PLAINTIFF'S EXHIBIT

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Staphylococcus aureus: and skin and soft tissue infections including cellulitis, pyoderma, dermatitis, wound infections, and abscesses caused by susceptible strains of *Staphylococcus aureus.*

(ii) *Amount.* 10 milligrams per pound of body weight, twice daily.

(2) For use in cats as follows:

(i) *Indications for use.* For treating skin and soft tissue infections including abscesses, wound infections, cellulitis, and dermatitis caused by susceptible strains of *Pasteurella multocida, Staphylococcus aureus, Staphylococcus epidermidis,* and *Streptococcus* spp.

(ii) *Amount.* 10 milligrams per pound of body weight, once daily.

(3) *Limitations.* Discard unused portion of reconstituted product after 14 days. Treatment should continue for 48 hours after animal is afebrile or asymptomatic. If no response after 3 days, discontinue treatment and reevaluate therapy. Not for use in animals raised for food production. Safe use in pregnant or breeding animals has not been established. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Dated: July 12, 1988.

Richard H. Teske,

Deputy Director, Center for Veterinary Medicine.

[FR Doc. 88-16298 Filed 7-19-88; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Monensin

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to remove that portion of the regulations reflecting approval of a new animal drug application (NADA) held by Central Soya Co., Inc. The NADA provides for the use of a Type A medicated article containing 265.5 or 281.7 grams of monensin per ton for making Type C medicated feeds for broiler chickens. Elsewhere in this issue of the Federal Register, FDA is withdrawing approval of the NADA.

EFFECTIVE DATE: August 1, 1988.

FOR FURTHER INFORMATION CONTACT: Mohammad I. Sharar, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4093.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the Federal Register, FDA is withdrawing approval of Central Soya Co., Inc.'s NADA 119-548. The NADA provides for manufacturing Type A medicated articles for export which contain 265.5 or 281.7 grams of monensin per ton for use in making Type C medicated feeds for broiler chickens. The feeds are used as an aid in the prevention of coccidiosis. This document removes 21 CFR 558.355(b)(10), which reflects approval of the NADA.

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, 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: Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b); 21 CFR 5.10 and 5.83.

§ 558.355 [Amended]

2. Section 558.355 *Monensin* is amended by removing paragraph (b)(10) and reserving it.

Dated: July 12, 1988.

Richard H. Teske,

Deputy Director, Center for Veterinary Medicine.

[FR Doc. 88-16294 Filed 7-19-88; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910 and 1926

[Docket No. H-330]

Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Extension of partial stay and amendment of final rule.

SUMMARY: OSHA is hereby extending the partial administrative stay of the revised final standards for occupational exposure to asbestos, tremolite, anthophyllite and actinolite for general industry (§ 1910.1001) and construction (§ 1926.58), insofar as they apply to occupational exposure to non-asbestiform tremolite, anthophyllite and actinolite. The current partial stay, originally set to expire on April 21, 1987 and extended until July 21, 1988, is being further extended until July 21, 1989 to allow OSHA to conduct supplemental rulemaking limited to the issue of whether non-asbestiform tremolite, anthophyllite and actinolite should continue to be regulated in the same standard as asbestos, or should be treated in some other way. OSHA also is making minor conforming amendments to notes to the affected standards.

DATES: The partial stay of §§ 1910.1001 and 1926.58 is extended until July 21, 1989.

FOR FURTHER INFORMATION CONTACT: Mr. James Foster, Director, Office of Information and Consumer Affairs, OSHA, U.S. Department of Labor, Room N3647, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone (202) 523-8151.

SUPPLEMENTARY INFORMATION: In June 1986, OSHA issued revised standards governing occupational exposure to asbestos, tremolite, anthophyllite and actinolite for general industry and construction which were to be effective on July 21, 1986. (See 51 FR 22812 *et seq.*, June 20, 1986).

On October 17, 1986 OSHA issued a partial stay of the revised standards insofar as they apply to occupational exposure to non-asbestiform tremolite, anthophyllite and actinolite, in order to enable the Agency to review new submissions raising questions about the appropriateness of regulating these minerals in the revised asbestos standards, and to allow sufficient time to reopen the rulemaking record and conduct supplemental rulemaking proceedings limited to this issue (51 FR 37002).

OSHA extended the stay until July 21, 1988 in a notice published on April 30, 1987. (52 FR 15722). At that time OSHA stated that it was beginning to draft a notice of proposed rulemaking and was collecting data relating to the issue of whether and how to regulate these non-asbestiform minerals including the feasibility of regulating all impacted industries. The length of the initial partial stay had proven inadequate for the Agency to complete the rulemaking procedures contemplated because of the variety of the impacted industries.

Because of the problems described in the previous notice, OSHA now anticipates that it can publish a notice of proposed rulemaking concerning how to regulate rulemaking concerning how to regulate the non-asbestiform minerals in October 1988. Thus, the stay extension

announced in this notice is necessary to continue to collect and analyze sufficient health and feasibility data, to draft a supplemental rulemaking proposal and to complete the rulemaking called for. The agency believes, based on its current priorities and the estimates of agency staff and contractors, that the extension announced in this notice, *i.e.* until July 21, 1989, realistically reflects the time needed to conclude supplemental rulemaking on the regulation of non-asbestiform tremolite, anthophyllite and actinolite.

As was the case with the initial partial stay, the 1972 standard governing occupational exposure to asbestos (redesignated 29 CFR 1910.1101) will remain in effect to the extent of the stay during the period of the extension.

The full text of the stay with respect to these non-asbestiform minerals was published in the October 17, 1986 Federal Register (51 FR 37002).

With respect to the extension of the partial stay, OSHA finds that advance notice and opportunity for comment are impractical and unnecessary within the meaning of 5 U.S.C. 553 in view of the limited duration of the extension and the continued applicability of the 1972 standard (29 CFR 1910.1101) to cover the gaps in coverage created by the partial stay.

The minor amendments to the notes to 29 CFR 1910.1001, 1910.1101, and 1926.58, similarly are made without advance notice and opportunity for comment. OSHA finds such process unnecessary and impracticable in that the changes merely reference the extension of the stay and restate the applicability of the 1972 standard.

No evidentiary issues are involved.

List of Subjects in 29 CFR Parts 1910 and 1926

Asbestos, Occupational safety and health.

Authority and Signature

This document was prepared under the direction of John A. Pendergrass, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC, 20210.

It is issued pursuant to sections 4, 6(b), 8(c) and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657), section 107 of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 333), the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941), 29 CFR Part 1911, Secretary of Labor's Order No. 9-83 (48 FR 35736), and 5 U.S.C. 551 *et seq.*

Signed at Washington, DC, this 14th day of July, 1988.

John A. Pendergrass,

Assistant Secretary for Occupational Safety and Health.

Amended Standards

Part 1910 of Title 29 of the Code of Federal Regulations is hereby amended as follows:

PART 1910—[AMENDED]

1. The authority citation for Subpart Z of Part 1910 continues to read as follows:

Authority: Secs. 6 and 8, Occupational Safety and Health Act, 29 U.S.C. 655, 657; Secretary of Labor's Orders Nos. 12-71 (36 FR 8754), 8-76 (41 FR 25059, or 9-83 (48 FR 35736), as applicable; and 29 CFR Part 1911.

Section 1910.1000 Tables Z-1, Z-2, Z-3 also issued under 5 U.S.C. 653.

Section 1910.1000 not issued under 29 CFR Part 1911, except for "Arsenic" and "Cotton Dust" listings in Table Z-1.

Section 1920.1002 not issued under 29 U.S.C. 655 or 29 CFR Part 1911; also issued under 5 U.S.C. 553.

Section 1910.1003 through 1910.1018 also issued under 29 U.S.C. 653.

Section 1910.1025 also issued under 29 U.S.C. 653 and 5 U.S.C. 556.

Section 1910.1043 also issued under 5 U.S.C. 551 *et seq.*

Sections 1910.1045 and 1970.1047 also issued under 29 U.S.C. 653.

Section 1910.1499 and 1910.1500 also issued under 5 U.S.C. 553.

§ 1910.1001 [Amended]

2. Section 1910.1001 is hereby amended by revising the note after Appendix H to § 1910.1001 to read as follows:

Note: Pursuant to an administrative stay effective July 21, 1986, published on October 17, 1986, (51 FR 37002) extended to July 21, 1988, (52 FR 15722), and to July 21, 1989 (at 53 FR ____ July 20, 1988) enforcement of this section is stayed as it applies to non-asbestiform tremolite, anthophyllite and actinolite. During the period and to the extent of this stay, the 1972 standard governing occupational exposure to asbestos (redesignated as 29 CFR 1910.1101) will remain in effect.

3. Section 1910.1101 is hereby amended by revising the note preceding § 1910.1101 (a) to read as follows:

§ 1910.1101 Asbestos.

Note: This section applies in lieu of the revised standards governing occupational exposure to asbestos, tremolite, anthophyllite, and actinolite (29 CFR 1910.1001; 29 CFR 1926.58), during the period and to the extent that the revised standards have been partially stayed. (See 51 FR 37002, Oct. 17, 1986, 52 FR 15722, Apr. 30, 1987, and 53 FR ____ July 20, 1988, for a description of the stay).

Part 1926 of the Code of Federal Regulations is hereby amended as follows:

PART 1926—[AMENDED]

Subpart D—[Amended]

4. The authority citation for Subpart D of Part 1926 continues to read as follows:

Authority: Secs. 4, 6, and 8, Occupational Safety and Health Act of 1970, 29 U.S.C. 653, 655, 657; sec. 107, Contract Work Hours and Safety Standards Act (Construction Safety Act), 40 U.S.C. 333, and Secretary of Labor's Orders 12-71 (36 FR 8754), 8-76 (41 FR 25059), or 9-83 (48 FR 35736), as applicable. Sections 1926.55(c) and 1926.58 also issued under 29 CFR Part 1911.

§ 1926.58 [Amended]

5. Section 1926.58 is hereby amended by revising the note after Appendix I to § 1926.58 to read as follows:

Note: Pursuant to an administrative stay effective July 21, 1986, published October 17, 1986 (51 FR 37002), extended to July 21, 1988 (at 52 FR 15722, Apr. 30, 1987) and to July 21, 1989 (at 53 FR ____ July 20, 1988) enforcement of this section is stayed as it applies to non-asbestiform tremolite, anthophyllite and actinolite. During the period and to the extent of this stay, the 1972 standard governing occupational exposure to asbestos (redesignated as 29 CFR 1910.1101) will remain in effect.

[FR Doc. 88-16251 Filed 7-19-88; 8:45 am]

BILLING CODE 4510-26

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[Region II Docket No. 85; FRL-3414-1]

Designation of Areas for Air Quality Planning—Section 107 Attainment Status Designations for the State of New Jersey; Correction

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA is correcting errors in the New Jersey Section 107(d) attainment status designations for carbon monoxide (CO) which appeared in the Federal Register on March 3, 1978 (43 FR 8962). These corrections insert omitted footnotes indicating that EPA has designated an entire city or borough as being in non-attainment of the CO standard, in place of New Jersey's non-attainment designation of only the Central Business District of the city or borough. In addition, EPA is correcting the omission of two New Jersey Air