updated technology, such as computers and e-mail, to request reconsideration of an initial decision. Specifically, the Board amends section 320.10(a) to allow railroad employers to file requests for reconsideration under the RUIA via an electronic program that has been approved by the agency.

In addition, the Railroad Retirement Board amends section 320.10(c) to change the incorrect reference of ''§ 310.12'' to the correct references of ''§ 320.12'' in the last two sentences of this section.

Section 320.10(d) is amended to change the incorrect references of ''§ 310.5'' to the correct reference of ''§ 320.5'' in the first sentence of this section. This section is also amended to provide that a railroad employer's request for reconsideration can be made in writing or electronically.

The Board published the proposed rule on July 25, 2005 (70 FR 42517) and invited comments by September 23, 2005. No comments were received. Accordingly, the proposed rule is being published as a final rule without change.

Collection of Information Requirements

There is an information collection impacted by the amended rule:

The Railroad Retirement Board is providing notice that OMB has approved the information collection requirements contained in the affected sections of these final rules. The OMB Control Number for this collection is 3220–0171, expiring June 30, 2008.

The Board, with the concurrence of the Office of Management and Budget (OMB), has determined that this is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory impact analysis is required.

List of Subjects in 20 CFR Part 320

Administrative practice and procedure, Claims, Railroad unemployment insurance, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, the Railroad Retirement Board amends title 20, Chapter II, subchapter C, part 320 of the Code of Federal Regulations as follows:

PART 320–INITIAL DETERMINATIONS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND REVIEWS OF AND APPEALS FROM SUCH DETERMINATIONS

■ 1. The authority citation for part 320 continues to read as follows:

Authority: 45 U.S.C. 355 and 362(1).

■ 2. Section 320.10 is amended as follows:

■ a. Add a new sentence at the end of paragraph (a);

■ b. Amend paragraph (c) by removing the reference to ''§ 310.12'' and adding a reference to ''§ 320.12'' in its place wherever it appears; and

■ c. Revise paragraph (d).

The addition and revision read as follows:

§ 320.10 Reconsideration of initial determination.

(a) * * * A railroad employer may fulfill the written request requirement by using an electronic system that has been approved by the agency in the manner prescribed by the agency.

* * * * *

(d) Right to further review of initial determination. The right to further review of a determination made under § 320.5 or § 320.9 of this part shall be forfeited unless a written request for reconsideration is filed within the time period prescribed in this section or good cause is shown by the party requesting reconsideration for failing to file a timely request for reconsideration. A railroad employer may fulfill the written request requirement by using an electronic system approved by the agency in the manner prescribed by the agency.

* * * * *

Dated: September 5, 2006.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. E6–14883 Filed 9–7–06; 8:45 am]

BILLING CODE 7905–01–P

RAILROAD RETIREMENT BOARD

20 CFR Part 341

RIN 3220–AB60

Electronic Filing of Settlement and Final Judgment Notices by Railroad Employers

AGENCY: Railroad Retirement Board.

ACTION: Final rule.

SUMMARY: The Railroad Retirement Board (Board) amends its regulations to include the option of electronic notification by railroad employers of settlements and final judgments based on an injury for which sickness benefits have been paid under the Railroad Unemployment Insurance Act (RUIA). Part 341 currently requires that notifications of settlements and final judgments be submitted to the Board in writing. This rule allows these notifications to be made by railroad employers either in writing or by sending an electronic message, *e.g.* via e-mail.

DATES: *Effective Date:* This regulation shall be effective September 8, 2006.

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

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751–4945, TDD (312) 751–4701.

SUPPLEMENTARY INFORMATION: Part 341 of the Board's regulations deals with the notification of settlements and final judgments based on an injury for which sickness benefits have been paid under the Railroad Unemployment Insurance Act (RUIA). Currently, the regulations require all individuals or companies to make notifications of settlements and final judgments in writing to the Board. These revisions allow railroad employers to also notify the Board electronically in these instances, *e.g.* via e-mail.

Section 341.6(a) is amended to allow railroad employers to notify the Board, in writing or electronically in the manner prescribed by the agency, of a settlement or final judgment based on an injury for which the employee received sickness benefits.

In addition, this rule amends sections 341.8(a) and 341.8(b) to allow a railroad employer to notify the Board electronically or in writing. Also, sections 341.8(b) and (c) are amended to change the outdated references of ''Division of Claims Operations'' and ''Bureau of Unemployment and Sickness Insurance'' to the correct reference of ''Sickness and Unemployment Benefits Section''.

The Board, with the concurrence of the Office of Management and Budget (OMB), has determined that this is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory impact analysis is required.

There is an information collection impacted by the amended rule.

The Railroad Retirement Board is providing notice that OMB has approved the information collection requirements contained in the affected sections of this final rule. The OMB Control Number for this collection is 3220–0036, expiring January 31, 2009.

The Board published the proposed rule on December 9, 2005 (70 FR 73176) and invited comments by February 7, 2006. No comments were received. Accordingly, the proposed rule is being published as a final rule.

List of Subjects in 20 CFR Part 341

Railroad unemployment insurance, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, the Railroad Retirement Board amends title 20, Chapter II, subchapter C, part 341 of the Code of Federal Regulations as follows:

PART 341—STATUTORY LIEN WHERE SICKNESS BENEFITS PAID

■ 1. The authority citation for part 341 continues to read as follows:

Authority: 45 U.S.C. 362(o).

■ 2. Revise § 341.6(a) introductory text to read as follows:

§ 341.6 Report of settlement or judgment.

(a) When a person or company makes a settlement or must satisfy a final judgment based on an injury for which the employee received sickness benefits, the person or company shall notify the Board of the settlement or final judgment. That notice shall be in writing and submitted within five days of the settlement or final judgment. A railroad employer may fulfill the written notice requirement by sending an electronic message in the manner prescribed by the agency. That notification shall contain:

* * * * *

■ 3. Amend § 341.8 as follows:

■ a. Add a new sentence to the end of paragraph (a);

■ b. Revise paragraph (b); and

■ c. Amend paragraph (c) by removing the phrase ''Division of Claims Operations'' and adding the phrase ''Sickness and Unemployment Benefits Section'' in its place.

■ The additions and revisions read as follows:

§ 341.8 Termination of sickness benefits due to a settlement.

(a) * * * A railroad employer may file the required report by sending an electronic message in the manner prescribed by the agency.

(b) A report of settlement shall be made to the Sickness and Unemployment Benefits Section and shall include the information required in § 341.6. Where the report is an oral report, and the informant is neither the employee nor his or her representative, the informant shall be told that written confirmation containing the information called for by § 341.6 must be submitted to the Board within 5 days from the date of the oral report. A railroad employer may fulfill the written report requirement by sending an electronic message in the manner prescribed by the agency.

* * * * *

Dated: September 5, 2006.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. E6–14884 Filed 9–7–06; 8:45 am]

BILLING CODE 7905–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 556 and 558

New Animal Drugs; Zilpaterol

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 new animal drug application (NADA) filed by Intervet Inc. The NADA provides for use of a zilpaterol hydrochloride Type A medicated article to formulate Type B and Type C medicated feeds for cattle fed in confinement for slaughter.

DATES: This rule is effective September 8, 2006.

FOR FURTHER INFORMATION CONTACT: Eric S. Dubbin, Center for Veterinary Medicine (HFV–120), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301 827–1600, e-mail: *eric.dubbin@.fda.hhs.gov*.

SUPPLEMENTARY INFORMATION: Intervet Inc., P.O. Box 318, 29160 Intervet Lane, Millsboro, DE 19966, filed NADA 141–258 for the oral use of ZILMAX (zilpaterol hydrochloride 4.8%) Type A medicated article to formulate Type B (liquid and dry) and Type C medicated cattle feeds used for increased rate of weight gain, improved feed efficiency, and increased carcass leanness in cattle fed in confinement for slaughter during the last 20 to 40 days on feed. The NADA is approved as of August 10, 2006, and the regulations are amended in part 556 (21 CFR part 556) and part 558 (21 CFR part 558) by adding new §§ 556.765 and 558.665 and by amending § 558.4 to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of 21 CFR part 20 and 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 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.

The agency has carefully considered the potential environmental impact of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. FDA's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(i) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360b(c)(2)(F)(i)), this approval qualifies for 5 years of marketing exclusivity beginning August 10, 2006.

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

21 CFR Part 556

Animal drugs, Foods.

21 CFR Part 558

Animal drugs, Animal feeds.

■ 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 556 and 558 are amended as follows:

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

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

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

■ 2. Add § 556.765 to read as follows:

§ 556.765 Zilpaterol.

(a) *Acceptable daily intake (ADI).* The ADI for total residues of zilpaterol is 0.083 micrograms per kilogram of body weight per day.

(b) *Tolerances*—(1) *Cattle*—(i) *Liver (the target tissue).* The tolerance for zilpaterol freebase (the marker residue) is 12 parts per billion (ppb).

(ii) [Reserved]

(2) [Reserved]