certification procedure set forth in Commission Regulation 9.11(e).[18]

*C. Verification and Timeliness of Written Notice*

Alternatively, exchanges filing written Regulation 9.11 notices with the NFA, in lieu of filing with the Commission, shall be deemed in compliance with the 30-day period prescribed in Regulation 9.11(a) when notice to the NFA is filed in person with the NFA during normal business hours or placed in the mail within 30 days of the date of final action.[19] All other Regulation 9.11 requirements must be satisfied by these exchanges, including certification. Consistent with current practice employed by the NFA for processing written notices, the NFA will continue to enter the information into BASIC on behalf of the exchange, mark the ''incomplete'' field, and provide a copy of the information as entered into BASIC to the exchange. The exchange is responsible for ensuring the accuracy of information posted on BASIC.[20] Toward that end, an authorized exchange employee must, after proofreading for completeness and accuracy, log-in to BASIC and change the ''incomplete'' marking to ''complete'' or otherwise notify the NFA that the data has been verified and that the NFA is authorized to change the marking to ''complete.'' The Commission expects that the exchanges will promptly complete the verification process after receiving a copy of the data from the NFA.

**V. Conclusion**

This Advisory permits an exchange to comply with the Commission notification provision of Regulation 9.11(a) by filing with the NFA electronic or written notices of disciplinary or access denial actions. Because all exchanges have been voluntarily providing the NFA with these notices, in addition to filing with the Commission, the exchanges should realize a reduction in their regulatory reporting duty. Although each exchange has the choice of filing electronic or written Regulation 9.11 notices, the Commission believes that electronic filing will prove more cost-effective for the exchanges and the NFA. Again, the Commission urges exchanges to file with NFA by this alternative electronic means.

This Advisory, in conjunction with the accompanying Notice & Order, gives the NFA the responsibility of maintaining BASIC, an electronic clearinghouse of all exchange, NFA, and Commission disciplinary actions. The Commission is relying on the exchanges to work with the NFA to keep BASIC current. This not only will assist the Commission in performing its oversight functions, but will provide the public with up-to-date information regarding the disciplinary history of anyone against whom a futures-related action has been taken. Commission staff will closely monitor the manner in which this new process operates to assure that it fully satisfies the relevant regulatory requirements.

Issued in Washington, DC on July 19, 1999 by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 99–18804 Filed 7–22–99; 8:45 am]

**BILLING CODE 6351–01–M**

[18] Commission Regulation 9.11(e) provides that certification must be completed by an authorized exchange employee. Because verification of an electronically filed Regulation 9.11 notice shall satisfy the certification provision of Regulation 9.11(e), the Commission believes it is appropriate to require that exchange verification be completed by an authorized exchange employee.

[19] Filings may be mailed to the National Futures Association, Attn: General Counsel's Office, 200 West Madison Street, Chicago, IL 60606.

[20] When CDI was created in 1990, each exchange signed a contract shielding the NFA from any liability arising out of inaccurate information posted on CDI. All of the exchanges executed addenda in December 1998 and January 1999 extending the terms of those contracts to BASIC.

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 240

### General Rules and Regulations, Securities Exchange Act of 1934

*CFR Correction*

In Title 17 of the Code of Federal Regulations, parts 240 to end, revised as of April 1, 1999, page 384, § 240.17a–5 is corrected by adding paragraphs (g)(2) and (3) after paragraph (g)(1)(iv) to read as follows:

**§ 240.17a–5 Reports to be made by certain brokers and dealers.**

* * * * *

(g) * * *

(2) If the broker or dealer is exempt from § 240.15c3–3, the independent public accountant shall ascertain that the conditions of the exemption were being complied with as of the examination date and that no facts came to his attention to indicate that the exemption had not been complied with during the period since his last examination.

(3) A material inadequacy in the accounting system, internal accounting controls, procedures for safeguarding securities, and practices and procedures referred to in paragraph (g)(1) of this section which is expected to be reported under these audit objectives includes any condition which has contributed substantially to or, if appropriate corrective action is not taken, could reasonably be expected to (i) inhibit a broker or dealer from promptly completing securities transactions or promptly discharging his responsibilities to customers, other broker–dealers or creditors; (ii) result in material financial loss; (iii) result in material misstatements of the broker's or dealer's financial statements; or (iv) result in violations of the Commission's recordkeeping or financial responsibility rules to an extent that could reasonably be expected to result in the conditions described in paragraphs (g)(3) (i), (ii), or (iii) of this section.

* * * * *

[FR Doc. 99–55522 Filed 7–22–99; 8:45 am]

**BILLING CODE 1505–01–D**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Part 520

### Oral Dosage Form New Animal Drugs; Marbofloxacin Tablets

**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 new animal drug application (NADA) filed by Pfizer, Inc. The NADA provides for use of marbofloxacin tablets in dogs for the treatment of infections associated with bacteria susceptible to marbofloxacin.

**EFFECTIVE DATE:** July 23, 1999.

**FOR FURTHER INFORMATION CONTACT:** Melanie R. Berson, Center for Veterinary Medicine (HFV–110), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–7540.

**SUPPLEMENTARY INFORMATION:** Pfizer, Inc., 235 East 42d St., New York, NY 10017, filed NADA 141–151 Zeniquin™ (marbofloxacin) tablets for the treatment of infections in dogs associated with bacteria susceptible to marbofloxacin. The drug is limited to use by or on the order of a licensed veterinarian, and prohibited from extralabel use in food-producing animals. The NADA is approved as of June 26, 1999, and the regulations are amended by adding § 520.1310 to reflect the approval. The

basis of approval is discussed in the freedom of information summary.

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.

Under section 512(c)(2)(F)(i) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360b(c)(2)(F)(i)), this approval qualifies for 5 years of marketing exclusivity beginning June 26, 1999, because no active ingredient (including any ester or salt of the active ingredient) has been approved in any other application filed under section 512(b)(1) of the act.

The agency has determined under 21 CFR 25.33(d)(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 520

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 520 is amended as follows:

## PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 520 continues to read as follows:

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

2. Section 520.1310 is added to read as follows:

#### § 520.1310 Marbofloxacin tablets.

(a) *Specifications.* Each tablet contains either 25, 50, 100, or 200 milligrams of marbofloxacin.

(b) *Sponsor.* See No. 000069 in § 510.600(c) of this chapter.

(c) [Reserved]

(d) *Conditions of use*—(1) *Dogs*—(i) *Amount.* 1.25 milligrams per pound of body weight once daily, but may be increased to 2.5 milligrams per pound of body weight once daily.

(ii) *Indications for use.* For the treatment of infections in dogs associated with bacteria susceptible to marbofloxacin.

(iii) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian. Federal law prohibits the extralabel use of this drug in food-producing animals.

Dated: July 15, 1999.

**George A. Mitchell,**

*Acting Director, Center for Veterinary Medicine.*

[FR Doc. 99–18769 Filed 7–22–99; 8:45 am]

BILLING CODE 4160–01–F

## DEPARTMENT OF THE TREASURY

### United States Mint

### 31 CFR Part 100

**RIN 1525–ZA00**

### Exchange of Coin

**AGENCY:** United States Mint, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In furtherance of the U.S. Mint's efforts to improve the environment, reduce energy consumption and enhance workplace safety and efficiency, the Mint wishes to discontinue melting and instead employ mechanical means to destroy mutilated coins. These mechanical means cannot be used to process fused or mixed coins, which represent a very small percentage of the coins redeemed annually by the Mint. Accordingly, by this amendment the Mint will also discontinue accepting fused or mixed coins for redemption, and require that all bent or partial coins submitted for redemption be separated by denomination in order to be acceptable.

**EFFECTIVE DATE:** August 23, 1999.

**FOR FURTHER INFORMATION CONTACT:** (Legal) Gwen Mattleman, Attorney-Advisor (202) 874–4043, or Kenneth Gubin, Chief Counsel (202) 874–5953; (Technical) Andrew Cosgarea, Associate Director, Head, Circulating Coinage Business Unit (202) 874–6100.

**SUPPLEMENTARY INFORMATION:**

### Background

Part 100, Subpart C of Treasury Regulations 31 CFR, promulgated under 31 U.S.C. 5120, provides for the exchange of bent, partial, fused and mixed coins. The Mint has identified and is actively pursuing initiatives to improve the environment, reduce energy consumption and enhance efficiency and workplace safety. Melting coins submitted for redemption by the Mint's current heat induction procedures is not energy efficient and adds to the Mint's annual electrical expenses. It is also a physically challenging process for the Mint's employees. For these reasons, in 64 FR 4063, January 27, 1999, the Mint published a proposed rule notifying the public of its intention to discontinue melting and begin using mechanical means (such as a hammer mill or rolling mill) to destroy mutilated coins. As the mechanical destruction process requires that coins be separated by alloy, these mechanical methods cannot be used to process fused coins or unsorted (mixed) coin lots. Mutilated coins delivered in these lots of mixed alloy categories often are in a condition which precludes machine sorting, and redemption of mixed coins can be labor-intensive and inefficient. Fused and mixed coins represent a very small component of the United States Mint's annual coin redemptions. Therefore, the Mint's proposed rule published in 64 FR 4063, January 27, 1999 also notified the public of the Mint's intention to amend Part 100 of 31 CFR to discontinue acceptance of fused and mixed coins for redemption and require that all bent or partial coins submitted for redemption be separated by denomination. Comments were solicited through the January 27, 1999 publication of the proposed rule in the **Federal Register** (which included telephone numbers of legal and technical staff and a dedicated email address). No comments from the public were received. For the foregoing reasons, effective 30 days from the date of publication of this final rule, the Mint amends Part 100 of 31 CFR to discontinue acceptance of fused and mixed coins for redemption and to require that all bent or partial coins submitted for redemption be separated by denomination.

### Special Analyses

This regulation is not a significant regulatory action for purposes of Executive Order 12866. The Mint has paid out less than $8 million in total annual mutilated coin redemptions for each of 1996, 1997 and the seven-month period ending July 31, 1998. For each such period, fused and mixed coins as a group constitute less than 1% of total coins redeemed, and approximately 1% or less of the total lots redeemed. Fused and mixed coins are currently redeemed at metal rates lower than the rates paid for sorted coins. For these reasons, the United States Mint does not believe that the regulation will have an annual effect on the economy of $100 million or more or materially adversely affect any sector of the economy, productivity,