

**§ 558.485 [Amended]**

■ 27. In § 558.485, in paragraph (b)(7), remove “000069 and 017135” and in its place add “017135 and 054771”; and in paragraph (e)(1)(xii)(C), remove “000009” and in its place add “054771”.

**§ 558.500 [Amended]**

■ 28. In § 558.500, in paragraphs (e)(2)(viii) and (x), in the “Limitations” column, remove “000009” and in its place add “054771”.

**§ 558.515 [Amended]**

■ 29. In § 558.515, in paragraph (a), remove “046573” and in its place add “054771”; in the table in paragraph (d), in the “Sponsor” column, remove “046573” wherever it occurs and in its place add “054771” and in the “Sponsor” column, remove “000009” where it occurs and in its place add “054771”.

**§ 558.550 [Amended]**

■ 30. In § 558.550, in paragraphs (b)(1), (d)(1)(iii)(c), (d)(1)(vi)(c), (d)(1)(vii)(c), (d)(1)(xvi)(c), (d)(1)(xx)(C), (d)(1)(xxi)(C), (d)(1)(xxii)(B), (d)(1)(xxiii)(b), (d)(3)(ii)(B), (d)(3)(iii)(B), (d)(3)(v)(B), (d)(4)(i)(b), remove “046573” and in its place add “054771”; and in paragraph (d)(1)(xiii)(c), remove “000009” and in its place add “054771”.

**§ 558.555 [Amended]**

■ 31. In § 558.555, in paragraphs (d)(2), (d)(3), (d)(4), and (d)(8), in the “Limitations” column, remove “046573” and in its place add “054771”.

**§ 558.575 [Amended]**

■ 32. In § 558.575, in paragraph (a)(1), remove “046573” and in its place add “054771”.

**§ 558.582 [Amended]**

■ 33. In § 558.582, in paragraph (a), remove “046573” and in its place add “054771”.

**§ 558.600 [Amended]**

■ 34. In paragraph (e)(1)(iii) of § 558.600, in the “Indications for use” column, remove “susceptible” wherever it occurs and in its place add “sensitive”; in the “Limitations” column, add “Use as only source of tiamulin.”; and in the “Limitations” column, remove “046573” and in its place add “054771”.

**§ 558.625 [Amended]**

■ 35. In § 558.625, remove and reserve paragraphs (b)(57) and (83); in

paragraph (b)(54), remove “046573” and in its place add “054771”; and add paragraph (b)(10) to read as follows:

**§ 558.625 Tylosin.**

\* \* \* \* \*

(b) \* \* \*

(10) To No. 012286: 0.4, 0.8, and 1.6 grams per pound, paragraph (f)(1)(vi)(a) of this section; 20, 40, and 100 grams per pound, paragraphs (f)(1)(i) through (vi) of this section.

\* \* \* \* \*

**§ 558.630 [Amended]**

■ 36. In § 558.630, in paragraph (b)(5), remove “046573” and in its place add “054771”.

**§ 558.635 [Amended]**

■ 37. In § 558.635, in paragraph (a)(2), remove “046573” and in its place add “054771”.

**§ 558.680 [Amended]**

■ 38. In § 558.680, in paragraph (b), remove “046573” and in its place add “054771”.

Dated: February 28, 2014.

**Steven D. Vaughn,**

*Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.*

[FR Doc. 2014-04937 Filed 3-10-14; 8:45 am]

**BILLING CODE 4160-01-P**

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**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**
**29 CFR Part 1625****RIN 3046-AA58**
**Waivers of Rights and Claims in Settlement of a Charge or Lawsuit Under the Age Discrimination in Employment Act; Corrections**

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Correcting Amendments.

**SUMMARY:** The EEOC is correcting a cross-reference in its regulation concerning the requirements for a valid waiver of an individual’s right to file a lawsuit under the Older Workers Benefit Protection Act (OWBPA) amendments to the Age Discrimination in Employment Act (ADEA). This is a technical correction.

**DATES:** *Effective Date:* March 11, 2014.

**FOR FURTHER INFORMATION CONTACT:**

Carol R. Miskoff, Assistant Legal Counsel, or Raymond L. Peeler, Senior Attorney-Advisor, at (202) 663-4640 (voice) or (202) 663-7026 (TTY). Requests for this document in an

alternative format should be made to the Office of Communications and Legislative Affairs at (202) 663-4191 (voice) or (202) 663-4494 (TTY), or the Publications Information Center at 1-800-669-3362 (toll free).

**SUPPLEMENTARY INFORMATION:****Background**

In the Older Workers Benefit Protection Act of 1990 (OWBPA), Congress established requirements for the knowing and voluntary release of claims under the Age Discrimination in Employment Act (ADEA).<sup>1</sup> The OWBPA set basic requirements for all waivers of ADEA rights, and it imposed extra requirements when employers sought such waivers in connection with an exit incentive or group termination program. To implement the OWBPA, the EEOC issued a final negotiated rule at 29 CFR 1625.22 in 1998.<sup>2</sup>

**Need for Correction**

The EEOC now corrects a cross-reference in 29 CFR 1625.22(g)(3), the provision that states the basic requirements for waiving ADEA rights when settling an ADEA charge or lawsuit. Where subsection (g)(3) should cross reference the rule’s “knowing and voluntary” requirements applicable to all ADEA waivers, it instead references the rule’s additional requirements for *group termination programs*. Therefore, the EEOC now replaces the incorrect language in 29 CFR 1625.22(g)(3) (“set out in paragraph (f) of this section”), with language referencing the rule’s general waiver requirements (“set out in paragraphs (b), (c), and (d) of this section.”).

**Changes to Authority Citation**

This rule also contains several changes to the existing authority citation for 29 CFR Part 1625. Some of these changes update existing citations to comply with **Federal Register** formatting conventions. Others streamline and consolidate several references to the Age Discrimination in Employment Act. The revisions also add Executive Order 12067 due to its discussion of the EEOC’s leadership role in age discrimination in employment and the EEOC’s responsibilities with respect to federal regulations concerning employment discrimination.

**Retrospective Regulatory Review**

Although the EEOC’s rulemaking on waivers of rights and claims under the

<sup>1</sup> Public Law 101-433, 104 Stat. 978 (codified at 29 U.S.C. 626(f)).

<sup>2</sup> 63 FR 30624, 30631 (June 5, 1998) (EEOC Final Rule for Waiver of Rights and Claims under the ADEA).

ADEA is not currently a priority for regulatory review, the Commission is taking this action, consistent with the EEOC Plan for Retrospective Analysis of Existing Rules,<sup>3</sup> based on stakeholder input and efforts to enhance clarity in the EEOC's regulations.<sup>4</sup>

### Regulatory Procedures

The Commission finds that public notice-and-comment on this rule is unnecessary, because the revision makes no substantive change; it merely corrects an internal cross-referencing error. The rule is therefore exempt from the notice-and-comment requirements of 5 U.S.C. 553(b) under 5 U.S.C. 553(b)(B). This technical correction also is not "significant" for purposes of Executive Order 12866, as reaffirmed by E.O. 13563, and therefore is not subject to review by Office of Management and Budget.

### Regulatory Analysis

Since this technical correction contains no substantive changes to the law, EEOC certifies that it contains no new information collection requirements subject to review by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35), it requires no formal cost-benefit analysis pursuant to E.O. 12866, it creates no significant impact on small business entities subject to review under the Regulatory Flexibility Act, and it imposes no new economic burden requiring further analysis under the Unfunded Mandates Reform Act of 1995.

### Congressional Review Act

This correction is defined as a rule under the Congressional Review Act, but not as a major rule. As a result, it was provided to Congress and the General Accountability Office pursuant to the requirements of 5 U.S.C. 801 as interpreted by Office of Management and Budget Memorandum M-99-13.

### List of Subjects in 29 CFR Part 1625

Advertising, Age, Employee benefit plans, Equal employment opportunity, and Retirement.

For the reasons stated in the preamble, the Equal Employment Opportunity Commission amends 29 CFR Part 1625 as follows:

<sup>3</sup> A copy of the EEOC's Final Plan for Retrospective Analysis of Existing Regulations is available at [http://www.eeoc.gov/laws/regulations/retro\\_review\\_plan\\_final.cfm](http://www.eeoc.gov/laws/regulations/retro_review_plan_final.cfm) (last visited Oct. 5, 2012).

<sup>4</sup> This error was brought to the EEOC's attention by attorneys inquiring about the requirements for settling a charge of age discrimination.

## PART 1625—AGE DISCRIMINATION IN EMPLOYMENT ACT

■ 1. The authority citation for 29 CFR Part 1625 is revised to read as follows:

**Authority:** 29 U.S.C. 621–634; 5 U.S.C. 301; Pub. L. 99–502, 100 Stat. 3342; Secretary's Order No. 10–68; Secretary's Order No. 11–68; sec. 2, Reorg. Plan No. 1 of 1978, 43 FR 19807; Executive Order 12067, 43 FR 28967.

■ 2. Revise § 1625.22(g)(3) to read as follows:

### § 1625.22 Waivers of rights and claims under the ADEA.

\* \* \* \* \*

(g) \* \* \*

(3) The standards set out in paragraphs (b), (c), and (d) of this section for complying with the provisions of section 7(f)(1)(A)–(E) of the ADEA also will apply for purposes of complying with the provisions of section 7(f)(2)(A) of the ADEA.

\* \* \* \* \*

Dated: March 5, 2014.

For the Commission.

**Jacqueline A. Berrien,**

*Chair.*

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**BILLING CODE 6570–01–P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Parts 4000, 4006, 4007, and 4047

**RIN 1212–AB26**

### Premium Rates; Payment of Premiums; Reducing Regulatory Burden

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Pension Benefit Corporation (PBGCC) is making its premium rules more effective and less burdensome. Based on its regulatory review under Executive Order 13563 (Improving Regulation and Regulatory Review), PBGC proposed to simplify due dates, coordinate the due date for terminating plans with the termination process, make conforming and clarifying changes to the variable-rate premium rules, give small plans more time to value benefits, provide for relief from penalties, and make other changes. PBGC recently finalized the part of the proposal that eliminated the early payment requirement for large plans' flat-rate premiums. This action finalizes the rest of the proposal.

**DATES:** Effective April 10, 2014. The changes are generally applicable for plan years starting on or after January 1, 2014. See **Applicability** later in the preamble for details.

### FOR FURTHER INFORMATION CONTACT:

Catherine B. Klion, Assistant General Counsel for Regulatory Affairs ([klion.catherine@pbgc.gov](mailto:klion.catherine@pbgc.gov)), or Deborah C. Murphy, Deputy Assistant General Counsel for Regulatory Affairs ([murphy.deborah@pbgc.gov](mailto:murphy.deborah@pbgc.gov)), Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026; 202–326–4024. (TTY and TDD users may call the Federal relay service toll-free at 800–877–8339 and ask to be connected to 202–326–4024.)

### SUPPLEMENTARY INFORMATION:

#### Executive Summary—Purpose of the Regulatory Action

This rulemaking is needed to make PBGC's premium rules more effective and less burdensome. The rule simplifies and streamlines due dates, coordinates the due date for terminating plans with the termination process, makes conforming changes to the variable-rate premium rules, clarifies the computation of the premium funding target, reduces the maximum penalty for delinquent filers that self-correct, and expands premium penalty relief.

PBGC's legal authority for this action comes from section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 (ERISA), which authorizes PBGC to issue regulations to carry out the purposes of title IV of ERISA, and section 4007 of ERISA, which gives PBGC authority to set premium due dates and to assess late payment penalties.

#### Executive Summary—Major Provisions of the Regulatory Action

##### *Due Date Changes*

In recent years, premium due dates have generally depended on plan size. Large plans have paid the flat-rate premium early in the premium payment year and the variable-rate premium later in the year. Mid-size plans have paid both the flat- and variable-rate premiums by that same later due date. Small plans have paid the flat- and variable-rate premiums in the following year. PBGC recently eliminated the early due date for large plans' flat-rate premiums. PBGC is now completing the process of simplifying the due-date rules by making small plans' premiums due at the same time as large and mid-size plans' premiums. However, because of a transition rule that gives small