

# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-1324; Directorate Identifier 2011-NM-104-AD; Amendment 39-16983; AD 2012-06-02]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is correcting an airworthiness directive (AD) that published in the **Federal Register**. That AD applies to all Airbus Model A300 B4-600, B4-600R, and F4-600R series airplanes, Model A300 C4-605R Variant F airplanes (collectively called A300-600 series airplanes), and Model A310 series airplanes. The agency docket number specified throughout the final rule is incorrect. This document corrects that error. In all other respects, the original document remains the same.

**DATES:** This final rule is effective April 25, 2012.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer,

International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

Airworthiness Directive (AD) 2012-06-02, Amendment 39-16983 (77 FR 16430, March 21, 2012), currently requires replacing a certain aluminum high pressure pipe with a new corrosion resistant stainless steel pipe, for all Airbus Model A300 B4-600, B4-600R, and F4-600R series airplanes, Model A300 C4-605R Variant F airplanes (collectively called A300-600 series airplanes), and Model A310 series airplanes.

As published, the agency docket number specified throughout the AD is incorrect.

No other part of the preamble or regulatory information has been changed; therefore, only the changed portion of the final rule is being published in the **Federal Register**.

The effective date of this AD remains April 25, 2012.

#### Correction of Non-Regulatory Text

In the **Federal Register** of March 21, 2012, AD 2012-06-02, Amendment 39-16983 (77 FR 16430), is corrected as follows:

On page 16430, in the second column, change the docket number to read as follows:

“[Docket No. FAA-2011-1324; Directorate Identifier 2011-NM-104-AD; Amendment 39-16983; AD 2012-06-02]”

#### Correction of Regulatory Text

##### § 39.13 [Corrected]

■ In the **Federal Register** of March 21, 2012, AD 2012-06-02, Amendment 39-16983 (77 FR 16430), on page 16431, in the third column, the product identification line of AD 2012-06-02 is corrected to read as follows:

\* \* \* \* \*

**2012-06-02 Airbus:** Amendment 39-16983, Docket No. FAA-2011-1324; Directorate Identifier 2011-NM-104-AD.

\* \* \* \* \*

Issued in Renton, Washington, on April 13, 2012.

**John P. Piccola,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-9576 Filed 4-20-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 655

RIN 1205-AB58

#### Changes to the Labor Certification Process for the Temporary Non-Agricultural Employment of H-2B Aliens in the United States; Revisions to Transition Period

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Guidance.

**SUMMARY:** On February 21, 2012, the Department of Labor (the Department or DOL) published a Final Rule amending H-2B regulations governing the certification of temporary employment of nonimmigrant workers in temporary or seasonal non-agricultural employment. On March 20, 2012, the Department published guidance informing employers of the dates by which their H-2B application must be postmarked in order to be governed by the Final Rule. This guidance revises these dates so that the Final Rule will become operative 60 days after it was reported to Congress.

**DATES:** This guidance is effective April 23, 2012.

#### FOR FURTHER INFORMATION CONTACT:

William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, Employment and Training Administration, 200 Constitution Avenue NW., Room C-4312, Washington, DC 20210; Telephone: (202) 693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** On February 21, 2012, the Department published a Final Rule amending the H-2B regulations at 20 CFR part 655, Subpart A. 77 FR 10038, Feb. 21, 2012. The Final Rule provides for an effective date of April 23, 2012, which is 60 days after the date of publication of the Final Rule. On March 20, 2012, 77 FR 16157, the Department published guidance which provided that applications filed under Labor Certification Process and Enforcement for Temporary Employment in Occupations Other Than Agriculture or Registered Nursing in the United States (H-2B Workers), and Other Technical Changes, 73 FR

78020, December 19, 2008 (the current regulation), must be sent to the Office of Foreign Labor Certification's (OFLC's) Chicago National Processing Center (CNPC) and postmarked no later than midnight April 22, 2012, the last day before the effective date of the H-2B Final Rule. The guidance also provides that applications postmarked on or after April 23, 2012 will be adjudicated in accordance with the requirements described in the Final Rule.

The Department is revising its guidance to clarify that the Final Rule will not be operative until April 27, 2012. In accordance with the Congressional Review Act, (CRA), 5 U.S.C. 801, et seq., April 27, 2012 is 60 days after February 27, 2012, the date on which the rule was reported to Congress, and the earliest date on which the rule can become operative under the CRA. See 5 U.S.C. 801(a)(3). While section 801(a)(3) does not alter the date a rule goes into effect, it prevents an agency from enforcing the rule for 60 days after the rule is reported to Congress.

Accordingly, applications filed under the current regulation must be sent to the CNPC and postmarked no later than midnight April 26, 2012, and applications postmarked on or after April 27, 2012 will be adjudicated in accordance with the requirements described in the Final Rule. Any application filed under the current regulation that is postmarked on or after April 27, 2012 will be returned, and the employer (and its agent or attorney) informed of the need to file a new application in accordance with the provisions of the new H-2B Final Rule.

Please note that, as provided in the March 20th guidance, employers who file H-2B applications with a start date of need before October 1, 2013 will not be required to obtain the pre-approved H-2B registration under 20 CFR 655.15, and the Department will continue to adjudicate temporary need during the processing of applications by reviewing the employer's statement of temporary need in Section B of the ETA Form

9142. Employers with H-2B applications postmarked on or after April 27, 2012 with a start date of need on or after October 1, 2013, must comply with all the requirements contained in the registration process unless the OFLC publishes additional guidance in the **Federal Register**.

Employers with questions are encouraged to submit their questions to [H-2B.Regulation@dol.gov](mailto:H-2B.Regulation@dol.gov). The Department will provide responses in the form of Frequently Asked Questions (FAQs) on its Web site.

Signed in Washington, this 17th day of April 2012.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2012-9612 Filed 4-20-12; 8:45 am]

**BILLING CODE 4510-PP-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 558

[Docket No. FDA-2012-N-0002]

#### New Animal Drugs for Use in Animal Feeds; Tiamulin

**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 Novartis Animal Health US, Inc. The supplemental NADA provides for approval of a new concentration of a Type A medicated article.

**DATES:** This rule is effective April 23, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Cindy L. Burnsteel, Center for Veterinary Medicine (HFV-130), Food and Drug Administration, 7500 Standish

Pl., Rockville, MD 20855, 240-276-8341, email: [cindy.burnsteel@fda.hhs.gov](mailto:cindy.burnsteel@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** Novartis Animal Health US, Inc. (Novartis), 3200 Northline Ave., Suite 300, Greensboro, NC 27408, filed a supplement to NADA 139-472 for DENAGARD (tiamulin hydrogen fumarate) Type A medicated articles for use of a new product formulation in medicated swine feed. The supplemental NADA is approved as of January 6, 2012, and the regulations in 21 CFR 558.4 and 558.600 are amended to reflect the approval.

The Agency has determined under 21 CFR 25.33 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 Subjects 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.

■ 2. In paragraph (d) of § 558.4, in the "Category II" table, revise the entries for "Tiamulin" to read as follows:

#### § 558.4 Requirement of a medicated feed mill license.

\* \* \* \* \*

(d) \* \* \*

#### CATEGORY II

Drug	Assay limits percent <sup>1</sup> Type A	Type B maximum (100x)	Assay limits percent <sup>1</sup> Type B/C <sup>2</sup>
* * * *	*	*	*
Tiamulin hydrogen fumarate .....	90-115	10 g/lb	90-115/70-130
* * * *	*	*	*

<sup>1</sup> Percent of labeled amount.

<sup>2</sup> Values given represent ranges for either Type B or Type C medicated feeds. For those drugs that have two range limit, the first set is for a Type B medicated feed and the second set is for a Type C medicated feed. These values (ranges) have been assigned in order to provide for the possibility of dilution of a Type B medicated feed with lower assay limits to make a Type C medicated feed.