

increased rate of weight gain and improved feed efficiency.

EFFECTIVE DATE: January 24, 1996.

FOR FURTHER INFORMATION CONTACT: Dianne T. McRae, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1623.

SUPPLEMENTARY INFORMATION:

Planalquimica Industrial Ltda., Rua das Magnolias nr. 2405, Jardim das Bandeiras, CEP 13053-120, Campinas, Sao Paulo, Brazil, has filed ANADA 200-164, which provides for the use of single ingredient nicarbazin and bacitracin methylene disalicylate Type A articles to make combination drug Type C broiler feed containing 113.5 grams per ton (g/t) nicarbazin with 30 g/t bacitracin methylene disalicylate. The feed is used as an aid in preventing outbreaks of cecal (*Eimeria tenella*) and intestinal (*E. acervulina*, *E. maxima*, *E. necatrix*, and *E. brunetti*) coccidiosis and for increased rate of weight gain and improved feed efficiency in broiler chickens.

The ANADA is approved as a generic copy of Merck Research Laboratories' NADA 98-378, which was approved on March 15, 1995, and announced in the Federal Register of June 5, 1995 (60 FR 29483). ANADA 200-164 is approved as of January 24, 1996, and the regulations are amended in § 558.366 (21 CFR 558.366) to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Additionally, § 558.366(a) is revised to clarify that the listed sponsors are only approved for those uses of the 25 percent nicarbazin Type A medicated article in the table accompanied by their drug labeler code in the "Sponsor" column. Consistent with this, the code for Planalquimica is being added to the "Sponsor" column because it was inadvertently omitted when the firm's approval for use of nicarbazin alone in chicken feed was announced in the Federal Register of June 28, 1995 (60 FR 33342).

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.

ANADA 200-164 provides for use of nicarbazin and bacitracin methylene disalicylate Type A medicated articles

to make Type C medicated feeds. Nicarbazin is a Category II drug which, as provided in 21 CFR 558.4, requires an approved Form FDA 1900 for making Type C medicated feeds. Therefore, use of nicarbazin Type A medicated articles in making Type C medicated feeds as in this ANADA requires an approved Form FDA 1900.

The agency has determined under 21 CFR 25.24(d)(1)(ii) 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.

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: Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

2. Section 558.366 is amended by revising paragraph (a), and in the table in paragraph (c) under the "Sponsor" column in the entry for "113.5 (0.0125 pct)" by numerically adding "060728", and in the same column in the item "Bacitracin methylene disalicylate 30" by numerically adding "060728" to read as follows:

§ 558.366 Nicarbazin.

(a) Type A medicated articles: 25 percent to 000006, 000986, and 060728 in § 510.600(c) of this chapter for use as indicated in the table in paragraph (c) of this section.

* * * * *

Dated: December 28, 1995.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 96-941 Filed 1-23-96; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF STATE

Bureau of Consular Affairs

22 CFR Parts 40 and 41

[Public Notice 2312]

Visas: Regulations Pertaining to Nonimmigrants and Immigrants Under the Immigration and Nationality Act, as Amended

AGENCY: Bureau of Consular Affairs, DOS.

ACTION: Final rule.

SUMMARY: On March 4, 1995, the President, as part of the Administration's regulatory reinvention initiative, directed all heads of departments and agencies, *inter alia*, to conduct a page-by-page review of all regulations and to "eliminate or revise those that are outdated or otherwise in need of reform." (Memorandum for Heads of Departments and Agencies, Regulatory Reinvention Initiative, March 4, 1995.) In response, the Visa Office of the Department of State has undertaken a review of its visa regulations to determine whether they may be eliminated, shortened, or rewritten in a more understandable fashion.

EFFECTIVE DATES: January 24, 1996.

FOR FURTHER INFORMATION CONTACT: Stephen K. Fischel, Chief, Legislation and Regulations Division, Visa Office, (202) 663-1204.

SUPPLEMENTARY INFORMATION: The President has directed each agency to undertake a review of its regulations for the purpose of reducing the regulations or, when possible, rendering them more readable and comprehensible. The Visa Office of the Department of State has engaged in a thorough line-by-line review of all visa related regulations in parts 40 through 45 and part 47 of Title 22 of the Code of Federal Regulations. As a result, the Visa Office is proposing various amendments to the regulations consistent with the President's directive. The Visa Office is also using this opportunity to make other necessary changes to the regulations. The Visa Office will be publishing the proposed changes in a series of publications.

Editing

This rule makes editorial changes to two sections in 22 CFR Part 40 and to five sections in Part 41.

Part 40 Amendments

The amendment to § 40.62 changes the section by incorporating the statutory period of time one must

remain outside the U.S. following deportation by specific reference to the statute rather than by repeating the statutory language which the regulation currently does.

The amendment to § 40.93 will ensure that it accurately reflects INA 212(a)(9)(C) as amended by sec. 307 of the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 (Pub. L. 102-232) Dec. 12, 1991.

Part 41 Amendments

This rule amends §§ 41.53, 41.54, 41.55, 41.56 and 41.57, relating to H, L, O, P, and Q visas. As these business visa classifications require the approval of a petition by the Immigration and Naturalization Service, the Department's regulatory structure at 22 CFR part 41 is similar for each of these classifications. The amendments shorten each regulation by making reference to official evidence of approval of status by the INS rather than identifying specific types of evidence, such as petitions, approval notices, etc., which reflect approval status.

Final Rule

Because the changes to 22 CFR made by this rule are editorial and non substantive, it has been determined that notice and public comment are unnecessary. This rule, therefore, meets the good cause exception under 5 U.S.C. 553(b)(B) and is being published as a final rule.

This rule is not considered to have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This rule imposes no reporting or record keeping requirements on the public requiring the approval of the Office of Management and Budget under the Paperwork Reduction Act. This rule has been reviewed as required by E.O. 12778 and certified to be in compliance therewith. It is exempt from E.O. 12866 but has been reviewed and found to be consistent therewith.

List of Subjects in 22 CFR Parts 40 and 41

Aliens, Nonimmigrants, Immigrants, Ineligibilities, Visas and passports.

Proposed Regulations

In view of the foregoing, title 22 of the Code of Federal Regulations subchapter E—parts 40, and 41 are amended to read as follows.

PART 40—[AMENDED]

1. The authority citation for part 40 continues to read:

Authority: 8 U.S.C. 1104.

2. Part 40 is amended by revising § 40.62 to read as follows:

§ 40.62 Certain aliens arrested and deported.

An alien who was arrested and deported from the United States under INA 212(a)(6)(B) shall not be issued a visa unless the alien has complied with the time limitations therein or has obtained permission from the Immigration and Naturalization Service to reapply for admission to the United States.

3. Section 40.93 is revised to read as follows:

§ 40.93 International child abduction.

An alien who would otherwise be ineligible under INA 212(a)(9)(C)(i) shall not be ineligible under such paragraph if the U.S. citizen child in question is physically located in a foreign state which is party to the Hague Convention on the Civil Aspects of International Child Abduction.

PART 41—[AMENDED]

4. The authority citation for part 41 continues to read:

Authority: 8 U.S.C. 1104.

5. Part 41 is revised by amending paragraph (a) of § 41.53 to read as follows:

§ 41.53 Temporary Workers and Trainees.

(a) *Requirements for H classification.* An alien shall be classifiable under INA 101(a)(15)(H) if:

- (1) The consular officer is satisfied that the alien qualifies under that section; and either
- (2) With respect to the principal alien, the consular officer has received official evidence of the approval by INS of a petition to accord such classification or of the extension by INS of the period of authorized entry in such classification; or
- (3) The consular officer is satisfied the alien is the spouse or child of an alien so classified and is accompanying or following to join the principal alien.

6. Section 41.54 is amended by revising paragraph (a) to read as follows:

§ 41.54 Intracompany transferees (executives, managers, and specialists).

(a) *Requirements for L classification.* An alien shall be classifiable under the provisions of INA 101(a)(15)(L) if:

- (1) The consular officer is satisfied that the alien qualifies under that section; and either
- (2) In the case of an individual petition, the consular officer has received official evidence of the

approval by INS of a petition to accord such classification or of the extension by INS of the period of authorized stay in such classification; or

(3) In the case of a blanket petition, the alien has presented to the consular officer official evidence of the approval by INS of a blanket petition

(i) listing only those intracompany relationships and positions found to qualify under INA 101(a)(15)(L) or

(ii) to accord such classification to qualified aliens who are being transferred to qualifying positions identified in such blanket petition; or

(4) The consular officer is satisfied the alien is the spouse or child of an alien so classified and is accompanying or following to join the principal alien.

* * * * *

7. Section 41.55 is amended by revising paragraph (a) introductory text, (a)(1) and (2) to read as follows:

§ 41.55 Aliens with extraordinary ability.

(a) Requirements for O classification. An alien shall be classifiable under the provisions of INA 101(a)(15)(O) if:

- (1) The consular officer is satisfied that the alien qualifies under the provisions of that section; and either
- (2) With respect to the principal alien, the consular officer has received official evidence of the approval by INS of a petition to accord such classification or of the extension by INS of the period of authorized stay in such classification; or

* * * * *

8. Section 41.56 is amended by revising paragraph (a) introductory text, (a) (1) and (2) to read as follows:

§ 41.56 Athletes, artists, and entertainers.

(a) *Requirements for P classification.* An alien shall be classifiable under the provisions of INA 101(a)(15)(P) if:

- (1) The consular officer is satisfied that the alien qualifies under the provisions of that section; and either
- (2) With respect to the principal alien, the consular officer has received official evidence of the approval by INS of a petition to accord such classification or of the extension by INS of the period of authorized stay in such classification; or

* * * * *

9. Section 41.57 is amended by revising paragraph (a)(2) and paragraph (c) to read as follows, and by deleting paragraph (a)(3).

§ 41.57 International cultural exchange visitors.

- (a) * * *
- (2) The consular officer has received official evidence of the approval by INS of a petition or the extension by INS of

the period of authorized stay in such classification.

* * * * *

(b) * * *

(c) *Validity of Visa.* The period of validity of a visa issued on the basis of paragraph (a) of this section must not exceed the period indicated in the petition, notification, or confirmation required in paragraph (a)(2) of this section.

Dated: December 14, 1995.

Mary A. Ryan,

Assistant Secretary for Consular Affairs.

[FR Doc. 96-1011 Filed 1-23-96; 8:45 am]

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22 CFR Parts 40, 41, 42, 43, 44, 45, and 47

[Public Notice 2311]

Visas: Regulations Pertaining to Both Nonimmigrants and Immigrants Under the Immigration and Nationality Act, as Amended

AGENCY: Bureau of Consular Affairs, DOS.

ACTION: Final rule.

SUMMARY: On March 4, 1995, the President, as part of the Administration's regulatory reinvention initiative, directed all heads of departments and agencies, *inter alia*, to conduct a page-by-page review of all regulations and to "eliminate or revise those that are outdated or otherwise in need of reform." (Memorandum for Heads of Departments and Agencies, Regulatory Reinvention Initiative, March 4, 1995.) In response, the Visa Office of the Department of State has undertaken a review of its visa regulations to determine whether they may be eliminated, shortened, or rewritten in a more understandable fashion. This final rule reflects the first publication of changes to 22 CFR, Chapter I being made as a result of this review.

EFFECTIVE DATE: January 24, 1996.

FOR FURTHER INFORMATION CONTACT: Stephen K. Fischel, Chief, Legislation and Regulations Division, Visa Office, (202) 663-1204.

SUPPLEMENTARY INFORMATION: The President has directed each agency to undertake a review of its regulations for the purpose of reducing the regulations or, when possible, rendering them more readable and comprehensible. The Visa Office of the Department of State has engaged in a thorough line-by-line review of all visa related regulations in parts 40 through 45 and part 47 of Title

22 of the Code of Federal Regulations. As a result, the Visa Office is proposing various amendments to the regulations consistent with the President's directive. The Visa Office is also using this opportunity to make other necessary changes to the regulations. The Visa Office will be publishing the proposed changes in a series of separate publications.

Updating

Several regulations were originally crafted to address time-limited circumstances under the law. With the passage of time or as the result of the enactment of technical corrections, these provisions have become moot. Consequently, pertinent amendments are made to the following sections:

Part 40: §§ 40.1(h), 40.1(m), 40.51(a) and (c) and 40.52.

Part 41: §§ 41.11(a) and (b); 41.12; and 41.42(b)(1).

Part 42: §§ 42.31(c); 42.52(a); 42.54; 42.55(a); and 42.74(b).

This rule also repeals Parts 43; 44 and 47.

S Visa

This rule assigns visa symbols to the visa classifications created by the provisions of section 130003 of Pub. L. 103-322 which concerns aliens who supply to the U.S. critical information relating to terrorism and criminal organizations or enterprises. This rule revises section 41.12 to reflect the existence of these new nonimmigrant classifications and to provide the appropriate visa symbols.

Terminated Programs

The Immigration Reform and Control Act of 1986 (Pub. L. 99-603), the Immigration Amendments Act of 1988 (Pub. L. 100-658), and the Immigration Act of 1990 (Pub. L. 101-649) created several temporary immigrant classifications. The following parts are being repealed by this rule since these programs have terminated with the passage of time: Part 43 which implemented the FY 1987-FY 1988 Nonpreference Program under sec. 314 of Pub. L. 99-603 (commonly known as the NP-5 Program), and its successor, the FY 1992-1994 Diversity Transitional Visa Program under sec. 132 of Pub. L. 101-649 (commonly known as the AA-1 Program); Part 44 which implemented the FY 1990-1991 Immigrant Program under sec. 3 of Pub. L. 100-658 (commonly known as the OP-1 program); and Part 47 which implemented the FY 1991-1993 Transitional Program for Displaced Tibetans, sec. 134 of Pub. L. 101-649.

Transitional Visas for Legalized Aliens

Sec. 112 of the Immigration Act of 1990 (Pub. L. 101-649) provided transitional immigrant visa numbers for legalized aliens in FY 1992-1994. As this provision lapsed, the following sections are amended to remove any reference to the transitional provisions: §§ 42.31(c) 42.52(a), 42.54, 42.55(a) and 42.74(b).

Miscellaneous Provisions

Several other sections of 22 CFR have been amended to reflect changes in the law. Sec. 40.1(h) is amended to accord immigrant visa status under INA 203(b), the Diversity Program. It is also edited for clarity. As the Immigration Act of 1990 (Pub. L. 101-649) imposed different effective dates for various subtitles of the Act, both § 40.1(m) and § 40.51(a) and (c) were written to conform with those variances in effective dates. They are now edited to remove any reference to such dates. Lastly, § 41.41(b)(1) has been amended to remove the reference to the obsolete Form I-551.

Typographical Corrections

Previous issues of the Federal Register contained typographical errors which are being corrected in this rule. On page 21211 in the issue of May 7, 1991, in the third column under paragraph (b) of the regulation at § 40.63(b), "hereunder" should have read "thereunder." In the same publication on page 21212 in the second column under paragraph (a)(5) of the regulation at § 40.101, "therefore" should have read "therefor." In the July 2, 1991 issue, on page 30428 in the first column under § 41.1, the reference to "INA 212(a)(i)(I)" in the introductory paragraph should have read "INA 212(a)(7)(B)(i)(I), (i)(II)," and under § 41.1(a) there should have been a comma following the words "permanent residence." Finally in the first column of the July 17, 1991 issue, on page 32507 under § 45.5(e), the word "position" in the fourth line should have read "petition."

The 1995 edition of 22 CFR contains the following typographical errors: in § 41.3(d) the word "consulat" should be "consular"; in § 42.63(a)(2) the word "custory" should read "custody"; in § 42.72(e) the parentheses around the "(Pub. L. 101-649)" should be removed; and in § 42.82(g)(1) the "e" should be removed from the word "therefore". On page 42611 in the November 5, 1987 issue in the third column under § 41.113, the citation "INA 101(a)(3)" should read "INA 101(a)(30)." This rule