic of Germany, Greece, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey, the United Kingdom and the United States. As a result, the Department of Commerce is amending the Export Administration Regulations (15 CFR Parts 730-799) to provide Australia the same favored treatment as other COCOM participating countries including General Licenses G-COM, GCG, and G-CEU, shorter processing time frames for validated licenses to Australia, and elimination of U.S. reexport authorization for reexports from Australia to the People's Republic of China (PRC) of commodities described in the Advisory Notes for the PRC or Country Groups QWY. This action will lessen the administrative burden on U.S. exporters and their foreign customers and at the same time enhance the effectiveness of COCOM.

EFFECTIVE DATE: This rule is effective May 22, 1989.

FOR FURTHER INFORMATION CONTACT: David Schlechty, Office of Technology and Policy Analysis, Bureau of Export Administration, Telephone: (202) 377-4252.

SUPPLEMENTARY INFORMATION:

Rulemaking Requirements

1. This rule is consistent with Executive Orders 12291 and 12661.

2. This rule involves collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These collections have been approved by the Office of Management and Budget under Control Numbers 0694-0005 and 0694-0010.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by section 553 of the Administrative Procedure Act (5 U.S.C. 553), or by any other law, under sections 603(a) and 604(a) of the Regulatory Flexibility Act (5 U.S.C. 603(a) and 604(a)) no initial or final Regulatory Flexibility Analysis has to be or will be prepared.

5. Section 13(a) of the Export Administration Act of 1979 (EAA), as amended (50 U.S.C. app. 2412(a)), exempts this rule from all requirements of section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553), including those requiring publication of a notice of proposed rulemaking, an opportunity for public comment, and a delay in effective date. This rule is also exempt from these APA requirements because it involves a foreign and military affairs function of the United States. Section 13(b) of the EAA does not require that this rule be published in proposed form because this rule does not impose a new control. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

Accordingly, it is being issued in final form. However, comments from the public are always welcome. Comments should be submitted to Patricia Muldonian, Office of Technology and Policy Analysis, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

List of Subjects in 15 CFR Parts 770, 771, 774, and 779

Administrative practice and procedures, Computer technology, Exports, Reporting and recordkeeping requirements, and Science and technology.

Accordingly, Parts 770, 771, 774, and 779 of the Export Administration Regulations (15 CFR Parts 730-799) are amended as follows:

1. The authority citations for Parts 770, 771, 774 and 779 continue to read as follows:

Authority: Pub. L. 96-72, Stat. 503 (50 U.S.C. app. 2401 *et seq.*), as amended by Pub. L. 97-145 of December 29, 1981, by Pub. L. 99-64 of July 12, 1985 and by Pub. L. 100-418 of August 23, 1988; E.O. 12525 of July 12, 1985 (50 FR 28757, July 16, 1985); Pub. L. 95-223 of December 28, 1977 (50 U.S.C. 1701 *et seq.*); E.O. 12532 of September 9, 1985 (50 FR 36861, September 10, 1985) as affected by notice of September 4, 1986 (51 FR 31925, September 8, 1986); Pub. L. 99-440 of October 2, 1986 (22 U.S.C. 5001 *et seq.*); and E.O. 12571 of October 27, 1986 (51 FR 39505, October 29, 1986).

PART 770—[AMENDED]

§ 770.2 [Amended]

2. Section 770.2, in the definition of COCOM (Coordinating Committee), is amended by revising the second sentence to read as follows: "It consists of 17 member nations: Australia, Belgium, Canada, Denmark, France, the Federal Republic of Germany, Greece, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey, the United Kingdom and the United States."

§ 770.14 [Amended]

3. Section 770.14(a)(3)(i) is amended by adding the word "Australia," immediately before the word "Belgium,".

PART 771—[AMENDED]

4. Section 771.8(b) is amended by adding the word "Australia" immediately before the word "Austria"

PART 774—[AMENDED]

5. Section 774.3, paragraph (e)(1)(ii) is amended by adding the word "Australia," immediately before the word "Belgium,".

PART 779—[AMENDED]

§ 779.4 [Amended]

6. Section 779.4(f)(2)(ii)(C), the final paragraph of the note is amended by adding the word "Australia," immediately before the word "Belgium,".

§ 779.8 [Amended]

7. Section 779.8(b)(3)(ii) is amended by adding the word "Australia" immediately before the word "Belgium".

Dated: May 18, 1989.

James M. LeMunyon,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 89-12316 Filed 5-18-89; 8:45 am]

BILLING CODE 3510-DT-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 88F-0118]

Indirect Food Additives, Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of hydrogen peroxide, peroxyacetic acid, acetic acid, sulfuric acid, and 2,6-pyridinedicarboxylic acid as components of a sanitizing solution for use on food-processing equipment and utensils, including dairy-processing equipment. This action responds to a petition filed by Diversey Wyandotte Corp.

DATES: Effective May 22, 1989; written objections and requests for a hearing by June 21, 1989.

ADDRESS: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Gillian Robert-Baldo, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of May 26, 1988 (53 FR 19045), FDA announced that a food additive petition (FAP 8H4076) had been filed by Diversey Wyandotte Corp., 1532 Biddle Ave., Wyandotte, MI 48192, proposing that § 178.1010 *Sanitizing solutions* (21 CFR 178.1010) be amended to provide for the safe use of hydrogen peroxide, peroxyacetic acid, acetic acid, sulfuric acid, and 2,6-pyridinedicarboxylic acid as components of a santizing solution for use on food-processing equipment and utensils.

I. Safety of Petitioned Use of the Additives

Sanitizing solutions are mixtures of chemicals. Each listed component in a sanitizing solution must have a functional effect. The subject sanitizing solution contains hydrogen peroxide, peroxyacetic acid, acetic acid, sulfuric acid, and 2,6-pyridinedicarboxylic acid. The functions of each component, and the basis for FDA's determination on their safety, are described below.

A. Hydrogen Peroxide

Hydrogen peroxide is reactant used to form the antimicrobial agent in the subject sanitizing solution. It is used in a regulated sanitizing solution listed in 21 CFR 178.1010(b)(30) and (c)(25). On the basis of the data submitted in support of this regulated use and the data contained in the food additive petition submitted in support of listing this sanitizing solution, FDA finds that the use of hydrogen peroxide in the subject sanitizing solution is safe.

B. Acetic Acid

Acetic acid functions as a reactant used to form the antimicrobial agent and as a pH control agent in the subject sanitizing solution. Acetic acid is used in a regulated sanitizing solution listed in 21 CFR 178.1010(b)(30) and (c)(25). On the basis of the data submitted in support of this regulated use, the data contained in the food additive petition submitted in support of listing this sanitizing solution, and other available data, FDA finds that the use of acetic acid in the subject sanitizing solution is safe.

C. Peroxyacetic Acid

Peroxyacetic acid functions as the antimicrobial agent that is formed from hydrogen peroxide and acetic acid in the subject sanitizing solution. It is used in a regulated sanitizing solution listed in 21 CFR 178.1010(b)(30) and (c)(25). On the basis of the data submitted in support of this regulated use, and the data contained in the food additive petition submitted in support of this sanitizing solution, FDA finds that the use of peroxyacetic acid in the subject sanitizing solution is safe.

D. Sulfuric Acid

Sulfuric acid functions as a reaction catalyst in the subject sanitizing solution. On the basis of the data contained in the food additive petition submitted in support of listing this sanitizing solution, and other available data, FDA finds that the use of sulfuric acid in the subject sanitizing solution is safe.

E. 2,6-Pyridinedicarboxylic Acid

2,6-Pyridinedicarboxylic acid functions as a stabilizer in the subject sanitizing solution by chelating metallic impurities. 2,6-Pyridinedicarboxylic acid is not currently regulated. On the basis of the data contained in the food additive petition submitted in support of listing this sanitizing solution, FDA finds that the use of 2,6-Pyridinedicarboxylic acid in the subject sanitizing solution is safe.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe and effective, and that the regulation in 21 CFR 178.1010 should be amended by adding paragraphs (b)(38) and (c)(33) as set forth below. The agency also concludes that the data in the petition supports the use of this sanitizing solution on dairy-processing equipment as well as on other food-processing equipment and utensils.

In accordance with § 171.1(h) (21 CFR 1271.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

II. Environmental Impact

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an

environmental impact statement is not required. The agency'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.

III. Filing of Objections

Any person who will be adversely affected by this regulation may at any time on or before June 21, 1989 file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, Part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR Part 178 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. Section 178.1010 is amended by adding new paragraphs (b)(38) and (c)(33) to read as follows:

§ 178.1010 Sanitizing solutions.

* * * * *

(b) * * *

(38) An aqueous solution containing hydrogen peroxide (CAS Reg. No. 7722–84–1); peroxyacetic acid (CAS Reg. No. 79–21–0); acetic acid (CAS Reg. No. 64–19–7); sulfuric acid (CAS Reg. No. 7664–93–9); and 2,6-pyridinedicarboxylic acid (CAS Reg. No. 499–83–2). In addition to use on food-processing equipment and utensils, this solution may be used on dairy-processing equipment.

(c) * * *

(33) Solutions identified in paragraph (b)(38) of this section shall provide when ready for use not less than 300 parts per million and not more than 465 parts per million of hydrogen peroxide; not less than 200 parts per million and not more than 315 parts per million of peroxyacetic acid; not less than 200 parts per million and not more than 340 parts per million of acetic acid; not less than 10 parts per million and not more than 20 parts per million of sulfuric acid; and not less than 0.75 parts per million and not more than 1.2 parts per million of 2,6-pyridinedicarboxylic acid.

* * * * *

Dated: May 15, 1989.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 89–12155 Filed 5–19–89; 8:45 am]

BILLING CODE 4160–01–M

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21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Lincomycin and Salinomycin

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by A.H. Robins Co., providing for use of currently approved lincomycin and salinomycin Type A medicated articles to make Type C medicated feed for broiler chickens. The feed is indicated for use for the prevention of coccidiosis and for improved feed efficiency.

EFFECTIVE DATE: May 22, 1989.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV–128), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4317.

SUPPLEMENTARY INFORMATION: A.H. Robins Co., 1405 Cummings Drive, P.O. Box 26609, Richmond, VA 23261, filed NADA 137–537 providing for combining separately approved lincomycin and salinomycin Type A medicated articles to make Type C medicated feed for broiler chickens. The Type C medicated feed contains: salinomycin sodium, 40 to 60 grams per ton; and lincomycin, 2 to 4 grams per ton. The feed is indicated for the prevention of coccidiosis caused by *Eimeria tenella, E. necatrix, E. acervulina, E. maxima, E. brunetti,* and *E. mivati,* and for improved feed efficiency. The NADA is approved and the regulations are amended in 21 CFR 558.325 by adding new paragraph (c)(3)(xv) and in 21 CFR 558.550 by adding new paragraph (b)(3)(xiii). The basis for approval is discussed in the freedom of information summary.

Salinomycin and lincomycin are new animal drugs used in Type A medicated articles to make Type C medicated feeds. Salinomycin is a Category I drug and lincomycin is a Category II drug. Therefore, in accordance with 21 CFR 558.4(e), an approved FDA 1900 is required for making a Type C medicated feed containing the combination of salinomycin and lincomycin as provided for in the approved NADA and 21 CFR 558.550, as amended.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, Room 4–62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.24(d)(1)(ii) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

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 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.