

VIII. Federalism

FDA has analyzed this final rule in accordance with the principles set forth in Executive Order 13132. FDA has determined that the rule does not contain policies that have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Accordingly, FDA has concluded that the rule does not contain policies that have federalism implications as defined in the Executive order and, consequently, a federalism summary impact statement is not required.

IX. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket numbers found in brackets in the heading of this document and may be accompanied by a supporting memorandum or brief. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

X. Authority

This final rule (partial delay of compliance date) is issued under sections 201, 501, 502, 503, 505, 510, and 701 of the act (21 U.S.C. 321, 351, 352, 353, 355, 360, and 371) and under authority of the Commissioner of Food and Drugs.

Dated: July 30, 2004.

Jeffrey Shuren,

Assistant Commissioner for Policy.

[FR Doc. 04-18842 Filed 9-2-04; 8:45 am]

BILLING CODE 4160-01-S

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9137]

RIN 1545-BA81

Partnership Transactions Involving Long-Term Contracts; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to final regulations (TD 9137) that were published in the **Federal Register** on Friday, July 16, 2004 (69 FR 42551) relating to partnership transactions involving contracts accounted for under a long-term contract method of accounting.

DATES: This correction is effective July 16, 2004.

FOR FURTHER INFORMATION CONTACT: Richard Probst at (202) 622-3060 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections are under section 460 of the Internal Revenue Code.

Need for Correction

As published, TD 9137 contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of the final regulations (TD 9137), which was the subject of FR Doc. 04-15833, is corrected as follows:

§ 1.1362-3 [Corrected]

■ 1. On page 42559, column 2, § 1.1362-3, Par. 14., second line, the language, “by adding a sentence is at the end of” is corrected to read “by adding a sentence at the end of”.

Cynthia E. Grigsby,

Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedures and Administration).

[FR Doc. 04-20166 Filed 9-2-04; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 549

[BOP-1129-I]

RIN 1120-AB29

Over-The-Counter (OTC) Medications: Technical Correction

AGENCY: Bureau of Prisons, Justice.

ACTION: Interim final rule.

SUMMARY: This document makes a minor technical correction to the Bureau of Prisons (Bureau) regulations on Over-The-Counter (OTC) medications. Previously, our rule defined an inmate without funds as one who has had an

average daily trust fund account balance of less than \$6.00 for the past 30 days. The words “average daily” in that definition resulted in incorrect classifications by the Bureau’s business offices. The more accurate definition of an inmate without funds is one who has not had a trust fund account balance of \$6.00 for the past 30 days. We therefore issue this technical correction.

DATES: This rule is effective September 3, 2004. Comments are due by November 2, 2004.

ADDRESSES: Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. Our e-mail address is BOPRULES@BOP.GOV.

FOR FURTHER INFORMATION CONTACT: Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 307-2105.

SUPPLEMENTARY INFORMATION: We amend our regulations on Over-The-Counter (OTC) medications (28 CFR part 549, subpart B). We published a final rule on this subject in the **Federal Register** on August 12, 2003 (68 FR 47847).

Previously, our rule defined an inmate without funds as one who has had an average daily trust fund account balance of less than \$6.00 for the past 30 days. The words “average daily” in that definition resulted in incorrect classifications by the Bureau’s business offices. The more accurate definition of an inmate without funds is one who has not had a trust fund account balance of \$6.00 for the past 30 days. We therefore issue this technical correction.

Administrative Procedure Act

The Administrative Procedure Act (5 U.S.C. 553) allows exceptions to notice-and-comment rulemaking “when the agency for good cause finds * * * that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.”

This rulemaking is exempt from normal notice-and-comment procedures because it makes a minor technical correction in the wording of a definition. This change does not change the substance or application of the definition. This rulemaking makes no change to any rights or responsibilities of the agency or any regulated entities. Because this minor change is of a practical nature, normal notice-and-comment rulemaking is unnecessary. The public may, however, comment on this rule change because it is an interim final rule.