

not less than 150 pounds, fed a complete ration containing at least 16 percent crude protein for the last 45 to 90 pounds of gain prior to slaughter. This supplemental NADA is approved as of October 20, 2006, and the regulations in 21 CFR 558.500 are amended to reflect both approvals. The basis of these approvals is discussed in the freedom of information summaries.

In accordance with the freedom of information provisions of 21 CFR part 20 and 21 CFR 514.11(e)(2)(ii), summaries of safety and effectiveness data and information submitted to support approval of these applications may be seen in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

FDA has determined under 21 CFR 25.33(a)(1) that these actions are of a type that do not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment

nor an environmental impact statement is required.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

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.

■ 2. Amend § 558.500 as follows:

- a. Revise paragraph (d)(1)(i);
- b. Add paragraph (d)(1)(iii);

c. In the table in paragraph (e)(1), revise paragraph (e)(1)(i);

d. In the table in paragraph (e)(1), in paragraphs (e)(1)(ii) and (e)(1)(iii), in the "Ractopamine in grams/ton" column, remove "4.5" and add in its place "4.5 to 9"; and

e. In the table in paragraph (e)(1), remove paragraphs (e)(1)(iv), (e)(1)(v), and (e)(1)(vi).

The revisions, addition, and removals read as follows:

§ 558.500 Ractopamine.

* * * * *

(d) * * *

(1) * * *

(i) Ractopamine may increase the number of injured and/or fatigued pigs during marketing.

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(iii) No increased benefit has been shown when ractopamine concentrations in the diet are greater than 4.5 g/ton.

* * * * *

(e) * * *

(1) * * *

Ractopamine in grams/ton	Combination grams/ton	Indications for use	Limitations	Sponsor
(i) 4.5 to 9		For increased rate of weight gain, improved feed efficiency, and increased carcass leanness in finishing swine, weighing not less than 150 lbs, fed a complete ration containing at least 16% crude protein for the last 45 to 90 lbs of gain prior to slaughter.	Feed continuously as sole ration.	000986
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Dated: November 7, 2006.

Steven D. Vaughn,

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

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD11-06-043]

RIN 1625-AA09

Drawbridge Operation Regulations; Little Potato Slough, Terminous, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eleventh Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Highway 12 Drawbridge across Little Potato Slough, mile 0.1, at Terminous, CA. This deviation allows the bridge to remain in the closed-to-navigation position during the deviation period. The deviation is necessary for the bridge owner, the California Department of Transportation (Caltrans), to perform submarine power and control cable testing.

DATES: This deviation is effective from 10 a.m. to 4 p.m. on November 28, 2006.

ADDRESSES: Materials referred to in this document are available for inspection or copying at Commander (dpw), Eleventh Coast Guard District, Building 50-2, Coast Guard Island, Alameda, CA 94501-5100, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: David H. Sulouff, Chief, Bridge Section,

Eleventh Coast Guard District, telephone (510) 437-3516.

SUPPLEMENTARY INFORMATION: On October 25, 2006, Caltrans requested a temporary change to the operation of the Highway 12 Drawbridge, mile 0.1, Little Potato Slough, at Terminous, CA. The Highway 12 Drawbridge navigation span provides a vertical clearance of 34 feet above Mean High Water in the closed-to-navigation position. The draw opens on signal if at least 4 hours notice is given as required by 33 CFR 117.167. Navigation on the waterway is mainly recreational with some commercial traffic hauling materials for levee repair. Caltrans requested the drawbridge be allowed to remain closed to navigation from 10 a.m. to 4 p.m. on November 28, 2006. During this time, submarine power and control cable testing will be conducted to ensure the continuing operation of the drawspan. This temporary deviation has been coordinated with waterway users. No objections to the proposed temporary rule were raised. Vessels that can transit

the bridge while in the closed-to-navigation position may continue to do so at any time. Vessels unable to transit the bridge in the closed-to-navigation position can take alternate routes to reach either side of the closed bridge.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: November 8, 2006.

R.C. Lorigan,

*Captain, U.S. Coast Guard, Acting
Commander, Eleventh Coast Guard District.*

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD05-05-131]

RIN 1625-AA09

Drawbridge Operation Regulations; New Jersey Intracoastal Waterway, Manasquan River, NJ

AGENCY: Coast Guard, DHS.

ACTION: Final Rule.

SUMMARY: The Coast Guard is changing the regulations that govern the operation of the Route 35 Bridge, at New Jersey Intracoastal Waterway (NJICW) mile 1.1, across Manasquan River, at Brielle, New Jersey. The final rule will allow the drawbridge to provide vessel openings upon four hours advance notice from December 1 to March 31. This change will eliminate the continual attendance of draw tender services during the non-peak boating season while still providing the reasonable needs of navigation.

DATES: This rule is effective December 21, 2006.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-05-131 and are available for inspection or copying at Commander (dpb), Fifth Coast Guard District, Federal Building, 1st Floor, 431 Crawford Street, Portsmouth, VA 23704-5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Fifth Coast Guard District maintains the public docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: Bill H. Brazier, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398-6422.

SUPPLEMENTARY INFORMATION:

Regulatory History

On December 21, 2005, we published a notice of proposed rulemaking (NPRM) entitled "Drawbridge Operation Regulations; New Jersey Intracoastal Waterway; Manasquan River, NJ" in the **Federal Register** (70 FR 75765). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

The New Jersey Department of Transportation (NJDOT) owns and operates the Route 35 Bridge, at NJICW mile 1.1, across Manasquan River, at Brielle, New Jersey. The current operating regulations set out in 33 CFR 117.733(b) requires the drawbridge to open on signal except as follows: From May 15 through September 30, on Saturdays, Sundays and Federal holidays, from 8 a.m. to 10 p.m. the draw need only open 15 minutes before the hour and 15 minutes after the hour; on Mondays to Thursdays from 4 p.m. to 7 p.m., and on Fridays, except Federal holidays, from 12 p.m. to 7 p.m. the draw need only open 15 minutes before the hour and 15 minutes after hour; and year-round from 11 p.m. to 8 a.m., the draw need only open if at least four hours notice is given.

The Route 35 Bridge, a bascule-type drawbridge, has a vertical clearance in the closed position to vessels of 30 feet, at mean high water.

The NJDOT has requested a change to the existing regulations for the Route 35 Bridge. This final rule will reduce draw tender services during the non-peak boating season by requiring openings of the bridge if at least four hours advance notice is given from December 1 to March 31.

We reviewed the yearly drawbridge logs provided by NJDOT for the years 2000 to 2004, which revealed that the bridge opened for vessels 970, 835, 811, 716 and 685 times, respectively. NJDOT contends that the vessel traffic through the bridge is minimal during the winter months. During the period from December 1 to March 31, from 7 a.m. to 11 p.m., the bridge data for the years 2000 to 2004, the bridge opened 51, 61, 49, 48 and 47 times, respectively. The data shows a significant decrease in the number of bridge openings during the non-peak boating season.

Based on the data provided, this change will have minimal impact on vessel traffic.

Discussion of Comments and Changes

The Coast Guard received no comments on the NPRM, and no changes were made.

Discussion of Rule

This final rule amends the regulations governing the Route 35 Bridge over the Manasquan River, at NJICW mile 1.1, at Brielle, New Jersey, set out in 33 CFR 117.733(b) by revising paragraph(b)(2).

An amended paragraph (b)(2) will read "Year-round from 11 p.m. to 8 a.m. and at all times from December 1 to March 31, the draw need only open if at least four hours notice is given."

Regulatory Evaluation

This final rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. We reached this conclusion based on the historical data, and on the fact that this change supports minimal impact due to the reduced number of vessels requiring transit through the bridge.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

For the reasons cited in the section on economic effects above, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process.