

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

■ 2. Section 39.13 is amended by adding the following new airworthiness directive:

**2004-19-06 Boeing:** Amendment 39-13800. Docket 2002-NM-263-AD.

**Applicability:** All Model 767-200, -300, and -300F series airplanes, certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To detect and correct fatigue cracking or corrosion of the fail-safe straps, which could result in cracking of adjacent structure and consequent reduced structural integrity of the fuselage, accomplish the following:

**Inspections and Follow-On/Corrective Actions**

(a) Except as provided by paragraph (b) of this AD, prior to the accumulation of 15,000 total flight cycles, or within 3,000 flight cycles after the effective date of this AD, whichever occurs later, perform a detailed inspection and eddy current inspection to detect cracking or corrosion of the fail-safe straps between the side fitting of the rear spar bulkhead at BS 955 and the skin, per Figure 2 of the Accomplishment Instructions of Boeing Alert Service Bulletin 767-53A0100, dated September 26, 2002.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

(1) If no crack or corrosion is found, repeat the inspections thereafter at intervals not to exceed 6,000 flight cycles or 36 months, whichever occurs first.

(2) If any crack or corrosion is found, before further flight, repair per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or a Boeing Company Designated Engineering Representative who has been authorized by

the Manager, Seattle ACO, to make such findings. For a repair method to be approved, the approval must specifically reference this AD.

(b) For airplanes on which the fail-safe strap has been replaced before the effective date of this AD: Do the actions required by paragraph (a) of this AD within 12,000 flight cycles after accomplishing the replacement.

**Note 2:** Steps 2 and 8 of the Work Instructions of Boeing Alert Service Bulletin 767-53A0100, dated September 26, 2002, refer incorrectly to 767 Airplane Maintenance Manual (AMM) 32-00-20 for opening the MLG doors; the correct reference is 767 AMM 32-00-15, which is referred to in steps 3 and 7 of the Work Instructions. Step 2 also should state "Open Main Landing Gear (MLG) doors" instead of "Open Main Landing Green (MLG) doors."

**Alternative Methods of Compliance**

(c)(1) In accordance with 14 CFR 39.19, the Manager, Seattle ACO, FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

(2) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

**Incorporation by Reference**

(d) Unless otherwise specified in this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 767-53A0100, dated September 26, 2002. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**Effective Date**

(e) This amendment becomes effective on November 1, 2004.

Issued in Renton, Washington, on September 13, 2004.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-21272 Filed 9-24-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 558****New Animal Drugs for Use in Animal Feeds; Bacitracin Methylene Disalicylate; Correction**

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

**ACTION:** Final rule; correcting amendments.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a document amending the animal drug regulations to reflect approval of an original abbreviated new animal drug application (ANADA) that appeared in the *Federal Register* of August 18, 2004 (69 FR 51172). FDA is removing the drug labeler code for Pennfield Oil Co. in the entry for use of single-ingredient bacitracin methylene disalicylate (BMD) in swine feed, which was added in error during document formatting; and is adding the approved source of BMD in the entry for use of BMD in combination with chlortetracycline. These corrections are being made so the BMD regulations accurately reflect approved new animal drug applications.

**DATES:** This rule is effective September 27, 2004.

**FOR FURTHER INFORMATION CONTACT:**

George K. Haibel, Center for Veterinary Medicine (HFV-6), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 301-827-4567, e-mail: [ghaibel@cvm.fda.gov](mailto:ghaibel@cvm.fda.gov).

**SUPPLEMENTARY INFORMATION:** For the reasons set forth in the preamble, FDA is correcting 21 CFR part 558 to read as follows:

**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.

■ 2. Section 558.76 is amended in the table by revising paragraph (d)(1)(iv) to read as follows:

**§ 558.76 Bacitracin methylene disalicylate.**

\* \* \* \* \*

(d) \* \* \*

(1) \* \* \*

Bacitracin methylene disalicylate in grams per ton	Combination in grams per ton	Indications for use	Limitations	Sponsor
*	*	*	*	*
(iv) 10 to 30	Chlortetracycline approximately 400, varying with body weight and food consumption to provide 10 milligrams per pound of body weight per day.	Swine; for increased rate of weight gain and improved feed efficiency.  Swine; for increased rate of weight gain and improved feed efficiency; for treatment of bacterial enteritis caused by <i>Escherichia coli</i> and <i>Salmonella choleraesuis</i> and bacterial pneumonia caused by <i>Pasteurella multocida</i> susceptible to chlortetracycline.  Swine; for control of porcine proliferative enteropathies (ileitis) caused by <i>Lawsonia intracellularis</i> susceptible to chlortetracycline.	For growing and finishing swine  Feed for not more than 14 days; bacitracin methylene disalicylate provided by No. 046573; chlortetracycline provided by Nos. 046573 and 053389 in § 510.600(c) of this chapter.  Feed for not more than 14 days; chlortetracycline and BMD as provided by 046573 in § 510.600(c) of this chapter.	046573  046573 053389  046573
*	*	*	*	*

\* \* \* \* \*

Dated: September 2, 2004.

**Stephen F. Sundlof,***Director, Center for Veterinary Medicine.*

[FR Doc. 04-21560 Filed 9-24-04; 8:45 am]

BILLING CODE 4160-01-S

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 31**

[TD 7374]

**Amendment of Employment Tax Regulations and Regulations on Procedure and Administration; Correction****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Correcting amendment.

**SUMMARY:** This document contains corrections to (TD 7374) which was published in the **Federal Register** on Thursday, July 24, 1975 (40 FR 30946) relating to Federal Insurance Contribution Act taxes (FICA).

**DATES:** This correction is effective July 24, 1975.

**FOR FURTHER INFORMATION CONTACT:** Warren Joseph at (202) 622-4920 (not a toll-free number).

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

The final regulations (TD 7374) that are the subject of this correction is under section 6413(c) of the Internal Revenue Code.

**Need for Correction**

As published, TD 7374, contains an error that may prove to be misleading and is in need of clarification.

**List of Subjects in 26 CFR Part 31**

Employment taxes, Income taxes, Penalties, Pensions, Railroad retirement, Reporting and recordkeeping requirements, Social Security, Unemployment compensation.

**Correction of Publication**

■ Accordingly, 26 CFR Part 31 is corrected by making the following correcting amendment:

**PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT SOURCE**

■ **Paragraph 1.** The authority citation for part 31 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

**§ 31.6413(c)-1 [Corrected]**

■ **Par. 2.** Section 31.6413(c)-1(a)(1)(i) is amended by removing the language

“§ 1.21-2” and adding the language “§ 1.31-2” in its place.

**Cynthia E. Grigsby,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedures and Administration).*

[FR Doc. 04-21613 Filed 9-24-04; 8:45 am]

BILLING CODE 4830-01-P

**DEPARTMENT OF JUSTICE****Office of the Attorney General****28 CFR Part 0**

[A.G. Order No. 2735-2004]

**Technical Revision of Regulation Delegating Waiver Authority for Claims Involving Employee Overpayment Debt****AGENCY:** Department of Justice.**ACTION:** Final rule.

**SUMMARY:** This rule makes technical changes to the Department of Justice organizational regulations to delete unnecessary and obsolete references to legal authorities.

**DATES:** This rule is effective September 27, 2004.

**FOR FURTHER INFORMATION CONTACT:** Stuart Frisch, General Counsel, or Morton J. Posner, Attorney-Advisor, Justice Management Division, U.S. Department of Justice, 1331 Pennsylvania Avenue, NW., Suite 520 North, Washington, DC 20530;