RAILROAD RETIREMENT BOARD

20 CFR Chapter II

Organization, Functions, and Authority Delegations: Research and Employment Accounts Bureau

AGENCY: Railroad Retirement Board.

ACTION: Final rule.

SUMMARY: The Railroad Retirement Board (Board) amends 20 CFR chapter II to remove the title "Bureau of Compensation and Certification" wherever it appears and to substitute in its place the title "Bureau of Research and Employment Accounts", and to remove the title "Director of Compensation and Certification" wherever it appears and to substitute in its place the title "Director of Research and Employment Accounts". This action is being taken as a result of a Board reorganization which merged the former Bureau of Compensation and Certification with the Bureau of Research and Analysis to form the Bureau of Research and Employment Accounts. The position of Director of Compensation and Certification was abolished. Additional nomenclature changes are also made by this regulation. The correction of these titles is necessary to eliminate any confusion which might arise if the obsolete titles were left unchanged.

EFFECTIVE DATE: This final rule is effective June 28, 1990.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4513 (FTS 386-4513).

SUPPLEMENTARY INFORMATION: As the result of a Board reorganization, the Board's former Bureau of Compensation and Certification was merged with the Bureau of Research and Analysis with the result that a new Bureau of Research and Employment Accounts was formed which will take over the duties previously performed by the merged bureaus. This rule simply effects appropriate nomenclature changes to reflect this reorganization. In addition, this regulation removes the obsolete titles in part 200 of the Board's regulations and replaces them with the correct titles.

The Board has determined that this is not a major rule for purposes of Executive Order 12291. Therefore no regulatory impact analysis is required by the Regulatory Flexibility Act (5 U.S.C. 601-611). For purposes of the collection of information within the meaning of the Paperwork Reduction Act of 1980, this nomenclature change will have no legal effect.

Under the authority provided in 45 U.S.C. 231f(b)(5) and 362(b), chapter II, title 20 of the Code of Federal Regulations is amended as follows:

PART 200—[AMENDED]

§ 200.2 [Amended]

1. Section 200.2(c) is amended by removing the titles "Bureau of Data Processing and Accounts" and "Director of Data Processing and Accounts" and by substituting therefor the titles "Bureau of Research and Employment Accounts" and "Director of Research and Employment Accounts" respectively.

PART 209—[AMENDED]

§ 209.12 [Amended]

2. Section 209.12(b) is amended by removing "Bureau of Research, Division of Labor Studies" and by substituting therefor "Bureau of Research and Employment Accounts".

CHAPTER II—[AMENDED]

3. The title "Bureau of Compensation and Certification" is removed wherever it appears and the title "Bureau of Research and Employment Accounts" is substituted therefor.

4. The title "Director of Compensation and Certification" (and "Director of the Bureau of Compensation and Certification") is removed wherever it appears and the title "Director of Research and Employment Accounts" is substituted therefor.

Dated: June 20, 1990.

For the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 90-14999 Filed 6-27-90; 8:45 am]

BILLING CODE 7905-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 74

[Docket No. 90N-0076]

Listing of Color Addititves Subject to Certification; D&C Violet No. 2; Technical Amendment; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of May 2, 1990, for the final rule that amended the color additive regulations to correct a typographical error in the listing for D&C Violet No. 2.

DATES: Effective date confirmed: May 2, 1990.

FOR FURTHER INFORMATION CONTACT: Laura M. Tarantino, Center for Food Safety and Applied Nutrition (HFF-330), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of April 2, 1990 (55 FR 12171), FDA amended 21 CFR 74.1602 by correcting the spelling of the word "polyglactin".

FDA gave interested persons until May 2, 1990, to file objections or requests for a hearing. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA concludes that the final rule published in the **Federal Register** of April 2, 1990, should be confirmed.

List of Subjects in 21 CFR Part 74

Color additives, Cosmetics, Drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201, 401, 402, 403, 409, 501, 502, 505, 601, 602, 701, 706 (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 376)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Food Safety and Applied Nutrition (21 CFR 5.61), notice is given that no objections or requests for a hearing were filed in response to the April 2, 1990, final rule. Accordingly, the amendments promulgated thereby became effective May 2, 1990.

Dated: June 20, 1990.

Douglas L. Archer,

Acting Deputy Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90-14975 Filed 6-27-90; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Altrenogest Solution

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 supplemental new animal drug application (NADA) filed by Roussel-UCLAF. The original NADA provides for use of altrenogest solution to suppress estrus in mares. The supplemental NADA provides for: (1)

Addition to the product's labeling of contraindication statements advising against use of the drug in mares having a history of uterine inflammation, and (2) deletion of the contraindication for use in pregnant mares. The regulations are also being amended to designate the correct dosage.

EFFECTIVE DATE: June 28, 1990.

FOR FURTHER INFORMATION CONTACT: Sandra K. Woods, Center for Veterinary Medicine (HFV-114), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: Roussel-UCLAF, Division Agro-Veterinaire, 163 Avenue Gambetta, 75020 Paris, France, is the sponsor of NADA 131-310 which provides for use of altrenogest solution to suppress estrus in mares. The firm has filed a supplemental NADA providing for addition to the product's labeling of contraindication statements that advise against use of the drug in mares having a previous or current history of uterine inflammation. The new statements are replacing the existing one that warns against use of the drug in pregnant mares (appears on labeling but not in 21 CFR 520.48). The supplement is approved and 21 CFR 520.48(c)(3) is amended to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Section 520.48(c)(1) is amended to correct an error in the existing dosage. It is incorrectly designated as "1 milliliter per 100 pounds body weight (0.05 milligram per kilogram body weight)." It should be "1 milliliter per 110 pounds" body weight (0.044 milligram per kilogram body weight)." The section is amended accordingly.

Approval of this supplement does not qualify for a 3-year exclusivity period because deletion of the contraindication recommending against use in pregnant mares does not expand the product's conditions of use. Addition of the contraindication against use in mares with a history of uterine inflammation does not qualify for exclusivity because the agency has determined that public policy requires that such warnings should appear on all generic copies and because in this case the sponsor did not submit new clinical or field investigations.

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, Rm. 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)(i) 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 520

Animal drugs.

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 part 520 is amended as follows:

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

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

Authority: Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 520.48 is amended in paragraph (c)(1) by removing "100" and "0.05" and replacing it with "110" and "0.044", respectively, and in paragraph (c)(3) by adding the following two sentences after the second sentence to read as follows:

§ 520.48 Altrenogest solution.

* * * * *

(c) * * *

(3) * * * The drug is contraindicated for use in mares having a previous or current history of uterine inflammation (i.e., acute, subacute, or chronic endometritis). Natural or synthetic gestagen therapy may exacerbate existing low-grade or smoldering uterine inflammation into a fulminating uterine infection in some instances. * * *

Dated: June 20, 1990.

Robert C. Livingston,

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

[FR Doc. 90-14976 Filed 6-27-90; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

Access to Employee Exposure and Medical Records; Clarification

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Final rule; clarification.

SUMMARY: This notice clarifies the effectiveness of regulations at 29 CFR 1910.20(g), Access for Employee Exposure and Medical Records, to indicate that all recordkeeping provisions had been approved by the Office of Management and Budget prior to December, 1988.

DATES: The information collection requirements in 29 CFR 1910.20(g) were approved by the Office of Management and Budget and § 1910.20(g) was effective on December 13, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. James F. Foster, Department of Labor, OSHA Office of Public Affairs, 200 Constitution Ave., NW., room N3641, Washington, DC 20210 (202-523-8151).

SUPPLEMENTARY INFORMATION: OSHA published a final rule entitled Access to Employee Exposure and Medical Records (Access) on September 29, 1988 (53 FR 38140). That rule contained recordkeeping requirements in paragraphs (d), (e), (f)(2), (f)(8), (f)(12), (g) and (h) which, prior to their becoming effective, had received approval by the Office of Management and Budget in accordance with The Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* and 5 CFR part 1320. Clearance and approval for all paragraphs cited above in the Access rule which contain recordkeeping provisions was granted by OMB in November, 1988 under OMB clearance number 1218-0065. OSHA published notice of OMB clearance on December 13, 1988 (53 FR 49981). The December 13, 1988 notice, however, inadvertantly omitted citation to paragraph (g) as having been cleared by OMB.

As a result of the error with respect to paragraph (g) in the December 3, 1988 notice of OMB clearance, the Office of the Federal Register assumed that approval of paragraph (g) of 29 CFR 1910.20 had been excepted by OMB and, therefore, was not yet in effect. This assumption resulted in the Office of the Federal Register including the following note at the end of 29 CFR 1910.20 in the July 1, 1989 revision to the CFR:

Effective Date Note: At 53 FR 38163, Sept. 29, 1988, 29 CFR 1910.20 was revised, effective November 28, 1988, except for the recordkeeping requirements in paragraphs (d), (e), (f)(8), (f)(12), (g) and (h) which were to become effective upon approval by the Office of Management and Budget. Each of these paragraphs, except paragraph (g), were subsequently approved by the Office of Management and Budget and became effective December 13, 1988. (See 53 FR 49981, December 13, 1988.) Paragraph (g) will become effective upon approval by the Office of Management and Budget.

As discussed above, however, paragraph (g) was not excepted from clearance by OMB but was erroneously omitted from mention in the December 13, 1988 notice of OMB approval. Thus, this notice clarifies that 29 CFR 1910.20(g) was included in the OMB approval and is in effect.

Signed at Washington, DC, this 20th day of June 1990.

Gerard F. Scannell,

Assistant Secretary of Labor.

[FR Doc. 90-14895 Filed 6-27-90; 8:45 am]

BILLING CODE 4510-26-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2618

Allocation of Assets in Non-Multiemployer Plans

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule; revision of authority citation.

SUMMARY: This final rule amends the Pension Benefit Guaranty Corporation's regulation on Allocation of Assets in Non-Multiemployer Plans, 29 CFR part 2618, by revising the authority citation to reflect current statutory provisions.

EFFECTIVE DATE: June 28, 1990.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Senior Counsel, Office of the General Counsel (Code 22500), Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, DC 20006; telephone 202-778-8824 (202-778-8059 for TTY and TDD). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: This final rule amends the Pension Benefit Guaranty Corporation's regulation on Allocation of Assets in Non-Multiemployer Plans, 29 CFR part 2618, by revising the authority citation to reflect current statutory provisions, and by removing the separate authority citation for subpart C of part 2618.

These amendments serve only to reflect properly the statutory authority for part 2618, and thus impose no new requirements on, nor require any action by, the public. Therefore, the PBGC finds that notice of and public comment on these amendments is unnecessary. For these same reasons, the PBGC finds that good cause exists for making these amendments effective immediately.

E.O. 12291 and Regulatory Flexibility Act

The PBGC has determined that these amendments do not constitute a "major rule" within the meaning of Executive Order 12291, because they will not have an annual effect on the economy of $100 million or more; nor create a major increase in costs or prices for consumers, individual industries, or geographic regions, nor have significant adverse effects on competition, employment, investment, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Because no general notice of proposed rulemaking is required for these amendments, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

PART 2618—ALLOCATION OF ASSETS IN NON-MULTIEMPLOYER PLANS

In consideration of the foregoing, part 2618 of chapter XXVI of title 29, Code of Federal Regulations, is hereby amended as follows:

1. The authority citation for part 2618 is revised to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1344 (1988).

2. The authority citation for subpart C of part 2618 is removed.

Issued in Washington, DC, this 25th day of June, 1990.

James B. Lockhart III,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 90-15050 Filed 6-27-90; 8:45 am]

BILLING CODE 7708-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-90-31]

Special Local Regulations for Marine Events; 4th of July Festival Fireworks Display; Patuxent River, Solomons Island, MD

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for the 4th of July Festival Fireworks Display. The fireworks will be launched from the shore approximately 300 yards southeast from the Thomas Johnson Memorial (State Route 4) Highway Bridge, Solomons Island, Maryland with the shells bursting over the Patuxent River. These regulations are necessary to control spectator craft and to provide for the safety of life and property on navigable waters during the event.

EFFECTIVE DATE: These regulations are effective from 5 p.m. to 11 p.m., July 3, 1990. If inclement weather causes the postponement of the event, the regulations are effective from 5 p.m. to 11 pm., July 7, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen L. Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, (804) 398-6204.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Adherence to normal rulemaking procedures would not have been possible. Specifically, the sponsor's application to hold the event was not received until June 5, 1990, leaving insufficient time to publish a notice of proposed rulemaking in advance of the event.

Drafting Information

The drafters of this notice are QM1 Kevin R. Connors, project officer, Boating Affairs Branch, Fifth Coast Guard District, and Captain Michael K. Cain, project attorney, Fifth Coast Guard District Legal Staff.

Discussion of Regulations

The Solomons Business Association submitted an application dated May 22, 1990 to hold a fireworks display on July 3, 1990 as part of the 4th of July Festival. The fireworks will be launched from the shore approximately 300 yards southeast from the Thomas Johnson Memorial (State Route 4) Highway Bridge, Solomons Island, Maryland with the shells bursting over the Patuxent River. These regulations are necessary to control spectator craft and to provide for the safety of life and property on navigable waters during the event. The main shipping channel will not be closed and commercial traffic should not be severely disrupted.

Economic Assessment and Certification

These regulations are not considered either major under Executive Order 12291 on Federal Regulation or significant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact is expected to be so minimal that a full regulatory