

**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 Ivy Laboratories, Div. of Ivy Animal Health, Inc. The ANADA provides for use of single-ingredient Type A medicated articles containing melengestrol, lasalocid, and tylosin to make three-way combination drug Type C medicated feeds for heifers fed in confinement for slaughter.

**DATES:** This rule is effective July 12, 2006.

**FOR FURTHER INFORMATION CONTACT:** Daniel A. Benz, Center for Veterinary Medicine (HFV-104), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0223, e-mail: [daniel.benz@fda.hhs.gov](mailto:daniel.benz@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** Ivy Laboratories, Div. of Ivy Animal Health, Inc., 8857 Bond St., Overland Park, KS 66214, filed ANADA 200-430 for use of HEIFERMAX 500 (melengestrol acetate) Liquid Premix, BOVATEC (lasalocid), and TYLAN (tylosin phosphate) single-ingredient Type A medicated articles to make dry and liquid, three-way combination drug Type C medicated feeds for heifers fed in confinement for slaughter. Ivy Laboratories' ANADA 200-430 is approved as a generic copy of NADA 138-992, sponsored by Pharmacia and Upjohn Co., a Division of Pfizer, Inc., for combination use of MGA 500 (melengestrol acetate) Liquid Premix, BOVATEC, and TYLAN in cattle feed. The application is approved as of June 1, 2006, and the regulations are amended in 21 CFR 558.342 to reflect the approval. The basis of approval is discussed in 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 determined under 21 CFR 25.33(a)(2) 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.

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 Subject in 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 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.

#### § 558.342 [Amended]

■ 2. In § 558.342, amend the table in paragraph (e)(1)(iv) in the "Sponsor" column by adding in numerical sequence "021641".

Dated: June 23, 2006.

**Stephen F. Sundlof,**

*Director, Center for Veterinary Medicine.*

[FR Doc. E6-10878 Filed 7-11-06; 8:45 am]

**BILLING CODE 4160-01-S**

#### PENSION BENEFIT GUARANTY CORPORATION

#### 29 CFR Part 4281

RIN 1212-AA55

#### Duties of Plan Sponsor Following Mass Withdrawal

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This document amends part 4281 (Duties of Plan Sponsor Following Mass Withdrawal) to make technical changes to conform to amendments made to part 4044 (Allocation of Assets in Single-Employer Plans) in a final rule published in the **Federal Register** on December 2, 2005. That final rule updated PBGC's mortality tables used for certain valuations for single-employer plans. Part 4281, which provides rules for valuing benefits in multiemployer plans following mass withdrawal, refers to the mortality tables in part 4044. Technical amendments are needed to conform the references in part 4281 to the changes in part 4044.

**FOR FURTHER INFORMATION CONTACT:** John H. Hanley, Director, or James L. Beller, Jr., Attorney, Legislative and Regulatory Department, PBGC, 1200 K Street, NW.,

Washington, DC 20005-4026; 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**DATES:** Effective July 12, 2006.

**SUPPLEMENTARY INFORMATION:** On December 2, 2005, at 70 FR 72205, PBGC published a final rule modifying part 4044 of its regulations (Allocation of Assets in Single Employer Plans) to update the mortality tables in Appendix A. Part 4281 (Duties of Plan Sponsor Following Mass Withdrawal) refers to those mortality tables. Because conforming changes to those references in part 4281 were inadvertently omitted, those references are no longer accurate. However, the correct references are obvious.

The mortality assumptions used for valuations under part 4281 mirror the assumptions in part 4044. The mortality assumptions in the two parts were updated at the same time in a final rule published in 1993. The preamble to the associated proposed rule stated: "The multiemployer regulation will be simultaneously amended so that the same mortality, loading, and interest assumptions will be employed to determine the values of benefits under multiemployer plans after a mass withdrawal." 58 FR at 5132 (January 19, 1993). Thus, it is clear there was no intent to change this correlation when the mortality tables in part 4044 were updated in 2005. It is necessary to use the updated mortality tables under part 4281 in order to avoid inappropriate benefit valuations under that part.

Because this rule conforms part 4281 in a way that was obviously intended when part 4044 was amended by the final rule published in the **Federal Register** on December 2, 2005, at 70 FR 72206, PBGC finds good cause to issue this technical amendment without prior proposal and opportunity for public comment and without a 30-day delayed effective date.

#### List of Subjects in 29 CFR Part 4281

Employee benefit plans, Pensions.

■ For the reasons set forth above, PBGC amends part 4281 of 29 CFR chapter XL as follows:

#### PART 4281—DUTIES OF PLAN SPONSOR FOLLOWING MASS WITHDRAWAL

■ 1. The authority citation for part 4281 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1341a, 1399(c)(1)(D), and 1441.

■ 2. Amend § 4281.14 by revising paragraphs (c)(1), (c)(2), (d)(1), (d)(2), and (e) to read as follows:

**§ 4281.14 Mortality assumptions.**

\* \* \* \* \*

(c) *Mortality rates for healthy lives.*

\* \* \*

(1) For male participants, the rates in Table 1 of Appendix A to part 4044 of this chapter projected from 1994 to the calendar year in which the valuation date occurs plus 10 years using Scale AA from Table 2 of Appendix A to part 4044 of this chapter; and

(2) For female participants, the rates in Table 3 of Appendix A to part 4044 of this chapter projected from 1994 to the calendar year in which the valuation date occurs plus 10 years using Scale AA from Table 4 of Appendix A part 4044 of this chapter.

(d) *Mortality rates for disabled lives (other than Social Security disability).*

\* \* \*

(1) For male participants, the lesser of—

(i) The rate determined from Table 1 of Appendix A to part 4044 of this chapter projected from 1994 to the calendar year in which the valuation date occurs plus 10 years using Scale AA from Table 2 of Appendix A to part 4044 of this chapter and setting the resulting table forward three years, or

(ii) The rate in Table 5 of Appendix A to part 4044 of this chapter.

(2) For female participants, the lesser of—

(i) The rate determined from Table 3 of Appendix A to part 4044 of this chapter projected from 1994 to the calendar year in which the valuation date occurs plus 10 years using Scale AA from Table 4 of Appendix A to part 4044 of this chapter and setting the resulting table forward three years, or

(ii) The rate in Table 6 of Appendix A to part 4044 of this chapter.

(e) *Mortality rates for disabled lives (Social Security disability).* The mortality rates applicable to annuities in pay status on the valuation date that are being received as disability benefits and for which either eligibility for, or receipt of, Social Security disability benefits is a prerequisite, are—

(1) For male participants, the rates in Table 5 of Appendix A to part 4044 of this chapter; and

(2) For female participants, the rates in Table 6 of Appendix A to part 4044 of this chapter.

Issued in Washington, DC, this 6th day of July, 2006.

**Vincent K. Snowbarger,**

*Acting Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. E6-10919 Filed 7-11-06; 8:45 am]

BILLING CODE 7709-01-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

**33 CFR Parts 1, 64, 72, 81, 89, 100, 101, 104, 120, 135, 146, 148, 151, 153, 154, 155, 156, 157, 160, 164, and 165**

[USCG-2006-25150]

RIN 1625-ZA08

### Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule makes non-substantive changes throughout Title 33 of the Code of Federal Regulations. The purpose of this rule is to make conforming amendments and technical corrections to Coast Guard navigation and navigable water regulations. This rule will have no substantive effect on the regulated public.

**DATES:** This final rule is effective July 12, 2006.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2006-25150 and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Mr. Ray Davis, Coast Guard, telephone 202-372-1461. If you have questions on viewing the docket, call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

### SUPPLEMENTARY INFORMATION:

#### Regulatory History

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under both 5 U.S.C. 553(b)(A) and (b)(B), the Coast Guard finds that this rule is exempt from

notice and comment rulemaking requirements because these changes involve agency organization and practices, and good cause exists for not publishing an NPRM for all revisions in the rule because they are all non-substantive changes. This rule consists only of corrections and editorial, organizational, and conforming amendments. These changes will have no substantive effect on the public; therefore, it is unnecessary to publish an NPRM. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that, for the same reasons, good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

### Background and Purpose

Each year Title 33 of the Code of Federal Regulations is updated on July 1. This rule, which becomes effective July 12, 2006, makes other technical and editorial corrections throughout Title 33. This rule does not create any substantive requirements.

### Regulatory Evaluation

This 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 rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. As this rule involves internal agency practices and procedures and non-substantive changes, it will not impose any costs on the public.

### 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. This rule does not require a general NPRM and, therefore, is exempt from the requirements of the Regulatory Flexibility Act. Although this rule is exempt, we have reviewed it for potential economic impact on small entities.