

List of Subjects in 21 CFR Part 520

Animal drugs.

■ 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 520 is 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 520.1192 is amended by revising paragraphs (a) and (b); by redesignating paragraph (d) as paragraph (e); by adding new paragraph (d); by removing the last sentence of newly redesignated paragraphs (e)(1)(iii) and (e)(2)(iii); by redesignating new paragraph (e)(1)(ii) as paragraph (e)(1)(ii)(B); in newly redesignated paragraph (e)(1)(ii)(B) by removing “spp.” after “*Onchocerca*” and by adding in its place “sp.”; and by adding new paragraph (e)(1)(ii)(A) to read as follows:

§ 520.1192 Ivermectin paste.

(a) *Specifications.* Each milligram (mg) of paste contains 0.0187 mg (1.87 percent) or 0.00153 mg (0.153 percent) of ivermectin.

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter for use as in paragraph (e) of this section:

(1) No. 050604 for use of a 1.87-percent paste as in (e)(1)(i), (e)(1)(ii)(A), and (e)(1)(iii) of this section and a 0.153-percent paste for use as in paragraph (e)(2) of this section.

(2) Nos. 051311 and 059130 for use of a 1.87-percent paste for use as in paragraph (e)(1)(i), (e)(1)(ii)(B), and (e)(1)(iii) of this section.

* * *

(d) *Special considerations.* See § 500.25 of this chapter.

(e) *Conditions of use—(1) Horses—(i) Amount.* 200 micrograms per kilogram (91 micrograms per pound) of body weight.

(ii) *Indications for use—(A)* For treatment and control of large strongyles (adults) (*Strongylus vulgaris* (also early forms in blood vessels), *S. edentatus* (also tissue stages), *S. equinus*; *Triodontophorus* spp., including *T. brevicauda* and *T. serratus*; and *Craterostomum acuticaudatum*); small strongyles including those resistant to some benzimidazole class compounds (adults and fourth-stage larvae) (*Coronocylus* spp., including *C. coronatus*, *C. labiatus*, and *C. labratus*; *Cyathostomum* spp., including *C. catinatum* and *C. pateratum*;

Cylicocylus spp., including *C. insigne*, *C. leptostomum*, *C. nassatus*, and *C. brevicapsulatus*; *Cylicodontophorus* spp.; *Cylicostephanus* spp., including *C. calicatus*, *C. goldi*, *C. longibursatus*, and *C. minutus*; and *Petrovinema poculatum*); pinworms (adults and fourth-stage larvae) (*Oxyuris equi*); ascarids (adults and third- and fourth-stage larvae) (*Parascaris equorum*); hairworms (adults) (*Trichostrongylus axei*); large-mouth stomach worms (adults) (*Habronema muscae*); bots (oral and gastric stages) (*Gasterophilus* spp., including *G. intestinalis* and *G. nasalis*); lungworms (adults and fourth-stage larvae) (*Dictyocaulus arnfieldi*); intestinal threadworms (adults) (*Strongyloides westeri*); summer sores caused by *Habronema* and *Draschia* spp. cutaneous third-stage larvae; and dermatitis caused by neck threadworm microfilariae, *Onchocerca* sp.

* * *

Dated: July 8, 2003.

Steven D. Vaughn,

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

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DEPARTMENT OF THE TREASURY**Alcohol and Tobacco Tax and Trade Bureau****27 CFR Parts 40 and 275**

[T.D. TTB-4; ATF Notice No. 962]

RIN 1513-AA18

Elimination of Statistical Classes for Large Cigars (2000R-410P)

AGENCY: Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

ACTION: Final rule (Treasury Decision).

SUMMARY: This final rule removes the eight statistical classes for large cigars prescribed in TTB regulations. Since tobacco manufacturers and importers no longer use these statistical classes to report removals of large cigars subject to tax, this final rule eliminates obsolete regulations.

DATES: The effective date of this final rule is August 21, 2003.

FOR FURTHER INFORMATION CONTACT: Robert Ruhf, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226 (telephone: 202-927-8210 or e-mail: ttbquestions@ttb.gov).

SUPPLEMENTARY INFORMATION:

ATF-TTB Transition

Effective January 24, 2003, the Homeland Security Act of 2002 divided the Bureau of Alcohol, Tobacco and Firearms (ATF) into two new agencies, the Alcohol and Tobacco Tax and Trade Bureau (TTB) in the Department of the Treasury and the Bureau of Alcohol, Tobacco, Firearms, and Explosives in the Department of Justice. The taxation of tobacco products remains a Department of the Treasury function and is the responsibility of TTB. References to the former ATF and the new TTB in this document reflect the time frame, before or after January 24, 2003.

Final Rule Background

On November 5, 2002, ATF published a notice of proposed rulemaking in the **Federal Register** (ATF Notice No. 962, 67 FR 67340) to solicit comments about the elimination of obsolete tobacco regulations in 27 CFR parts 40 and 275. These regulations prescribed eight statistical classes for large cigars subject to tax. The first seven classes (Classes A through G) covered large cigars selling for \$235.294 or less per thousand, while the eighth class (Class H) covered those selling for more than \$235.294 per thousand.

Since January 1, 2001, manufacturers of tobacco products report information about large cigars subject to tax in two statistical classes. Tobacco importers also no longer use these eight statistical classes. The reduction in the number of statistical classes reduces industry's reporting burden, but does not jeopardize our ability to protect the revenue or adversely affect our compilation of tobacco statistics for use by governments and the public.

We did not receive any comments on ATF Notice No. 962. For these reasons and those discussed in the notice, we are issuing this final rule.

Regulatory Requirements**Regulatory Flexibility Act**

We certify that this final rule will not have a significant economic impact on a substantial number of small entities. Consequently, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. In accordance with 26 U.S.C. 7805(f), we sent the notice of proposed rulemaking to the Chief Counsel for Advocacy of the Small Business Administration.

Executive Order 12866

We have determined that this rule is not a significant regulatory action as defined by Executive Order 12866.

Therefore, a regulatory assessment is not required.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because it does not impose a collection of information.

Administrative Procedure Act

In accordance with the provisions of 5 U.S.C. 553(d), we made the effective date of this final rule 30 days after its publication in the **Federal Register**.

List of Subjects

27 CFR Part 40

Administrative practice and procedure, Authority delegations, Cigars and cigarettes, Claims, Electronic fund transfers, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Surety bonds, Tobacco.

27 CFR Part 275

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Claims, Electronic fund transfer, Customs duties and inspection, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, Tobacco products, U.S. possessions, Warehouses.

Authority and Issuance

■ Title 27, Code of Federal Regulations, is amended as follows:

PART 40—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

■ **Paragraph 1.** The authority citation for part 40 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711–5713, 5721–5723, 5731, 5741, 5751, 5753, 5761–5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 40.203 [Removed and reserved]

■ **Par. 2.** Section 40.203 is removed and reserved.

PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES

■ **Par 3.** The authority citation for part 275 continues to read as follows:

Authority: 18 U.S.C. 2342; 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5712, 5713, 5721,

5722, 5723, 5741, 5754, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 275.37 [Removed and Reserved]

■ **Par. 4.** Section 275.37 is removed and reserved.

Signed: April 11, 2003.

Arthur J. Libertucci,
Administrator.

Approved: June 4, 2003.

Timothy E. Skud,
Deputy Assistant Secretary, (Tax, Trade, and Tariff Policy).

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010–AC89

Oil and Gas and Sulphur Operations in the Outer Continental Shelf Documents Incorporated by Reference—API RP 14F and API RP 14FZ

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Final rule.

SUMMARY: MMS is publishing this final rule to incorporate by reference into our regulations the 4th edition of American Petroleum Institute (API) Recommended Practice (RP) 14F (API RP 14F), “Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class I, Division 1 and Division 2 Locations.” The updated document, 4th edition, will replace the 3rd edition of API RP 14F, which is already incorporated by reference into MMS regulations. The final rule will also add another document to be incorporated by reference for the first time into our regulations. The new document, API RP 14FZ, 1st edition, is titled “Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class I, Zone 0, Zone 1 and Zone 2 Locations.” These revisions will ensure that lessees use the best available and safest technologies while operating in the Outer Continental Shelf (OCS).

EFFECTIVE DATE: This rule becomes effective on August 21, 2003. The incorporation by reference of the publication listed in the regulation is

approved by the Director of the Federal Register as of August 21, 2003.

FOR FURTHER INFORMATION CONTACT: David Nedorostek, Operations Analysis Branch, at (703) 787–1029.

SUPPLEMENTARY INFORMATION: We use standards, specifications, and recommended practices developed by standard-setting organizations and the oil and gas industry for establishing requirements for activities in the OCS. This practice, known as incorporation by reference, allows us to incorporate the provisions of technical standards into the regulations without increasing the volume of the Code of Federal Regulations. The legal effect of incorporation by reference is that the material is treated as if it were published in the **Federal Register**. This material, like any other properly issued regulation, then has the force and effect of law. We hold operators/lessees accountable for complying with the documents incorporated by reference in our regulations. The regulations, found at 1 CFR part 51, govern how MMS and other Federal agencies incorporate various documents by reference. Agencies can only incorporate by reference through publication in the **Federal Register**. Agencies must also gain approval from the Director of the **Federal Register** for each publication incorporated by reference. Incorporation by reference of a document or publication is limited to the specific edition or to the specific edition and supplement or addendum cited in the regulations.

Both API RP 14F and API RP 14FZ are incorporated by reference at 30 CFR 250.114. The requirements under this section apply only to platforms, artificial islands, fixed structures, and their facilities and not to electrical systems on floating facilities. Electrical systems on floating facilities are regulated by the U. S. Coast Guard (USCG). A Memorandum of Understanding (MOU) between MMS, U.S. Department of the Interior, and USCG, U.S. Department of Transportation, dated December 16, 1998, gave USCG the responsibility for electrical systems on floating facilities. Additionally, according to the MOU, USCG is responsible for aids to navigation, emergency lighting (standby lighting), survival craft, and general alarms, procedures for which, though included in both documents, are not under MMS regulations.

We have reviewed these documents and have determined that the latest editions of both documents should be incorporated into MMS regulations to ensure the use of the best available and