dispensing with notice and public procedure thereon as unnecessary. For the same reason, good cause exists for dispensing with the requirement for a delayed effective date, under 5 U.S.C. 553 (a)(2) and (d)(3). Also, for the same reason, it is certified that the amendments will not have a significant economic impact on a substantial number of small entities. Accordingly, the amendments are not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 or 604.

This document does not meet the criteria for a ''significant regulatory action'' as specified in Executive Order 12866.

Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 10

Caribbean Basin initiative, Customs duties and inspection, Exports, Reporting and recordkeeping requirements.

Amendment to the Regulations

For the reasons set forth in the preamble, Part 10 of the Customs Regulations (19 CFR Part 10) is amended as set forth below.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for Part 10 continues to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1321, 1481, 1498, 1508, 1623, 3314;

* * * * *

§ 10.62 [Amended]

2. Section 10.62(c)(2) is amended by removing the reference ''Customs Form 7506'' and by adding ''Customs Form 7501'' in its place.

George J. Weise,

Commissioner of Customs.

Approved: May 30, 1996.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 96–15750 Filed 6–19–96; 8:45 am]

BILLING CODE 4820–02–P

RAILROAD RETIREMENT BOARD

20 CFR Part 209

RIN 3220–AB16

Railroad Employers' Reports and Responsibilities

AGENCY: Railroad Retirement Board.

ACTION: Final rule.

SUMMARY: The Railroad Retirement Board (Board) hereby amends its regulations to add sections to permit employers to dispose of payroll records after five years, and for the utilization of payroll records to credit service under the Railroad Retirement Act in the case of employers that have ceased operations. These amendments will alleviate needless record retention and ease reporting requirements for employers that have permanently ceased operations.

EFFECTIVE DATE: June 20, 1996.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Assistant General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751–4513, TDD (312) 751–4701.

SUPPLEMENTARY INFORMATION: Employer reports are used to establish employee compensation and service records. These reports are based on payroll records. The Board's rules and procedures regarding the authorization of disposal of these records and the utilization of payroll records of employers who have abandoned service in lieu of employer reports are presently contained in Board Orders, which are not readily available to the public. Accordingly, the Board adopts regulations specifying that railroad employers may dispose of payroll records more than five years old where there is no dispute pending as to the compensation reported for the periods covered by those records. The Board also to amends its regulations to provide that the Board will accept payroll records in lieu of prescribed reports if there is no official of the employer available to prepare and certify to the accuracy of such reports and if the tax liability involved has been discharged.

On February 15, 1996, the Board published this rule as a proposed rule (61 FR 5970) inviting comments on or before April 15, 1996. No comments were received. No changes have been made to the proposed rule. The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866; therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 209

Railroad employees, Railroad retirement, Railroads.

For the reasons set out in the preamble, title 20, chapter II, part 209 of the Code of Federal Regulations is amended as follows:

PART 209—RAILROAD EMPLOYERS' REPORTS AND RESPONSIBILITIES

1. The authority citation for part 209 continues to read as follows:

Authority: 45 U.S.C. 231f.

2. Part 209 is amended by adding §§ 209.16 and 209.17 to read as follows:

§ 209.16 Disposal of payroll records.

Employers may dispose of payroll records for periods subsequent to 1936, *provided that* the payroll records are more than five years old and that there is no dispute pending pertaining to the compensation reported for the period of those records.

§ 209.17 Use of payroll records as returns of compensation.

Payroll records of employers which have permanently ceased operations may be accepted in lieu of prescribed reports *provided that* there is no official of the employer available to prepare and certify to the accuracy of such reports and, *provided further that* any employer and employee tax liability incurred under the Railroad Retirement Tax Act has been discharged.

Dated: June 11, 1996.

By Authority of the Board.

For the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 96–15705 Filed 6–19–96; 8:45 am]

BILLING CODE 7905–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 92F–0339]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of an aqueous solution of chlorine dioxide and related oxychloro species, generated by acidification of an aqueous solution of sodium chlorite with a solution of sodium gluconate, citric acid, phosphoric acid, and sodium mono- and didodecylphenoxybenzenedisulfonate, as a sanitizing solution to be used on food-processing equipment and utensils, including dairy-processing equipment. This action responds to a petition filed by Rio Linda Chemical Co.

DATES: Effective June 20, 1996 written objections and requests for a hearing by July 22, 1996. The Director of the Office of the Federal Register approves the incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 of a publication listed in § 178.1010 (21 CFR 178.1010), effective June 20, 1996.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Mitchell Cheeseman, Center for Food Safety and Applied Nutrition (HFS–217), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3083.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of September 22, 1992 (57 FR 43741), FDA announced that a food additive petition (FAP 2B4334) had been filed by Rio Linda Chemical Co., c/o 1414 Fenwick Lane, Silver Spring, MD 20910. The petition proposed that the food additive regulations be amended in § 178.1010 *Sanitizing solutions* (21 CFR 178.1010) to provide for the safe use of an aqueous solution of chlorine dioxide and related oxychloro species, generated by acidification of an aqueous solution of sodium chlorite with sodium gluconate, citric acid, phosphoric acid, and sodium alkylphenoxybenzenedisulfonate, as a sanitizing solution to be used on food-contact surfaces, food-processing equipment, and utensils. Based on information in the food additive petition, FDA has determined that a more specific and therefore more appropriate name for the form of sodium alkylphenoxybenzenedisulfonate used to generate the subject sanitizing solution is sodium mono- and didodecylphenoxybenzenedisulfonate. This more specific name will be used throughout the remainder of this document.

I. Safety and Functional Effect of Petitioned Use of the Additive

Sanitizing solutions are mixtures of chemicals that function together to sanitize food-contact surfaces and are regulated as such. Each listed component in a sanitizing solution has a functional effect, and the agency evaluates the data submitted in support of the efficacy of the entire sanitizing solution. The subject sanitizing solution is an aqueous solution of chlorine dioxide and related oxychloro species, generated by acidification of an aqueous solution of sodium chlorite with a solution of sodium gluconate, citric acid, phosphoric acid, and sodium mono- and didodecylphenoxybenzenedisulfonate. The functions of these components, and the basis for FDA's determination of the safety of these components in the subject sanitizer, are described below.

A. Chlorine Dioxide

Chlorine dioxide functions as an antimicrobial agent in the subject sanitizing solution. Chlorine dioxide is regulated for use in sanitizing solutions under § 178.1010(b)(34) and is regulated for use as an antimicrobial agent in water used in poultry processing under 21 CFR 173.69. On the basis of the data submitted in support of the already-regulated uses of chlorine dioxide, the data contained in the food additive petition submitted in support of this sanitizing solution, and studies in the scientific literature, FDA finds that the use of chlorine dioxide in the subject sanitizing solution is safe (Ref. 1).

B. Sodium Gluconate

Sodium gluconate functions as a sequestering agent in the subject sanitizing solution. Sodium gluconate is listed as GRAS for use in food as a sequestering agent under 21 CFR 182.6757. In addition, FDA regulations permit the addition to a sanitizing solution of any substance that is GRAS for use in food (§ 178.1010(b)). On the basis of the data supporting the GRAS status of sodium gluconate, FDA finds that the use of sodium gluconate in the subject sanitizing solution is safe (Ref. 1).

C. Citric Acid

Citric acid functions as a sequestering agent in the subject sanitizing solution. Citric acid is affirmed as GRAS for use in food under 21 CFR 184.1033. In addition, as stated in the previous paragraph, FDA regulations permit the addition to a sanitizing solution of any substance that is GRAS for use in food. On the basis of the data supporting the GRAS status of citric acid, FDA finds that the use of citric acid in the subject sanitizing solution is safe (Ref. 1).

D. Phosphoric Acid

Phosphoric acid functions as an activator in the subject sanitizing solution. Phosphoric acid is listed as GRAS for use in food under 21 CFR 182.1073. In addition, FDA regulations permit the addition to a sanitizing solution of any substance that is GRAS for use in food. On the basis of the data supporting the GRAS status of phosphoric acid, FDA finds that the use of phosphoric acid in the subject sanitizing solution is safe (Ref. 1).

E. Sodium Mono- and Didodecylphenoxybenzenedisulfonate

Sodium mono- and didodecylphenoxybenzenedisulfonate functions as a surfactant in the subject sanitizing solution. Sodium mono- and didodecylphenoxybenzenedisulfonate is regulated for use as an emulsifier and surface active agent in the manufacture of food-contact materials under the listing for sodium mono- and dialkylphenoxybenzenedisulfonate in 21 CFR 178.3400(c). On the basis of the data submitted in support of the already-regulated use of sodium mono- and didodecylphenoxybenzenedisulfonate and the data contained in the food additive petition submitted in support of this sanitizing solution, FDA finds that the use of sodium mono- and didodecylphenoxybenzenedisulfonate in the subject sanitizing solution is safe (Ref. 1).

F. Conclusion on Safety

As discussed above, FDA has evaluated data on the antimicrobial efficacy of the entire sanitizing solution and data in the petition and other relevant materials on the safety of each of the components of the sanitizing solution. On the basis of this evaluation, the agency concludes that these data and materials establish the safety and efficacy of the additive for use as a sanitizing solution on food-processing equipment and utensils including dairy-processing equipment, and that the regulations should be amended in § 178.1010 as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(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. Reference

The following reference has been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Memorandum entitled ''FOAM ADD 10—A terminal no-rinse sanitizer—Manufactured by Rio Linda Chemical Corp.,'' dated June 10, 1994.

IV. Filing of Objections

Any person who will be adversely affected by this regulation may at any time on or before July 22, 1996 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, Incorporation by reference.

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, 21 CFR 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, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.1010 is amended by adding new paragraphs (b)(46) and (c)(40) to read as follows:

§ 178.1010 Sanitizing solutions.

* * * * *

(b) * * *

(46) An aqueous solution of chlorine dioxide and related oxychloro species generated by acidification of an aqueous solution of sodium chlorite with a solution of sodium gluconate, citric acid, phosphoric acid, and sodium mono- and didodecylphenoxybenzenedisulfonate. In addition to use on food-processing equipment and utensils, this solution may be used on dairy-processing equipment.

* * * * *

(c) * * *

(40) The solution identified in paragraph (b)(46) of this section shall provide, when ready for use, at least 100 parts per million and not more than 200 parts per million of chlorine dioxide as determined by the method developed by Bio-cide International, Inc., entitled, ''Iodometric Method for the Determination of Available Chlorine Dioxide (50–250 ppm Available ClO_2),'' dated June 11, 1987, which is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of this method are available from the Division of Petition Control, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, and may be examined at the Center for Food Safety and Applied Nutrition's Library, Food and Drug Administration, 200 C St. SW., rm. 3321, Washington, DC, or at the Office of the Federal Register, 800 North Capitol St. NW., suite 700, Washington, DC; at least 380 parts per million and not more than 760 parts per million of sodium gluconate; and at least 960 parts per million and not more than 1,920 parts per million of sodium mono- and didodecylphenoxybenzenedisulfonate. Other components listed under paragraph (b)(46) of this section shall be used in the minimum amount necessary to produce the intended effect.

* * * * *

Dated: June 7, 1996.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 96–15726 Filed 6–19–96; 8:45 am]

BILLING CODE 4160–01–F

21 CFR Part 520

Oral Dosage Form New Animal Drugs; Neomycin Sulfate Oral Solution

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by Rhone Merieux, Inc. The ANADA provides for the use of a generic neomycin sulfate oral solution in drinking water or in milk for cattle (excluding veal calves), swine, sheep, and goats for the treatment and control of colibacillosis.

EFFECTIVE DATE: June 20, 1996.

FOR FURTHER INFORMATION CONTACT: Melanie R. Berson, Center for Veterinary Medicine (HFV–135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1643.

SUPPLEMENTARY INFORMATION: Rhone Merieux, Inc., 7101 College Blvd., Overland Park, KS 66210, filed ANADA 200–153, which provides for the use of neomycin sulfate oral solution in drinking water or in milk of cattle (excluding veal calves), swine, sheep, and goats for the treatment and control of colibacillosis (bacterial scours) caused by *Escherichia coli* susceptible to neomycin. ANADA 200–153 is approved as a generic copy of The Upjohn Co.'s NADA 11–035. The ANADA is approved as of May 8, 1996, and the regulations are amended in 21 CFR 520.1485(b) and (d)(3) to reflect the approval. The basis for approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21