invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 98–SW–49–AD.'' The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

99–09–20 Bell Helicopter Textron Canada: Amendment 39–11153. Docket No. 98–SW–49–AD.

Applicability: Model 222 helicopters, serial numbers (S/N) 47006 through 47089, Model 222B helicopters, S/N's 47131 through 47156, and Model 222U helicopters, S/N's 47501 through 47574, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent fretting induced fatigue cracking of the main rotor flapping bearing assembly (flapping bearing assembly) and around the bolt holes of the main rotor pitch horn (pitch horn), loss of the rotor system, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 10 hours time-in-service (TIS), and thereafter at intervals not to exceed 150 hours TIS:

(1) Perform a visual inspection of the main rotor hub for fretting between the pitch horn and main rotor grip tangs (grip tangs) and between the flapping bearing assembly and the main rotor yoke assembly. If fretting is found on any part, replace it with an airworthy part.

(2) Verify the torque of the main rotor grip retaining bolts and the flapping bearing assembly bolts in the tightening direction, minimum 100 foot-pounds. If 100 foot-pounds torque is reached without movement of the bolts, torque bolts to 125 foot-pounds.

(3) If any bolt moves before 100 foot-pounds torque is reached, remove the pitch horn or the flapping bearing assembly, as applicable, from the main rotor hub assembly for further inspection. Inspect the pitch horn or flapping bearing assembly, as applicable, and all faying surfaces of the pitch horn, flapping bearing assembly, buffers, main rotor yoke assembly, and the grip tangs for fretting. If fretting is found on any part, replace it with an airworthy part.

(4) Apply corrosion preventive compound to the exposed portions of the bolts and nuts.

Note 2: Bell Helicopter Textron Alert Service Bulletin Nos. 222–98–81 and 222U–98–52, both dated April 23, 1998, pertain to the subject of this AD.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Rotorcraft Certification Office, FAA, Rotorcraft Directorate. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on May 14, 1999.

Note 3: The subject of this AD is addressed in Transport Canada (Canada) AD CF–98–16, dated July 15, 1998.

Issued in Fort Worth, Texas, on April 22, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99–10669 Filed 4–28–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 520 and 556

Oral Dosage Form New Animal Drugs; Piperazine

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 Fleming Laboratories, Inc. The supplemental NADA provides for the safe and effective use of piperazine in chickens, turkeys, and swine for the treatment of certain parasitic infections. The approval reflects compliance with the results of the National Academy of Sciences/National Research Council (NAS/NRC) Drug Efficacy Study Implementation (DESI) evaluation of the effectiveness of piperazine and FDA's conclusions concerning that evaluation. FDA also is amending the regulations to provide tolerances for piperazine residues.

EFFECTIVE DATE: April 29, 1999.

FOR FURTHER INFORMATION CONTACT: Dianne T. McRae, Center for Veterinary Medicine (HFV–102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–0212.

SUPPLEMENTARY INFORMATION: Fleming Laboratories, Inc., P.O. Box 34384, Charlotte, NC 28234, filed a supplement to its approved NADA 10–005 for use of piperazine soluble powder and liquid for oral treatment of chickens and turkeys for roundworm infections and swine for roundworm and nodular worm infections. NADA 10–005 was originally approved on June 9, 1955. The drug was the subject of a NAS/NRC evaluation of effectiveness under FDA's DESI program (DESI 10–005V). The findings of the evaluation were published in the **Federal Register** of February 14, 1969 (34 FR 2213). The NAS/NRC DESI report concluded that the drug is effective as an anthelmintic for dogs, cats, chickens, turkeys, horses, swine, sheep, and cattle. FDA concurred with the conclusions of the report. Fleming Laboratories, Inc., filed a supplemental NADA providing revised labeling that brought its drug into compliance with the results of the NAS/NRC DESI evaluation and FDA's conclusions based on that evaluation.

The supplemental NADA provides for treatment of animals for parasitic infections as follows: (1) Chickens and turkeys, for *Ascaridia* spp., chickens at 50 milligrams (mg)/bird under 6 weeks and 100 mg/bird over 6 weeks; turkeys at 100 mg/bird up to 12 weeks and 200 mg/bird over 12 weeks according to size, at 0.2 to 0.4 percent in feed or 0.1 to 0.2 percent in water for 1 to 2 days; and (2) swine, for *Ascaris suum and Oesophagostomum* spp., at 50 mg/pound (lb) body weight, at 0.2 to 0.4 percent in feed or 0.1 to 0.2 percent in water for 1 to 2 days.

The supplement is approved as of March 23, 1999, and the regulations are amended by adding 21 CFR 520.1807 to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In addition, tolerances for residues of piperazine in edible tissues of food-producing animals have been established. The regulations are amended by adding 21 CFR 556.513 to establish the residue tolerances.

In accordance with the freedom of information provisions of 21 CFR part 20 and 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this supplemental application may be seen in the Dockets Management Branch (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 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.

FDA has previously informed manufacturers of piperazine products for food-producing animals not covered by approved applications that such products may be subject to regulatory action. FDA advised sponsors of DESI-reviewed piperazine products to pursue finalization of their NADA's at the earliest possible time. FDA now is providing public notice that it is prepared to take regulatory action against unapproved piperazine products for food-producing animals. In order to provide for an orderly phaseout, the manufacture of piperazine powder and liquid that is not the subject of an approved NADA or abbreviated new animal drug application (ANADA) shall cease by August 27, 1999, and the distribution of said products not manufactured under an approved application shall also cease by that date.

List of Subjects

21 CFR Part 520

Animal drugs.

21 CFR Part 556

Animal drugs, Foods.

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 520 and 556 are amended as follows:

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

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

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

2. Section 520.1807 is added to read as follows:

§ 520.1807 Piperazine.

(a) *Specifications.* A soluble powder or liquid containing piperazine dihydrochloride or dipiperazine sulfate, equivalent to 17, 34, or 230 grams of piperazine per pound or 100 milliliters.

(b) *Sponsor.* See 015565 in § 510.600(c) of this chapter.

(c) *Related tolerances.* See § 556.513 of this chapter.

(d) *Conditions of use*—(1) *Chickens*—(i) *Amount.* 50 milligrams per bird under 6 weeks, 100 milligrams per bird over 6 weeks.

(ii) *Indications for use.* For removal of large roundworm (*Ascaridia* spp.).

(iii) *Limitations.* For use in drinking water or feed. Use as sole source of drinking water. Prepare fresh solution daily. Use as 1-day single treatment. Withdraw 14 days prior to slaughter. Do not use for chickens producing eggs for human consumption. Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

(2) *Turkeys*—(i) *Amount.* 100 milligrams per bird up to 12 weeks and 200 milligrams per bird over 12 weeks.

(ii) *Indications for use.* For removal of large roundworm (*Ascaridia* spp.).

(iii) *Limitations.* For use in drinking water or feed. Use as sole source of drinking water. Prepare fresh solution daily. Use as 1-day single treatment. Withdraw 14 days prior to slaughter. Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

(3) *Swine*—(i) *Amount.* 50 milligrams per pound of body weight.

(ii) *Indications for use.* For removal of large roundworm (*Ascaris suum*) and nodular worms (*Oesophagostomum* spp.).

(iii) *Limitations.* For use in drinking water or feed. Use as sole source of drinking water. Prepare fresh solution daily. Use as 1-day single treatment. Withdraw 21 days prior to slaughter. Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

3. The authority citation for 21 CFR part 556 continues to read as follows:

Authority: 21 U.S.C. 342, 360b, 371.

4. Section 556.513 is added to subpart B to read as follows:

§ 556.513 Piperazine.

A tolerance of 0.1 part per million piperazine base is established for edible tissues of poultry and swine.

Dated: April 19, 1999.

Margaret Ann Miller,

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

[FR Doc. 99–10696 Filed 4–28–99; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF JUSTICE

28 CFR Part 16

Production or Disclosure of Material or Information

CFR Correction

At 63 FR 51300, Sept. 25, 1998, the correction document published should have stated paragraphs (a) and (b) of § 16.41 were being corrected.

[FR Doc. 99–55516 Filed 4–28–99; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF LABOR

Equal Employment Opportunity Commission

29 CFR Part 1601

Procedural Regulations

CFR Correction

In Title 29 of the Code of Federal Regulations, parts 900 to 1899, revised as of July 1, 1998, page 154, § 1601.74 is corrected by adding footnote four as follows:

§ 1601.74 Designated and notice agencies.

(a) * * *

[FR Doc. 99–55517 Filed 4–28–99; 8:45 am]

BILLING CODE 1505–01–D

[4] The Colorado State Personnel Board has been designated as a FEP agency for only those charges which relate to appointments, promotions, and other personnel actions that take place in the State personnel system. In addition, it has been designated as a FEP agency for all of the above mentioned charges except charges which allege a violation of section 704(a) of title VII. For this type of charge it shall be deemed a ''Notice Agency'' pursuant to 29 CFR 1601.71(b).

FEDERAL MARITIME COMMISSION

46 CFR Parts 510, 515 and 583

[Docket No. 98–28]

Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries

AGENCY: Federal Maritime Commission.

ACTION: Confirmation of interim final rule and correction.

SUMMARY: This rule confirms as final the interim rule published on March 8, 1999, which added a provision to the Federal Maritime Commission's licensing requirements to allow foreign non-vessel-operating common carriers the opportunity to seek to obtain a license. In addition, this document contains a correction to the final regulations which were published in the same document on March 8, 1999.

DATES: Effective May 1, 1999.

FOR FURTHER INFORMATION CONTACT:

Austin L. Schmitt, Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, 800 North Capitol Street, NW, Washington, DC 20573–0001, (202) 523–5796

Thomas Panebianco, General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW, Washington, DC 20573–0001, (202) 523–5740

SUPPLEMENTARY INFORMATION:

On February 26, 1999, the Federal Maritime Commission (''FMC'' or ''Commission'') adopted new regulations at 46 CFR part 515 to implement changes made by the Ocean Shipping Reform Act of 1998 (''OSRA''), Pub. L. 105–258, 112 Stat. 1902, to the Shipping Act of 1984 (''1984 Act''), 46 U.S.C. app. section 1701 *et seq.*, relating to ocean freight forwarders and non-vessel-operating common carriers (''NVOCCs''), 64 FR 11155–11183, March 8, 1999.

As part of the final rule, the Commission published as an interim final rule a provision to allow foreign NVOCCs the opportunity to seek to obtain a license under the provisions of 46 CFR part 515. We explained that pursuant to the definition of ''in the United States'' in 46 CFR 515.3 adopted by the Commission, a foreign NVOCC could choose to establish a presence in the United States for licensing purposes in accordance with 515.3 and secure financial responsibility applicable to NVOCCs in the United States. To establish a presence in the United States necessary to obtain a license under this part, a foreign NVOCC must set up an unincorporated office that is resident in the United States. We would not consider the foreign NVOCC's primary location in the United States to be a separate branch office subject to additional licensing and financial responsibility requirements of this part. However, in the event that the licensee seeks to establish other branch offices in addition to its primary United States office, those other offices would be subject to the licensing and financial responsibility requirements applicable to separately incorporated and unincorporated branch offices.

We further limited the option of a foreign entity becoming licensed under this part to NVOCCs, and not freight forwarders, because an ''ocean freight forwarder'' is defined in § 515.2(o)(1) as a person who dispatches shipments ''from the United States.'' Moreover, a freight forwarder has a fiduciary relationship with its customer, and a foreign freight forwarder, by its very nature, would be performing services for its customers in a foreign country beyond the reach of the Commission. Finally, in order to better assist foreign NVOCCs who seek to become licensed under this part, we amended § 515.11(a)(1) to provide that a foreign NVOCC's experience in ocean transportation intermediary (''OTI'') services need not be in the United States.

We sought comments on those aspects of the rule that were implemented as an interim final rule. We received comments from North American Van Lines, Inc., t/a North American International, who supports the Commission's proposal to permit foreign NVOCCs to obtain a license, believing it will result in enhanced compliance with the 1984 Act. No other comments were received, and, therefore, we implement as final those provisions which allow foreign NVOCCs to seek to obtain a license under 46 CFR part 515.

As the Commission is preparing to implement the licensing and financial responsibility requirements of this part, several issues have been raised which we will now address.

With respect to the licensing requirements of § 515.11, in the supplementary information to the final rule, we stated that an NVOCC with a tariff and financial responsibility in effect as of April 30, 1999, would be permitted to continue operating without the requisite three years' experience and character requirement. 64 FR 11158–59. However, in § 515.11(a)(3), the reference to the character requirement was inadvertently omitted. Therefore, § 515.11(a)(3) is corrected to reflect that an NVOCC with a tariff and financial