

day period ending February 26, 2001. FDA stated that the effective date of the direct final rule would be on June 11, 2001, unless any significant adverse comment was submitted to FDA during the comment period. FDA did not receive any significant adverse comments.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, the amendments issued thereby will go into effect on June 11, 2001.

Dated: April 13, 2001.

William K. Hubbard,

Senior Associate Commissioner for Policy, Planning, and Legislation.

[FR Doc. 01-9873 Filed 4-20-01; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. S-777]

RIN 1218-AB36

Ergonomics Program

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Final rule; removal.

SUMMARY: Under the Congressional Review Act, Congress has passed, and the President has signed, Public Law 107-5, a resolution of disapproval of OSHA's final Ergonomics Program Standard. OSHA published the ergonomics program standard on November 14, 2000 (65 FR 68262), and the standard became effective on January 16, 2001. Because Public Law 107-5 invalidates the standard, OSHA is hereby removing it from the Code of Federal Regulations.

DATES: This action is effective April 23, 2001.

FOR FURTHER INFORMATION CONTACT: OSHA Office of Information at (202)-693-1999.

SUPPLEMENTARY INFORMATION: On November 14, 2000, OSHA issued a final Ergonomics Program Standard (Subpart W of 29 CFR 1910) (65 FR 68262). The final rule became effective on January 16, 2001. On March 6, 2001 (Cong. Rec. p. S1887), the United States Senate passed a resolution of disapproval (S.J. Res. 6) of the Ergonomics Program Standard under the Congressional Review Act (5 U.S.C. 801

et seq.). The House of Representatives then passed S.J. Res. 6 on March 7, 2001 (Cong. Rec. p. H667). President Bush signed the resolution into law as Public Law 107-5 on March 20, 2001. Accordingly, OSHA is hereby removing the standard from the Code of Federal Regulations.

Authority: This document was prepared under the direction of R. Davis Layne, Acting Assistant Secretary for Occupational Safety and Health. It is issued under the authority of the Congressional Review Act (5 U.S.C. 801 *et seq.*), and Pub. L. 107-5 (March 20, 2001).

Signed at Washington, D.C. this 17 day of April, 2001.

R. Davis Layne,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

PART 1910—[AMENDED]

Accordingly, for the reasons set forth in the preamble, OSHA amends 29 CFR Part 1910 by removing Subpart W.

[FR Doc. 01-9957 Filed 4-20-01; 8:45 am]

BILLING CODE 4510-26-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-00-242]

RIN 2115-AA97

Safety Zone: Macy's July 4th Fireworks, East River, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a permanent safety zone for the annual Macy's July 4th fireworks display. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in a portion of the East River.

DATES: This rule is effective May 23, 2001.

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 (CGD01-00-242) and are available for inspection or copying at Waterways Oversight Branch, Coast Guard Activities New York, 212 Coast Guard Drive, room 204, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant M. Day, Waterways

Oversight Branch, Coast Guard Activities New York (718) 354-4012.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On December 26, 2000, we published a notice of proposed rulemaking (NPRM) entitled Safety Zone: Macy's July 4th Fireworks, East River, NY in the **Federal Register** (65 FR 81471). We received one letter commenting on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

The Coast Guard is establishing a permanent safety zone for the annual Macy's July 4th fireworks display in the East River. The safety zone encompasses all waters of the East River east of a line drawn from the Fireboat Station Pier, Battery Park City, in approximate position 40°42'15.4" N 074°01'06.8" W (NAD 1983) to Governors Island Light (2) (LLNR 35010), in approximate position 40°41'34.4" N 074°01'10.9" W (NAD 1983); north of a line drawn from Governors Island, in approximate position 40°41'25.3" N 074°00'42.5" W (NAD 1983) to the southwest corner of Pier 9A, Brooklyn; south of a line drawn from East 47th Street, Manhattan through the southern point of Roosevelt Island to 46 Road, Brooklyn, and all waters of Newtown Creek west of the Pulaski Bascule Bridge.

Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area inside the safety zone, at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and North 9th Street, Brooklyn. This area is bound by the following points: 40°42'45.5" N 073°58'07.4" W; thence to 40°42'50.4" N 073°58'23.2" W; thence to 40°43'23.1" N 073°58'12.7" W; thence to 40°43'21.5" N 073°57'45.7" W; (NAD 1983) thence back to the point of beginning. All vessels must be in this location by 6:30 p.m. (e.s.t.) the day of the event.

Once in position within the zone, all vessels must remain in position until released by the Captain of the Port, New York. On-scene-patrol personnel will monitor the number of designated vessels taking position in the viewing area of the zone. If it becomes apparent that any additional spectator vessels in the viewing area will create a safety hazard, the patrol commander may prevent additional vessels from entering it. After the event has concluded and the fireworks barges have safely relocated outside of the main channel, vessels will be allowed to depart the