

## 2. Time-weighted method

Time-weighting allows for adjustment to the denominator of the rate of return calculation for additions and withdrawals, weighted for the amount of time such funds were available during the period. Several methods exist for time-weighting, all of which will have the same arithmetic result. These methods include: dividing the net performance by the average weighted account sizes for the month; dividing the net performance by the arithmetic mean of the account sizes for each trading day during the period; and taking the number of days funds were available for trading divided by the total number of days in the period.

Issued in Washington, DC on August 1, 2003 by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 03-20094 Filed 8-7-03; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 558

#### New Animal Drugs for Use in Animal Feeds; Chlortetracycline, Procaine Penicillin, and Sulfamethazine

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect the approved status of a new animal drug application (NADA) held by Pennfield Oil Co. The NADA provides for the use of three-way, fixed combination Type A medicated articles containing chlortetracycline, procaine penicillin, and sulfamethazine to make three-way combination drug Type C medicated swine feeds used for growth promotion, increased feed efficiency, and the management of several bacterial diseases. Elsewhere in this issue of the **Federal Register**, FDA is publishing a proposed rule to remove certain obsolete or redundant sections of the new animal drug regulations. That proposed rule contains background information about those regulations and also for this action.

**DATES:** This rule is effective August 8, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Andrew J. Beaulieu, Center for Veterinary Medicine (HFV-1), 7519 Standish Pl., Rockville, MD 20855, 301-827-2954, e-mail: [abeaulie@cvm.fda.gov](mailto:abeaulie@cvm.fda.gov).

**SUPPLEMENTARY INFORMATION:** Pennfield Oil Co., 14040 Industrial Rd., Omaha, NE 68144, holds an approval for NADA 138-934 for use of PENNCHLOR SP 250 and PENNCHLOR SP 500 (chlortetracycline, procaine penicillin, and sulfamethazine) three-way, fixed combination Type A medicated articles to make three-way combination drug Type C medicated swine feeds for use for growth promotion, increased feed efficiency, and the management of several bacterial diseases. This product is subject to the transitional approval provision of section 108(b)(2) of the Animal Drug Amendments of 1968 and is currently subject to interim marketing under § 558.15(g)(1) (21 CFR 558.15(g)(1)). At this time, 21 CFR 558.145 is being amended to reflect this approved application.

We note the drug sponsors designated for this product in § 558.15(g)(1), American Cyanamid Co. and Pfizer, Inc., are incorrect. Likewise, the provision states that the use levels and indications for use for this medicated article are listed in § 558.15(g)(2), but this information was apparently never listed in § 558.15(g)(2).

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 558

Animal drugs, Animal feeds.

■ 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 558 is amended as follows:

#### PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

■ 1. The authority citation for 21 CFR part 558 continues to read as follows:

**Authority:** 21 U.S.C. 360b, 371.

#### § 558.145 [Amended]

■ 2. Section 558.145 *Chlortetracycline, procaine penicillin, and sulfamethazine* is amended in paragraph (a)(2) by adding “and 053389” after “046573”.

Dated: August 1, 2003.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 03-20245 Filed 8-5-03; 4:09 pm]

BILLING CODE 4160-01-S

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 100 and 165

[USCG-2003-15813]

#### Safety Zones, Security Zones, and Special Local Regulations

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary rules issued.

**SUMMARY:** This document provides required notice of substantive rules issued by the Coast Guard and temporarily effective between April 1, 2003 and June 30, 2003, that were not published in the **Federal Register**. This quarterly notice lists temporary local regulations, security zones, and safety zones of limited duration and for which timely publication in the **Federal Register** was not possible.

**DATES:** This notice lists temporary Coast Guard rules that became effective and were terminated between April 1, 2003 and June 30, 2003.

**ADDRESSES:** The Docket Management Facility maintains the public docket for this notice. Documents indicated in this notice will be available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh SW., Washington, DC 20593-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. You may electronically access the public docket for this notice on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions on this notice, contact LT Sean Fahey, Office of Regulations and Administrative Law, telephone (202) 267-2830. For questions on viewing, or on submitting material to the docket, contact Dorothy Beard, Chief, Dockets, Department of Transportation at (202) 366-5149.

**SUPPLEMENTARY INFORMATION:** Coast Guard District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety and security needs of the waters within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain local regulations. Safety zones may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. Security zones limit access to prevent injury or damage to vessels, ports, or waterfront facilities.

Special local regulations are issued to enhance the safety of participants and spectators at regattas and other marine events. Timely publication of these rules in the **Federal Register** is often precluded when a rule responds to an emergency, or when an event occurs without sufficient advance notice. The affected public is, however, informed of these rules through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the rule. Because **Federal Register** publication was not possible before the beginning of the effective period, mariners were personally notified of the

contents of these special local regulations, security zones, or safety zones by Coast Guard officials on-scene prior to any enforcement action. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To meet this obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these temporary special local regulations, security zones and safety zones. Permanent rules are not included in this list because they are published in their entirety in the **Federal Register**. Temporary rules may also be published in their entirety if sufficient time is available to do so before they are placed

in effect or terminated. The safety zones, special local regulations are security zones listed in this notice have been exempted from review under Executive Order 12866, Regulatory Planning and Review, because of their emergency nature, or limited scope and temporary effectiveness.

The following rules were placed in effect temporarily during the period from April 1, 2003, through June 30, 2003, unless otherwise indicated.

Dated: August 4, 2003.

**S.G. Venckus,**

*Chief, Office of Regulations and Administrative Law.*

### COTP QUARTERLY REPORT—2ND QUARTER 2003

COTP docket	Location	Type	Effective date
Charleston 03-093	Charleston, SC	Safety Zone	5/31/2003
Jacksonville 03-055	St. Johns River, Jacksonville, FL	Safety Zone	4/26/2003
Jacksonville 03-059	Atlantic Ocean, Cocoa Beach, FL	Safety Zone	4/26/2003
Jacksonville 03-061	Banana River, Cocoa Beach, FL	Safety Zone	4/25/2003
Jacksonville 03-074	Fernandina Beach, FL	Safety Zone	5/2/2003
Jacksonville 03-096	Indian River, New Smyrna Beach, FL	Safety Zone	6/28/2003
Louisville 03-002	Cincinnati Offshore Grand Prix, Ohio River	Safety Zone	6/14/2003
Memphis 03-001	McCellan-Kerr Arks. Riv. M. 335.3 to 336.3	Safety Zone	5/15/2003
Miami 03-065	West Palm Beach, FL	Safety Zone	5/29/2003
Miami 03-066	Port Everglades, Fort Lauderdale, FL	Security Zone	4/28/2003
Miami 03-067	Fort Lauderdale, FL	Safety Zone	5/3/2003
Miami 03-068	Sun Fest West Palm Beach, FL	Safety Zone	5/2/2003
New Orleans 03-008	LWR Mississippi River, M. 94	Safety Zone	4/12/2003
New Orleans 03-009	LWR Mississippi River, M. 19 to 21	Safety Zone	4/12/2003
New Orleans 03-010	LWR Mississippi River, M. 430	Safety Zone	4/15/2003
New Orleans 03-011	LWR Mississippi River, Passes, LA	Security Zone	4/9/2003
New Orleans 03-012	Inner Harbor Nav. Canal, New Orleans, LA	Safety Zone	4/15/2003
Paducah 03-007	Upper Mississippi River, M. 51.5 to 52.5	Safety Zone	4/7/2003
Paducah 03-008	Upper Mississippi River, M. 51.5 to 52.5	Safety Zone	4/10/2003
Paducah 03-011	Ohio River, M. 962 to 963	Safety Zone	4/29/2003
Paducah 03-012	Upper Mississippi River, M. 51.5 to 52.5	Safety Zone	5/1/2003
Paducah 03-013	Tennessee River, M. 446 to 475	Safety Zone	5/6/2003
Philadelphia 03-018	Delaware Bay and River	Security Zone	6/6/2003
Pittsburgh 03-003	Allegheny River, M. 0.3 to 0.7	Safety Zone	4/8/2003
Pittsburgh 03-004	Allegheny River, M. 0.3 to 0.7	Safety Zone	4/19/2003
Pittsburgh 03-005	Monogahela River, M. 97.5 to 98.5	Safety Zone	5/9/2003
Port Arthur 03-003	Gulf Intracoastal Water, M. 319	Safety Zone	4/15/2003
Port Arthur 03-004	Port Arthur Ship Canal, Port Arthur, TX	Safety Zone	5/15/2003
Port Arthur 03-005	Port Arthur Ship Canal, Port Arthur, TX	Safety Zone	5/16/2003
Port Arthur 03-006	Neches River, Port Neches, TX	Safety Zone	5/21/2003
Port Arthur 03-007	Port Arthur Ship Canal, Port Arthur, TX	Safety Zone	6/10/2003
San Diego 03-016	National City Marine Terminal, San Diego	Security Zone	4/25/2003
San Diego 03-020	Naval Base Coronado, San Diego, California	Security Zone	5/1/2003
San Diego 03-021	Colorado River	Safety Zone	5/9/2003
San Diego 03-024	Laughlin, Nevada	Safety Zone	5/25/2003
San Francisco 03-006	Suisun Bay, Concord, CA	Security Zone	4/5/2003
San Francisco 03-007	Oakland Inner Harbor, Oakland, CA	Security Zone	4/30/2003
San Francisco Bay 03-011	Oakland Inner Harbor, Oakland, CA	Safety Zone	6/7/2003
San Francisco Bay 03-012	Oakland Estuary, Alameda, CA	Security Zone	6/12/2003
San Francisco Bay 03-013	Pillar Point, California	Safety Zone	6/12/2003
San Francisco Bay 03-015	San Francisco Bay, San Francisco, CA	Security Zone	6/27/2003
San Francisco Bay 03-016	Half Moon Bay and Vicinity of Pillar Pt., CA	Safety Zone	6/24/2003
San Francisco Bay 03-018	Half Moon Bay and Vicinity of Pillar Pt., CA	Safety Zone	6/26/2003
San Juan 03-063	San Juan, Puerto Rico	Security Zone	4/16/2003
San Juan 03-084	San Juan, Puerto Rico	Security Zone	5/14/2003
Savannah 03-056	Savannah River, Savannah, GA	Security Zone	4/2/2003
Savannah 03-064	Savannah River, Savannah, GA	Security Zone	4/18/2003
Savannah 03-070	Brunswick River, Brunswick, GA	Safety Zone	4/24/2003
Savannah 03-077	Savannah River, Savannah, GA	Security Zone	5/8/2003
Savannah 03-085	Savannah River, Savannah, GA	Security Zone	5/21/2003
Savannah 03-086	Savannah River, Savannah, GA	Safety Zone	5/20/2003

## COTP QUARTERLY REPORT—2ND QUARTER 2003—Continued

COTP docket	Location	Type	Effective date
St. Louis 03-003 .....	Upper Mississippi River M. 403.5 to 404.5 .....	Safety Zone .....	6/22/2003
Tampa 03-058 .....	Clearwater Harbor, Florida .....	Security Zone .....	4/5/2003

## DISTRICT QUARTERLY REPORT—2ND QUARTER 2003

District docket	Location	Type	Effective date
01-03-015 .....	Hudson River, Middle Ground Flats, Hudson, NY	Safety Zone .....	6/14/2003
01-03-032 .....	Branford, CT .....	Safety Zone .....	6/21/2003
01-03-046 .....	Bridgeport, CT .....	Safety Zone .....	5/17/2003
01-03-048 .....	New London, CT .....	Security Zone .....	5/21/2003
01-03-049 .....	Boston Harbor Fireworks, Boston, Mass .....	Safety Zone .....	6/29/2003
01-03-052 .....	JFK Library, Boston, MA .....	Safety Zone .....	5/28/2003
01-03-055 .....	Vietnam Veterans Fireworks, East Haven, CT .....	Safety Zone .....	6/29/2003
01-03-056 .....	Harkness Fireworks Display, Waterford, CT .....	Safety Zone .....	6/28/2003
01-03-058 .....	Godfrey Wedding Fireworks, Westport, CT .....	Safety Zone .....	6/28/2003
01-03-077 .....	ISC Boston, MA .....	Safety/Security .....	6/27/2003
05-03-039 .....	Neuse River, New Bern, NC .....	Special Local .....	5/3/2003
05-03-041 .....	Williamsburg, Virginia .....	Safety Zone .....	4/29/2003
05-03-044 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	5/6/2003
05-03-045 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	5/4/2003
05-03-052 .....	Atlantic Ocean, Point Pleasant Beach .....	Special Local Reg .....	6/22/2003
05-03-053 .....	Isle of Wight Bay, Ocean City, Maryland .....	Safety Zone .....	5/26/2003
05-03-054 .....	Tappahannock, Virginia .....	Safety Zone .....	5/30/2003
05-03-055 .....	Chester River, Chestertown, MD .....	Special Local Reg .....	6/28/2003
05-03-067 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	6/11/2003
05-03-069 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	6/14/2003
05-03-070 .....	Hampton Roads, Elizabeth River, VA .....	Security Zone .....	6/16/2003
05-03-071 .....	Patapsco River, Baltimore, Maryland .....	Safety Zone .....	6/14/2003
09-03-220 .....	Muskego Lake, Muskegon, MI .....	Safety Zone .....	6/7/2003

[FR Doc. 03-20193 Filed 8-7-03; 8:45 am]

BILLING CODE 4910-15-M

## DEPARTMENT OF HOMELAND SECURITY

## Coast Guard

## 33 CFR Part 165

[CGD09-03-227]

RIN 1625-AA00

## Safety Zone; Milwaukee Harbor, Milwaukee, WI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone inside Milwaukee Harbor for the Offshore Power Boat Races. This safety zone is necessary to protect spectators and vessels from the hazards associated with high speed vessels. This safety zone is intended to restrict vessel traffic from a portion of the Milwaukee Harbor.

**DATES:** This rule is effective from 9 a.m. on August 8, 2003 until 5 p.m. on August 10, 2003.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD09-03-227] and are available for inspection or copying at U.S. Coast Guard Marine Safety Office Milwaukee, 2420 South Lincoln Memorial Drive, Milwaukee, WI 53207 between 7 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Marine Science Technician Chief Dave McClintock, Marine Safety Office Milwaukee, at (414) 747-7155.

**SUPPLEMENTARY INFORMATION:****Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. The permit application was not received in time to publish an NPRM followed by a final rule before the effective date. Delaying this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event and immediate action is necessary to prevent possible loss of life or property. The Coast Guard has not received any

complaints or negative comments previously with regard to this event.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

**Background and Purpose**

This safety zone is established to safeguard the public from the hazards of high-speed boat races. The size of the zone was determined by the race course and using previous experiences of high-speed boat races in the Captain of the Port zones and local knowledge about wind, waves, and currents in this particular area.

The safety zone will be enforced on August 8, 2003 from 9 a.m. until 4 p.m.; on August 9 and 10, 2003 from 9 a.m. until 5 p.m. The safety zone will start at the following coordinates: 43° 02.423' N 087° 53.167' W west to 43° 02.422' N 087° 53.442' W south to 43° 01.583' N 087° 53.550' W southeast to 43° 00.533' N 087° 53.091' W east to 43° 00.619' N 087° 52.827' W north to 43° 01.587' N 087° 53.244' W north to ending waypoint 43° 02.423' N 087° 53.167' W located inside of Milwaukee Harbor. There will also be a northern zone prohibiting vessel traffic into the