

number of statutory comparisons that the Commission must conduct.

Consistent with the Administrative Procedure Act, the Commission is adopting these amendments as final without further notice or public comment. See 5 U.S.C. 553(A), (B). To the extent these Procedures involve a "collection of information" within the meaning of the Paperwork Reduction Act, 44 U.S.C. 3501-3520, that collection has already been approved by the Office of Management and Budget (OMB) and assigned control number 3084-0047. The present amendments do not modify the existing requirements to require any new or additional collection of information. Furthermore, the requirements of the Regulatory Flexibility Act also do not apply to these amendments, which will not have a significant economic impact on a substantial number of small entities within the meaning of that Act. See 5 U.S.C. 601, 605(b).

#### List of Subjects in 16 CFR Part 901

Administrative practice and procedure, Consumer protection, Credit, Intergovernmental relations.

For the reasons set forth in the preamble, Part 901 of Chapter I of Title 16 of the Code of Federal Regulations is amended as follows:

#### PART 901—PROCEDURES FOR STATE APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF THE ACT

1. The authority citation for part 901 continues to read as follows:

**Authority:** Pub. L. 95-109, 91 Stat. 874, 15 U.S.C. 1692o; 5 U.S.C. 552.

2. Section 901.3 is amended by revising the introductory text and paragraph (d) to read as follows:

##### § 901.3 Supporting documents.

The application shall be accompanied by the following, which may be submitted in paper or electronic form:

\* \* \* \* \*

(d) A comparison of the provisions of the State law that provides for enforcement with the provisions of section 814 of the Act, together with reasons supporting the claim that such State law provides for administrative enforcement of the State law referred to in paragraph (a) of this section that is substantially similar to, or more extensive than, the enforcement provided under section 814 of the Act.

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3. Section 901.4 is amended by revising paragraph (b) to read as follows:

##### § 901.4 Criteria for determination.

\* \* \* \* \*

(b) In determining whether provisions for enforcement of the State law referred to in § 901.3(a) are adequate, consideration will be given to the extent to which, under State law, provision is made for administrative enforcement, including necessary facilities, personnel, and funding.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

[FR Doc. 99-15841 Filed 6-25-99; 8:45 am]  
BILLING CODE 6750-01-M

#### CONSUMER PRODUCT SAFETY COMMISSION

##### 16 CFR Part 1615

##### Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Correction

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** The Commission is amending the standard for the flammability of children's sleepwear sizes 0 through 6X to correct several references to a paragraph that was redesignated when the Commission amended the standard in 1996. In this document, the Commission is also clarifying the definition of infant garments.

**DATES:** The corrections become effective on June 28, 1999.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Borsari, Office of Compliance, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0400, extension 1370.

**SUPPLEMENTARY INFORMATION:** This document corrects several references in the children's sleepwear standard for sizes 0 through 6X that were not changed when the Commission amended the standard in 1996.<sup>1</sup> When the standard was amended to exempt infant garments, paragraph 1615.1(c), which defined "item," was changed to 1615.1(d). Several references to this paragraph elsewhere in the standard were not changed to refer to the redesignated paragraph. This notice corrects those references. This notice also corrects the definition of infant garments in paragraph 1615.1(c). As currently worded, the language seems to apply to children aged 9 months or younger, rather than garments sized 9 months or smaller. Garments sized 9 months are typically worn by children

<sup>1</sup> Commissioners Mary Gall and Thomas Moore voted to issue this correction notice. Chairman Ann Brown abstained.

who are actually 5 or 6 months old. This notice clarifies the definition by defining an infant garment as "a garment that is sized nine months or smaller," rather than by defining it as "a garment that is sized for a child nine months of age or younger." Because these are technical corrections rather than substantive rules, there is no need to delay the effective date. 5 U.S.C. 553(d).

#### List of Subjects in 16 CFR Part 1615

Clothing, Consumer protection, Flammable materials, Infants and children, Labeling, Reporting and recordkeeping requirements, Sleepwear, Textiles, Warranties.

Accordingly, 16 CFR part 1615 is corrected by making the following correcting amendments:

#### PART 1615—STANDARD FOR THE FLAMMABILITY OF CHILDREN'S SLEEPWEAR: SIZES 0 THROUGH 6X

1. The authority citation for part 1615 continues to read as follows:

**Authority:** Sec. 4, 67 Stat. 112, as amended, 81 Stat. 569-570; 15 U.S.C. 1193.

##### § 1615.1 [Corrected]

2. In § 1615.1(c)(1) remove the words "Is sized for a child nine months of age or younger" and add, in their place "Is sized nine months or smaller".

##### § 1615.2 [Corrected]

3. In § 1615.2(a), (b) and (c) remove the words "§ 1615.1(c)" and add, in their place "§ 1615.1(d)".

##### § 1615.64 [Corrected]

4. In § 1615.64(a)(1) and (b) remove the words "§ 1615.1(c)" and add, in their place "§ 1615.1(d)".

Dated: June 22, 1999.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 99-16321 Filed 6-25-99; 8:45 am]

BILLING CODE 6355-01-P

#### CONSUMER PRODUCT SAFETY COMMISSION

##### 16 CFR Parts 1615 and 1616

##### Final Rule; Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.