

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 parts 522 and 529 are amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 522.1662a [Amended]

2. Section 522.1662a *Oxytetracycline hydrochloride injection* is amended in paragraph (h)(2) by removing "057319" and adding in its place "059130".

PART 529—CERTAIN OTHER DOSAGE FORM NEW ANIMAL DRUGS

3. The authority citation for 21 CFR part 529 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 529.1044a [Amended]

4. Section 529.1044a *Gentamicin sulfate intrauterine solution* is amended in paragraph (b) by removing "057319" and adding in its place "059130".

Dated: January 28, 1998.

Andrew J. Beaulieu,

Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.
[FR Doc. 98-3294 Filed 2-9-98; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs For Use In Animal Feeds; Salinomycin

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 a supplemental new animal drug application (NADA) filed by Hoffmann-La Roche, Inc. The NADA provides for use of an alternate formulation of salinomycin Type A medicated articles to make Type C medicated feeds.

EFFECTIVE DATE: February 10, 1998.

FOR FURTHER INFORMATION CONTACT:

Mary G. Leadbetter, Center for Veterinary Medicine (HFV-143), Food

and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1662.

SUPPLEMENTARY INFORMATION: Hoffmann-La Roche, Inc., Nutley, NJ 07110-1199, is sponsor of NADA 128-686 that provides for use of Bio-Cox® (salinomycin) Type A medicated articles to make Type C medicated feeds for broiler, roaster, and replacement chickens, and quail. The firm filed a supplement to the NADA that provides for use of a 60-grams-per-pound (g/lb) salinomycin Type A medicated article in addition to the currently approved 30-g/lb product. The supplemental NADA is approved as of January 9, 1998, and the regulations are amended in 21 CFR 558.550(a)(1) to reflect the approval.

Approval of this supplemental NADA does not require additional safety or effectiveness data or information. A freedom of information summary as provided under 21 CFR part 20 and 514.11(e)(2)(ii) is not required.

The agency has determined under 21 CFR 25.33(a)(3) 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 the authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR 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: 21 U.S.C. 360b, 371.

§ 558.550 [Amended]

2. Section 558.550 *Salinomycin* is amended in paragraph (a)(1) by removing "30" and adding in its place "30 and 60".

Dated: January 28, 1998.

Andrew J. Beaulieu,

Acting Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.
[FR Doc. 98-3293 Filed 2-9-98; 8:45 am]

BILLING CODE 4160-01-F

NATIONAL MEDIATION BOARD

29 CFR Part 1200

Repeal of Agency Promulgated Ethics Regulations

AGENCY: National Mediation Board.

ACTION: Final rule.

SUMMARY: The National Mediation Board (NMB) is repealing its regulations on the ethical conduct of employees. The repealed provisions are superseded by Office of Government Ethics (OGE) rules establishing uniform standards of conduct and financial disclosure requirements for executive branch employees.

DATES: This final rule is effective February 10, 1998.

FOR FURTHER INFORMATION CONTACT:

Ronald M. Etters, General Counsel, National Mediation Board, 1301 K Street, NW, Washington, DC 20572, 202-523-5944. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: In 1967 the National Mediation Board (NMB) issued Part 1200 (29 CFR Part 1200, 32 FR 15827, November 17, 1967), primarily pursuant to Executive Order 11222 (30 FR 6469) and regulations issued by the Civil Service Commission (5 CFR 735.104). Executive Order 12674 (April 12, 1989), as modified by Executive Order 12731 (October 7, 1990), revoked Executive Order 11222 (section 501(a)) and directed the Office of Government Ethics (OGE) to "establish a single, comprehensive and clear set of executive-branch standards of conduct that shall be objective, reasonable and enforceable." (Section 201).

OGE issued 5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch (57 FR 35006, August 7, 1992). These standards of conduct superseded agency regulations promulgated pursuant to 5 CFR Part 735. The NMB is removing Part 1200 by repealing all provisions of Subparts A through D which were superseded when OGE's regulations took effect (February 3, 1993).

The NMB has determined that publication of a proposed rule is unnecessary since Part 1200 is duplicative and superseded by OGE rules establishing uniform standards of conduct and financial disclosure regulations for executive branch employees.

List of Subjects in 29 CFR 1200

Conflict of interests.

PART 1200—[REMOVED]

For the reasons set forth in the preamble, and under the authority of Executive Order 12674 of April 12, 1989, Part 1200 of Chapter X of Title 29 of the Code of Federal Regulations is removed.

Dated: February 1, 1998.

Stephen E. Crable,
Chief of Staff.

[FR Doc. 98-3114 Filed 2-9-98; 8:45 am]

BILLING CODE 7550-01-M

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 51**

[FRL-5960-9]

**Technical Amendments to Minor
Amendments to Inspection/
Maintenance Program Requirements;
Correction of Effective Date Under
Congressional Review Act (CRA)**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; correction of effective date under CRA.

SUMMARY: On September 23, 1996 (61 FR 49680), the Environmental Protection Agency published in the **Federal Register** a direct final rule changing a provision of the federal vehicle inspection and maintenance (I/M) rules relating to motorist compliance enforcement mechanisms for pre-existing programs, which established an effective date of November 22, 1996. This document corrects the effective date of the rule to February 10, 1998, to be consistent with sections 801 and 808 of the Congressional Review Act (CRA), enacted as part of the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 801 and 808.

EFFECTIVE DATE: This rule is effective on February 10, 1998.

FOR FURTHER INFORMATION CONTACT: Tom Eagles, OAR, at (202) 260-5585.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 801 of the CRA precludes a rule from taking effect until the agency promulgating the rule submits a rule report, which includes a copy of the rule, to each House of Congress and to the Comptroller General of the General Accounting Office (GAO). EPA recently discovered that it had inadvertently failed to submit the above rule as required; thus, although the rule was promulgated on September 23, 1996 (61

FR 49680) by operation of law, the rule did not take effect on November 22, 1996, as stated therein. Now that EPA has discovered its error, the rule is being submitted to both Houses of Congress and the GAO. This document amends the effective date of the rule consistent with the provisions of the CRA.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553 (b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, an agency may issue a rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making today's rule final without prior proposal and opportunity for comment because EPA merely is correcting the effective date of the promulgated rule to be consistent with the congressional review requirements of the Congressional Review Act as a matter of law and has no discretion in this matter. Thus, notice and public procedure are unnecessary. The Agency finds that this constitutes good cause under 5 U.S.C. 553(b)(B). Moreover, since today's action does not create any new regulatory requirements and affected parties have known of the underlying rule since September 23, 1996, EPA finds that good cause exists to provide for an immediate effective date pursuant to 5 U.S.C. 553(d)(3) and 808(2). Because the delay in the effective date was caused by EPA's inadvertent failure to submit the rule under the CRA, EPA does not believe that affected entities that acted in good faith relying upon the effective date stated in the September 23, 1996, **Federal Register** should be penalized if they were complying with the rule as promulgated.

II. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 23, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is

not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the September 23, 1996, **Federal Register** document.

Pursuant to 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office; however, in accordance with 5 U.S.C. 808(2), this rule is effective on February 10, 1998. This rule is not a "major rule" as defined in 5 U.S.C. 804(2).

This final rule only amends the effective date of the underlying rule; it does not amend any substantive requirements contained in the rule. Accordingly, to the extent it is available, judicial review is limited to the amended effective date.

Dated: January 30, 1998.

Carol Browner,
Administrator.

[FR Doc. 98-3033 Filed 2-9-98; 8:45 am]

BILLING CODE 6560-50-M

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 52**

[FRL-5961-2]

**Technical Amendments to Approval
and Promulgation of Implementation
Plans; State of Missouri; Correction of
Effective Date Under Congressional
Review Act (CRA)**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; correction of effective date under CRA.

SUMMARY: September 5, 1997 (62 FR 46880), the Environmental Protection Agency published in the **Federal Register** a direct final rule approving revisions in the Missouri State rules regarding conformity requirements in Kansas City and St. Louis, which established an effective date of November 4, 1997. This document corrects the effective date of the rule to February 10, 1998, to be consistent with sections 801 and 808 of the Congressional Review Act (CRA), enacted as part of the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 801 and 808.

EFFECTIVE DATE: This rule is effective on February 10, 1998.