

request for comments in the **Federal Register** on December 17, 2001 (66 FR 64910). The FAA uses the direct final rulemaking procedure for a non-controversial rule when FAA believes that there will be no adverse public comment. This direct final rule advised the public that adverse comments were not anticipated, and that unless written adverse comments or written notice of intent to submit such adverse comments, were received within the comment period, the regulation would become effective on February 21, 2002. No adverse comments were received. Thus, this notice confirms the direct final rule will become effective on that date.

Issued in Los Angeles, California, on January 23, 2002.

John Clancy,

Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 02-4956 Filed 2-28-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs; Flunixin Meglumine Solution

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental abbreviated new animal drug application (ANADA) filed by Phoenix Scientific, Inc. The supplemental ANADA provides for use of flunixin meglumine solution by intravenous injection for control of fever and inflammation in beef cattle and nonlactating dairy cattle.

DATES: This rule is effective March 1, 2002.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0209.

SUPPLEMENTARY INFORMATION: Phoenix Scientific, Inc., 3915 South 48th Street Ter., P.O. Box 6457, St. Joseph, MO 64506-0457, filed supplemental ANADA 200-124 that provides for veterinary prescription use of Flunixin Meglumine Injection by intravenous administration for control of fever and

inflammation in beef cattle and nonlactating dairy cattle. The supplemental ANADA is approved as of November 1, 2001, and the regulations are amended in § 522.970 (21 CFR 522.970) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In addition, § 522.970 is being amended to add the drug labeler code (DLC) for Agri Laboratories, Ltd., which is the sponsor of approved ANADA 200-061 (62 FR 22888, April 28, 1997), but whose DLC (057561) was inadvertently omitted in a subsequent revision (63 FR 38749, July 20, 1998).

In accordance with the freedom of information provisions of 21 CFR part 20 and 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, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.33(a)(1) 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.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

List of Subjects in 21 CFR Part 522

Animal drugs.

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 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

2. Section 522.970 is amended by redesignating paragraph (d) as paragraph (e); by adding new paragraph (d); and by revising paragraphs (a), (b), and newly redesignated paragraphs (e)(1)(i), (e)(1)(iii), (e)(2)(i), and (e)(2)(iii) to read as follows:

§ 522.970 Flunixin meglumine solution.

(a) *Specifications.* Each milliliter of solution contains flunixin meglumine equivalent to 50 milligrams (mg) flunixin.

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter for use as in paragraph (e) of this section.

(1) See Nos. 000061 and 059130 for use as in paragraph (e) of this section.

(2) See Nos. 000856 and 057561 for use as in paragraph (e)(1) of this section.

* * * * *

(d) *Special considerations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(e) * * *

(1) * * *

(i) *Amount.* 0.5 mg per pound (/lb) of body weight per day, intravenously or intramuscularly, for up to 5 days.

* * * * *

(iii) *Limitations.* Not for use in horses intended for food.

(2) * * *

(i) *Amount.* 1.1 to 2.2 mg/kilogram (0.5 to 1.0 mg/lb) of body weight per day, as a single dose or divided into 2 doses administered at 12-hour intervals, intravenously, for up to 3 days.

* * * * *

(iii) *Limitations.* Do not slaughter for food use within 4 days of last treatment. Not for use in lactating or dry dairy cows. A withdrawal period has not been established for use in preruminating calves. Do not use in calves to be processed for veal.

Dated: February 8, 2002.

Claire M. Lathers,

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

[FR Doc. 02-4891 Filed 2-28-02; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Honolulu 01-005]

RIN 2115-AA97

Security Zone; Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a security zone in the waters adjacent to the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI. This security zone is necessary to protect the CMPM, and

all involved personnel and vessels from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature at the CMPM off the Barbers Point Coast on the island of Oahu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required. When the zone is activated, entry into this zone is prohibited unless authorized by the U.S. Coast Guard Captain of the Port Honolulu, HI.

DATES: This rule is effective from 6 a.m. HST September 19, 2001 to 4 p.m. HST March 19, 2002.

ADDRESSES: Public comments and supporting material will be available for inspection or copying at U.S. Coast Guard Marine Safety Office Honolulu, 433 Ala Moana Blvd, Honolulu, Hawaii 96813, between 7 a.m. and 4:30 p.m., Monday through Friday, except for Federal holidays.

FOR FURTHER INFORMATION CONTACT: LCDR R.T. Spaulding, U.S. Coast Guard Marine Safety Office Honolulu, Hawaii at (808) 522-8264.

SUPPLEMENTARY INFORMATION:

Regulatory Information

In order to protect the interests of national security the Coast Guard is establishing a temporary security zone to provide for the safety and security of vessels, persons, and facilities in the navigable waters of the United States. In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) and for making this rule effective in less than 30 days after publication in the **Federal Register**.

Publishing an NPRM and delaying this rule's effective date would be impracticable and contrary to the public interest since immediate action is needed to protect the Chevron Multi-Point Mooring (CMPM) Barbers Point Coast, Honolulu, HI, and all involved personnel and vessels. Under these circumstances, there is insufficient time to publish a proposed rule or to provide a delayed effective date for the rule.

Background and Purpose

The Coast Guard is establishing a security zone in the waters adjacent to the CMPM Mooring Barbers Point Coast, Honolulu, HI. The security zone will extend out 1,000 yards in all directions from the following coordinates: 21°18.3' North, 158°06.2' West. This security zone extends from the surface of the water to the ocean floor.

This security zone is necessary to protect the CMPM, tank vessels, and all involved personnel from acts of sabotage or other subversive acts,

accidents, or other causes of a similar nature during its cargo operations at the CMPM off the Barbers Point Coast on the island of Oahu. Representatives of the Captain of the Port Honolulu will enforce this security zone. The Captain of the Port may be assisted by other federal or state agencies.

Regulatory Evaluation

This temporary final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The U.S. Coast Guard expects the economic impact of this action to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the short duration of the zone and the limited geographic area affected by it.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The U.S. Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities. No small business impacts are anticipated due to the small size of the zone and the short duration of the security zone in any one area.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520 *et seq.*).

Federalism

The U.S. Coast Guard has analyzed this rule under Executive Order 13132, and has determined this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs

the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The U. S. Coast Guard considered the environmental impact of this action and concluded that, under figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. As an emergency action, the environmental analysis requisite regulatory consultations, and categorical exclusion determination, will be prepared and submitted after establishment of this temporary security zone, and will be available for inspection or copying where indicated under addresses.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05–1(g), 6.04–1, 6.04–6, 160.5; 49 CFR 1.46.

2. From 6 a.m. September 19, 2001 until 4 p.m. March 19, 2002, a new temporary § 165.T14–057 is added to read as follows:

§ 165.T14–057 Security zone: Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI.

(a) *Location.* The following area is a security zone: All waters encompassed by a circle extending 1,000 yards in all directions around the Chevron Multi-Point Mooring from the following coordinates: 21°18.3' North, 158°06.2' West. This security zone extends from the surface of the water to the ocean floor.

(b) *Designated representative.* A designated representative of the Captain of the Port is any Coast Guard commissioned officer, warrant or petty officer that has been authorized by the Captain of the Port Honolulu to act on his behalf. The following officers have or will be designated by the Captain of the Port Honolulu: The senior Coast Guard boarding officer on each vessel enforcing the security zone.

(c) *Regulations.* In accordance with the general regulations in § 165.33 of this part, when this zone is activated entry into this zone is prohibited unless authorized by the Captain of the Port or his designated representatives.

(d) *Effective dates.* This section is effective from 6 a.m. HST September 19, 2001 until 4 p.m. HST March 19, 2002 unless canceled earlier by the Captain of the Port Honolulu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required.

Dated: September 18, 2001.

G. J. Kanazawa,

Captain, U.S. Coast Guard, Captain of the Port, Honolulu.

[FR Doc. 02–4955 Filed 2–28–02; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 36

RIN 2900–AJ86

Loan Guaranty: Advertising and Solicitation Requirements

AGENCY: Department of Veterans Affairs.
ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) loan guaranty regulations by prohibiting advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government. These provisions are necessary to ensure that lenders do not provide misleading information.

DATES: *Effective Date:* March 1, 2002.

FOR FURTHER INFORMATION CONTACT: R. D. Finneran, Assistant Director for Loan Policy and Valuation (262), Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273–7368.

SUPPLEMENTARY INFORMATION: On December 8, 2000, VA published in the **Federal Register** (65 FR 76957) proposed regulatory amendments to prohibit advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government.

We solicited comments for a 60-day period ending February 6, 2001. We did not receive any comments. Based on the rationale set forth in the proposed rule, we are adopting the provision of the proposed rule as a final rule.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3520).

Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

The Secretary hereby certifies that adoption of this rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The rule will not have more than a minuscule effect on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), the final rule is exempt from the initial

and final regulatory flexibility analysis requirement of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number is 64.114.

List of Subjects in 38 CFR Part 36

Condominiums, Flood insurance, Housing, Indians, Individuals with disabilities, Loan programs—housing and community development, Loan programs—Indians, Loan programs—veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: December 3, 2002.

Anthony J. Principi,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 36 is amended as set forth below.

PART 36—LOAN GUARANTY

1. The authority citation for part 36 continues to read as follows:

Authority: 38 U.S.C. 501, 3701–3704, 3707, 3710–3714, 3719, 3720, 3729, 3762, unless otherwise noted.

2. Section 36.4227 is added to read as follows:

§ 36.4227 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning manufactured housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

3. Section 36.4365 is added to read as follows:

§ 36.4365 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.