

(d) *Effective/applicability date.* This section applies to transfers or assignments of derivative contracts on or after July 22, 2011.

**§ 1.1001–4T [Removed]**

■ **Par. 3.** Section 1.1001–4T is removed.

**Heather C. Maloy,**

*Acting Deputy Commissioner for Services and Enforcement.*

Approved: October 29, 2013.

**Mark Mazur,**

*Assistant Secretary of the Treasury (Tax Policy).*

[FR Doc. 2013–26575 Filed 11–5–13; 8:45 am]

**BILLING CODE 4830–01–P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

**29 CFR Parts 1910 and 1926**

[Docket No. OSHA–2013–0005]

**RIN 1218–AC77**

**Incorporation by Reference; Accident Prevention Signs and Tags; Correction**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations, which were published in the **Federal Register** of Thursday, June 13, 2013 (78 FR 35559). The regulations update OSHA's general industry and construction signage standards by adding references to the latest American National Standards Institute (ANSI) standards on specifications for accident prevention signs and tags.

**DATES:** Effective on November 6, 2013.

**FOR FURTHER INFORMATION CONTACT:**

*General information and press inquiries:* Frank Meilinger, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Ave. NW., Washington, DC 20210; telephone: (202) 693–1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

*Technical inquiries:* Kenneth Stevanus, Directorate of Standards and Guidance, Room N–3609, OSHA, U.S. Department of Labor, 200 Constitution Ave. NW., Washington, DC 20210; telephone: (202) 693–2260; fax: (202) 693–1663; email: [stevanus.ken@dol.gov](mailto:stevanus.ken@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections superseded

their predecessor regulations in 29 CFR parts 1910 and 1926 on the effective date, and affect employers required to use accident prevention signs and tags under the specified standards.

**Need for Correction**

As published, the final regulations contain errors that may prove to be misleading and ambiguous references to illustrative figures in incorporated-by-reference ANSI standards. Specifically, the incorporation-by-reference provisions in 29 CFR 1910.6(e)(66) and (e)(67) and 1926.6(h)(28)–(h)(30) misidentify the vendors and locations where the public can purchase the updated ANSI Z535 standards. In addition, the references in 29 CFR 1926.200(b) and (c), “Accident prevention signs and tags,” to figures in ANSI Z535.2–2011 are ambiguous. These references need to be clarified because the figures they denote illustrate sign specifications that employers have the option of following.

**List of Subjects in 29 CFR Parts 1910 and 1926**

Construction, General industry, Incorporation by reference, Safety, Signs, Tags.

Accordingly, 29 CFR parts 1910 and 1926 are corrected by making the following correcting amendments:

**PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS**

**Subpart A—General**

■ 1. The authority citation for subpart A continues to read as follows:

**Authority:** 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), 1–90 (55 FR 9033), 6–96 (62 FR 111), 3–2000 (65 FR 50017), 5–2002 (67 FR 65008), 5–2007 (72 FR 31159), 4–2010 (75 FR 55355), or 1–2012 (77 FR 3912), as applicable.

Sections 1910.6, 1910.7, 1910.8 and 1910.9 also issued under 29 CFR 1911. Section 1910.7(f) also issued under 31 U.S.C. 9701, 29 U.S.C. 9a, 5 U.S.C. 553; Public Law 106–113 (113 Stat. 1501A–222); Pub. L. 11–8 and 111–317; and OMB Circular A–25 (dated July 8, 1993) (58 FR 38142, July 15, 1993).

■ 2. In § 1910.6, revise paragraphs (e)(66) and (e)(67) to read as follows:

**§ 1910.6 Incorporation by reference.**

\* \* \* \* \*

(e) \* \* \*  
(66) ANSI Z535.1–2006 (R2011), Safety Colors, reaffirmed July 19, 2011; IBR approved for §§ 1910.97(a) and 1910.145(d). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd

Street, 4th Floor, New York, NY 10036; telephone: 212–642–4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877–413–5184; Web site: [www.global.ihs.com](http://www.global.ihs.com); or

(iii) TechStreet Store, 3916 Rancho Dr., Ann Arbor, MI 48108; telephone: 877–699–9277; Web site: [www.techstreet.com](http://www.techstreet.com).

(67) ANSI Z535.2–2011, Environmental and Facility Safety Signs, published September 15, 2011; IBR approved for § 1910.261(c). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212–642–4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877–413–5184; Web site: [www.global.ihs.com](http://www.global.ihs.com); or

(iii) TechStreet Store, 3916 Rancho Dr., Ann Arbor, MI 48108; telephone: 877–699–9277; Web site: [www.techstreet.com](http://www.techstreet.com).

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**PART 1926—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION**

**Subpart A—General**

■ 3. The authority citation for subpart A continues to read as follows:

**Authority:** 40 U.S.C. 333; 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), 6–96 (62 FR 111), 5–2007 (72 FR 31160), 4–2010 (75 FR 55355), or 1–2012 (77 FR 3912), as applicable; and 29 CFR part 1911.

■ 4. In § 1926.6, revise paragraphs (h)(28), (h)(29), and (h)(30) to read as follows:

**§ 1926.6 Incorporation by reference.**

\* \* \* \* \*

(h) \* \* \*  
(28) ANSI Z535.1–2006 (R2011), Safety Colors, reaffirmed July 19, 2011; IBR approved for § 1926.200(c). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212–642–4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877–413–5184; Web site: [www.global.ihs.com](http://www.global.ihs.com); or

(iii) TechStreet Store, 3916 Rancho Dr., Ann Arbor, MI 48108; telephone: 877–699–9277; Web site: [www.techstreet.com](http://www.techstreet.com).

(29) ANSI Z535.2–2011, Environmental and Facility Safety Signs, published September 15, 2011; IBR approved for § 1926.200(b), (c), and (i). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212–642–4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877–413–5184; Web site: [www.global.ihs.com](http://www.global.ihs.com/); or

(iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: 877–699–9277; Web site: [www.techstreet.com](http://www.techstreet.com).

(30) ANSI Z535.5–2011, Safety Tags and Barricade Tapes (for Temporary Hazards), published September 15, 2011, including Errata, November 14, 2011; IBR approved for § 1926.200(h) and (i). Copies available for purchase from the:

(i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212–642–4980; Web site: <http://webstore.ansi.org/>;

(ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877–413–5184; Web site: [www.global.ihs.com](http://www.global.ihs.com/); or

(iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: 877–699–9277; Web site: [www.techstreet.com](http://www.techstreet.com).

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**Subpart G—Signs, Signals, and Barricades**

■ 5. The authority citation for subpart G continues to read as follows:

**Authority:** 40 U.S.C. 333; 29 U.S.C. 653, 655, 657; Secretary of Labor's Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), 3–2000 (65 FR 50017), 5–2002 (67 FR 65008), 5–2007 (72 FR 31159), 4–2010 (75 FR 55355), or 1–2012 (77 FR 3912), as applicable; and 29 CFR part 1911.

■ 6. In § 1926.200, revise paragraphs (b)(1) and (c)(1) to read as follows:

**§ 1926.200 Accident prevention signs and tags.**

\* \* \* \* \*

(b) *Danger signs.* (1) Danger signs shall be used only where an immediate hazard exists, and shall follow the specifications illustrated in Figure 1 of ANSI Z35.1–1968 or in Figures 1 to 13 of ANSI Z535.2–2011, incorporated by reference in § 1926.6.

\* \* \* \* \*

(c) *Caution signs.* (1) Caution signs shall be used only to warn against

potential hazards or to caution against unsafe practices, and shall follow the specifications illustrated in Figure 4 of ANSI Z35.1–1968 or in Figures 1 to 13 of ANSI Z535.2–2011, incorporated by reference in § 1926.6.

\* \* \* \* \*

Signed at Washington, DC, on October 30, 2013.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2013–26338 Filed 11–5–13; 8:45 am]

**BILLING CODE 4510–26–P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

**29 CFR Parts 1910 and 1926**

[Docket No. OSHA–2013–0005]

RIN 1218–AC77

**Updating OSHA Standards Based on National Consensus Standards; Signage**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** On June 13, 2013, OSHA published in the **Federal Register** (78 FR 35559) a direct final rule that revised its signage standards for general industry and construction by updating the references to national consensus standards approved by the American National Standards Institute, a clearinghouse that verifies that the criteria for approval of consensus standards have been met. OSHA stated in that **Federal Register** notice that it would withdraw the companion proposed rule and confirm the effective date of the direct final rule if the Agency received no significant adverse comments on the direct final rule. Since OSHA received no such significant adverse comments, the Agency now confirms that the direct final rule became effective as a final rule on September 11, 2013.

**DATES:** The direct final rule published on June 13, 2013 (78 FR 35559), became effective as a final rule on September 11, 2013. For the purposes of judicial review, OSHA considers November 6, 2013, the date of issuance of the final rule.

**ADDRESSES:** In compliance with 28 U.S.C. 2112(a), OSHA designates the Associate Solicitor of Labor for

Occupational Safety and Health as the recipient of petitions for review of the final standard. Contact Joseph M. Woodward, Associate Solicitor, at the Office of the Solicitor, Room S–4004, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–5445; email: [woodward.joseph@dol.gov](mailto:woodward.joseph@dol.gov).

**FOR FURTHER INFORMATION CONTACT:**

*General information and press inquiries:* Frank Meilinger, Director, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

*Technical information:* Ken Stevanus, Directorate of Standards and Guidance, Room N–3609, OSHA, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–2260; fax: (202) 693–1663; email: [stevanus.ken@dol.gov](mailto:stevanus.ken@dol.gov).

**SUPPLEMENTARY INFORMATION:**

*Copies of this Federal Register notice:* Electronic copies of this **Federal Register** notice are available at <http://www.regulations.gov>. This **Federal Register** notice, as well as news releases and other relevant information, also are available at OSHA's Web page at <http://www.osha.gov>.

*Confirmation of the effective date:* On June 13, 2013, OSHA published a direct final rule (DFR) in the **Federal Register** that revised its signage standards for general industry at 29 CFR 1910.97, 1910.145, and 1910.261, and construction at 29 CFR 1926.200, by updating references to the American National Standards Institute (ANSI) signage protection standards (see 78 FR 35559). Specifically, the DFR updated the signage references in OSHA's existing general industry and construction standards, including references to ANSI Z53.1–1967 (Safety Color Code for Marking Physical Hazards), Z35.1–1968 (Specifications for Accident Prevention Signs), and Z35.2–1968 (Specifications for Accident Prevention Tags), by adding references to the latest ANSI standards, including ANSI Z535.1–2006 (R2011) (Safety Colors), Z535.2–2011 (Environmental and Facility Safety Signs), and Z535.5–2011 (Safety Tags and Barricade Tapes (for Temporary Hazards)). Thus, the DFR allowed employers to follow either the updated ANSI standards or the older ANSI signage standards already referenced in OSHA's existing general industry and construction standards.

The DFR also incorporated by reference Part VI of the Manual of Uniform Traffic Control Devices, 1988 Edition, Revision 3, into 29 CFR 1926.6,