

1502, 1651(b)(2), 42 U.S.C. 1857f-10, 4321 et seq.; E.O. 11514; and 49 U.S.C. 106(g).

**The Special Conditions**

Accordingly, the following special conditions are issued as part of the type certification basis for the Raytheon Corporate Jets, Inc., Model Hawker 800 series airplanes equipped with Garrett TFE731-5BR-1H turbo fan engines and electronically controlled mach trim system. These special conditions would apply only to electrical and electronic components that perform critical functions and are embodied in the mach trim system or TFE731-5BR-1H engine electronic control system.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF)*. Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions*. Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on May 9, 1995.

**Darrell M. Pederson,**

*Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-101.*

[FR Doc. 95-12155 Filed 5-16-95; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 520**

**Oral Dosage Form New Animal Drugs; Penicillin G Potassium in Turkey Drinking Water**

**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 an abbreviated new animal drug application (ANADA) filed by Wade Jones Co., Inc. The ANADA provides for use of penicillin G potassium powder to make a medicated turkey drinking water for the treatment

of erysipelas caused by *Erysipelothrix rhusiopathiae*.

**EFFECTIVE DATE:** May 17, 1995.

**FOR FURTHER INFORMATION CONTACT:** Melanie R. Berson, Center for Veterinary Medicine (HFV-135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1643.

**SUPPLEMENTARY INFORMATION:** Wade Jones Co., Inc., Highway 71 North, 409 North Bloomington, Lowell, AR 72745, has filed ANADA 200-122, which provides for use of penicillin G potassium powder to make a medicated turkey drinking water used for the treatment of erysipelas in turkeys caused by *E. rhusiopathiae*.

Wade Jones' ANADA 200-122 for penicillin G potassium powder is approved as a generic copy of Solvay's NADA 55-060 for the same product. The ANADA is approved as of April 17, 1995, and the regulations are amended in 21 CFR 520.1696b(b) to reflect the approval. The basis for this approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (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 Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

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

**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:** Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 520.1696b is amended by revising paragraph (b) to read as follows:

**§ 520.1696b Penicillin G potassium in drinking water.**

\* \* \* \* \*

(b) *Sponsors.* See Nos. 017144, 047864, 050604, and 053501 in § 510.600(c) of this chapter.

\* \* \* \* \*

Dated: May 5, 1995.

**Stephen F. Sundlof,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 95-12095 Filed 5-16-95; 8:45 am]

BILLING CODE 4160-01-F

**21 CFR Part 522**

**Implantation and Injectable Dosage Form New Animal Drugs; Zeranol**

**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 Mallinckrodt Veterinary, Inc. The supplemental NADA provides for use of a 72-milligram (mg) zeranol implant in steers being fed in confinement for slaughter for increased rate of weight gain.

**EFFECTIVE DATE:** May 17, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jack Caldwell, Center for Veterinary Medicine (HFV-126), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0217.

**SUPPLEMENTARY INFORMATION:** Mallinckrodt Veterinary, Inc., 421 East Hawley St., Mundelein, IL 60060, filed supplemental NADA 38-233 to provide for the use of Ralgro Magnum (a 72-mg zeranol implant) in steers being fed in confinement for slaughter for increased rate of weight gain (i.e., use of six 12-mg zeranol pellets). The supplemental NADA is approved as of April 6, 1995, and the regulations are amended in 21 CFR 522.2680(d) 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 part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (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 Dockets Management Branch

(HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this approval for food-producing animals qualifies for 3 years of marketing exclusivity beginning April 6, 1995, because the supplemental NADA contains reports of new clinical investigations (other than bioequivalence or residue studies) essential to the approval and conducted or sponsored by the applicant. Three years of marketing exclusivity applies only to the use for which the supplemental NADA is approved.

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

**List of Subjects in 21 CFR Part 522**

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 522 is amended as follows:

**PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS**

1. The authority citation for 21 CFR part 522 continues to read as follows:

**Authority:** Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 522.2680 is amended by adding new paragraph (d)(3) to read as follows:

**§ 522.2680 Zeranol.**

\* \* \* \* \*

(d) \* \* \*

(3) *Steers*—(i) *Amount.* 72 milligrams (six 12-milligram pellets) per animal.

(ii) *Indications for use.* For increased rate of weight gain in steers fed in confinement for slaughter.

(iii) *Limitations.* Implant subcutaneously in ear only.

Dated: May 5, 1995.

**Stephen F. Sundlof,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 95-12094 Filed 5-16-95; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[OPP-30072L; FRL-4950-7]

**Tolerance Processing Fees**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This rule increases fees charged for processing tolerance petitions for pesticides under the Federal Food, Drug, and Cosmetic Act (FFDCA). The change in fees reflects a 3.22 percent increase in locality pay for civilian Federal General Schedule (GS) employees working in the Washington, DC/Baltimore, MD metropolitan area in 1995.

**EFFECTIVE DATE:** June 16, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Concerning this rule contact: By mail: Delores A. Furman, Program Management and Support Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number and e-mail address: Rm. 700-G, CM #2, 1921 Jefferson Davis Highway, Arlington, VA (703-305-7016), furman.delores. Concerning tolerance petitions and individual fees contact: Jim Tompkins (703-305-5697)

**SUPPLEMENTARY INFORMATION:** The EPA is charged with administration of section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA). Section 408 authorizes the Agency to establish tolerance levels and exemptions from the requirements for tolerances for raw agricultural commodities. Section 408(o) requires that the Agency collect fees as will, in the aggregate, be sufficient to cover, among other things, the costs of processing petitions for pesticide products, i.e., that the tolerance process be as self-supporting as possible. The current fee schedule for tolerance petitions (40 CFR 180.33) was published in the **Federal Register** on June 2, 1994 (59 FR 28482) and became effective on July 5, 1994. At that time the fees were increased 4.23 percent in accordance with a provision in the regulation that provides for automatic annual adjustments to the fees based on annual percentage changes in Federal

salaries. The specific language in the regulation is contained in paragraph (o) of § 180.33 and reads in part as follows:

(o) This fee schedule will be changed annually by the same percentage as the percent change in the Federal General Schedule (GS) pay scale.... When automatic adjustments are made based on the GS pay scale, the new fee schedule will be published in the **Federal Register** as a final rule to become effective thirty days or more after publication, as specified in the rule.

The Federal Employees Pay Comparability Act of 1990 (FEPCA) initiated locality-based comparability pay, known as "locality pay." The intent of the legislation is to make Federal pay more responsive to local labor market conditions by adjusting General Schedule salaries on the basis of a comparison with non-Federal rates on a geographic, locality basis.

The processing and review of tolerance petitions is conducted by EPA employees working in the Washington, DC/ Baltimore, MD pay area. The pay raise in 1995 for Federal General Schedule employees working in the Washington, DC/Baltimore, MD metropolitan pay area is 3.22 percent; therefore, the tolerance petition fees are being increased 3.22 percent. All fees have been rounded to the nearest \$25.00.

**List of subjects in 40 CFR Part 180**

Administrative practice and procedures, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 5, 1995.

**Daniel M. Barolo,**

*Director, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I, part 180 is amended as follows:

1. The authority citation for Part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

2. Section 180.33 is amended by revising paragraphs (a), (b), (c), (d), (e), (f), (g), (i), (j)(3), and (m) to read as follows:

**§ 180.33 Fees.**

(a) Each petition or request for the establishment of a new tolerance or a tolerance higher than already established, shall be accompanied by a fee of \$60,425, plus \$1,500 for each raw agricultural commodity more than nine on which the establishment of a tolerance is requested, except as provided in paragraphs (b), (d), and (h) of this section.

(b) Each petition or request for the establishment of a tolerance at a lower numerical level or levels than a tolerance already established for the