not have sufficient implications for federalism to warrant a Federalism Assessment.

List of Subjects in 16 CFR Part 1700

Consumer protection, Drugs, Infants and children, Packaging and containers, Poison prevention, Toxic substances.

For the reasons given above, the Commission amends 16 CFR part 1700 as follows:

PART 1700—[AMENDED]

1. The authority citation for part 1700 continues to read as follows:

Authority: Secs 1700.1 and 1700.14 also issued under Pub. L. 92–573, sec. 30(a), 88 Stat. 1231. 15 U.S.C. 2079(a).

2. Section 1700.14 is amended to revise paragraph (a)(10)(vii) and to add paragraph (a)(27) to read as follows (the introductory text of paragraphs (a) and (10) are republished without change for context):

§ 1700.14 Substances requiring special packaging.

(a) *Substances.* The Commission has determined that the degree or nature of the hazard to children in the availability of the following substances, by reason of their packaging, is such that special packaging meeting the requirements of § 1700.20(a) is required to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting such substances, and the special packaging herein required is technically feasible, practicable, and appropriate for these substances:

* * * * *

(10) *Prescription drugs.* Any drug for human use that is in a dosage form intended for oral administration and that is required by Federal law to be dispensed only by or upon an oral or written prescription or a practitioner licensed by law to administer such drug shall be packaged in accordance with the provisions of § 1700.15(a), (b), and (c), except for the following:

* * * * *

(vii) Sodium fluoride drug preparations including liquid and tablet forms, containing not more than 110 milligrams of sodium fluoride (the equivalent of 50 mg of elemental fluoride) per package or not more than a concentration of 0.5 percent elemental fluoride on a weight-to-volume basis for liquids or a weight-to-weight basis for non-liquids and containing no other substances subject to this § 1700.14(a)(10).

* * * * *

(27) *Fluoride.* Household substances containing more than the equivalent of 50 milligrams of elemental fluoride per package and more than the equivalent of 0.5 percent elemental fluoride on a weight-to-volume basis for liquids or a weight-to-weight basis for non-liquids shall be packaged in accordance with the provisions of § 1700.15(a), (b) and (c).

* * * * *

Dated: May 27, 1998.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

List of Relevant Documents

1. Briefing memorandum from Jacqueline Ferrante, Ph.D., EH, to the Commission, ''Proposed Rule to Require Child-Resistant Packaging for Household Products with Fluoride,'' September 30, 1997.
2. Memorandum from Susan C. Aitken, Ph.D., EH, to Jacqueline Ferrante, Ph.D., EH, ''Toxicity of Household Products Containing Fluoride,'' August 4, 1997.
3. Memorandum from Marcia P. Robins, EC, to Jacqueline Ferrante, Ph.D., EH, ''Market Data, Economic Considerations and Environmental Effects of a Proposal to Require Child-Resistant Packaging for Household Products Containing Fluoride,'' June 20, 1997.
4. Memorandum from Charles Wilbur, EH, to Jacqueline Ferrante, Ph.D., EH, ''Technical Feasibility, Practicability, and Appropriateness Determination for the Proposed Rule to Require Child-Resistant Packaging for OTC Products Containing Fluoride,'' June 27, 1997.
5. Briefing memorandum from Jacqueline Ferrante, Ph.D., EH, to the Commission, ''Final Rule to Require Child-Resistant Packaging for Household Products with Fluoride,'' May 6, 1998.
6. Memorandum from Susan C. Aitken, Ph.D., EH, to Jacqueline Ferrante, Ph.D., EH, ''Update on Injuries Due to Products Containing Fluoride,'' October 9, 1997.
7. Memorandum from Susan C. Aitken, Ph.D., EH, to Jacqueline Ferrante, Ph.D., EH, ''Injuries Due to Products Containing Fluoride,'' April 20, 1998.
8. Memorandum from Marcia P. Robins, EC, to Jacqueline Ferrante, Ph.D., EH, ''Final Rule: Child-Resistant Packaging for Household Products Containing Fluorides,'' April 8, 1998.
9. Memorandum from Charles Wilbur, EH, to Jacqueline Ferrante, Ph.D., EH, ''Technical Feasibility, Practicability, and Appropriateness Determination for the Final Rule to Require Special Packaging for Products Containing Fluoride,'' March 10, 1998.

[FR Doc. 98–14449 Filed 6–1–98; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T. D. 98–52]

RIN 1515–AC18

Procedural Change Regarding American Shooks and Staves

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations by requiring the submission of a Customs Form (CF) 4455, Certificate of Registration, rather than a CF 3311, Declaration for Free Entry of Returned American Products, when shooks and staves produced in the United States are exported from the United States with the intention that they will be returned to the United States, exempt from duty, in the form of complete boxes or barrels in use as usual containers of merchandise. When boxes or barrels made from the exported American shooks and staves, for which a CF 4455 has been submitted, are imported, the importer of the boxes or barrels must use the CF 4455 as well to make such a claim. Shooks and staves produced in the United States that are exported and so returned are exempt from customs duties provided their identity is established by the proper submission of the CF 4455. The amendment helps to clarify the procedures regarding the free entry of such American produced shooks and staves returned to the United States.

EFFECTIVE DATE: July 2, 1998.

FOR FURTHER INFORMATION CONTACT: Thomas Wygant, Office of Field Operations, 202–927–1167.

SUPPLEMENTARY INFORMATION:

Background

Section 10.5, Customs Regulations (19 CFR 10.5) provides that shooks and staves produced in the United States and returned in the form of complete boxes or barrels in use as the usual containers of merchandise are exempt from any duties imposed by the tariff laws upon similar containers made of foreign shooks or staves, provided their identity is established under the regulations.

Paragraph (d) of § 10.5 provides that an exporter of shooks or staves in respect of which free entry is to be claimed when returned as boxes or barrels shall file a notice of intent to export on a Customs Form (CF) 3311 in triplicate with the director of the port of

exportation at least 6 hours before the lading of the articles on the exporting vessel. The CF 3311 is a Declaration for Free Entry of Returned American Products.

Paragraph (e) of § 10.5 provides that the certification of exportation block of CF 3311 shall be completed in triplicate by the port director after verification from the manifest of the exporting vessel and the return of the lading officer. The original shall be forwarded by the port director to the consignee. The duplicate copy shall be given to the exporter and the triplicate copy shall be retained.

Paragraph (f) of § 10.5 provides that whenever boxes or barrels alleged to have been manufactured from American shooks or staves are shipped to the United States from a person abroad other than the one to whom the shooks and staves were exported from the United States, the importer shall be required to obtain from the foreign consignee to whom the shooks or staves were originally exported the CF 3311s covering the exportation of the shooks or staves from the United States, or an extract therefrom signed by such consignee, showing the number of shooks or staves covered by such CF 3311s, together with the number of superficial feet of such shooks or staves. Such CF 3311 or extract therefrom, shall be filed by the importer in connection with the entry of the boxes or barrels.

Section 10.6, Customs Regulations (19 CFR 10.6), provides that an importer, seeking an exemption from duty on account of boxes or barrels made from American shooks or staves, must make such a claim on a CF 3311 at the time of filing the entry.

It has come to Customs attention that the CF 3311 may no longer be the best form available for Customs to track the exportation of United States-produced shooks and staves intended to be returned to the United States in the form of complete boxes or barrels and the importation of the boxes or barrels made from those shooks and staves. Further, as the CF 3311 was modified in 1990 and no longer contains the certification of exportation block, which is specifically mentioned in § 10.5(e), the regulations regarding shooks and staves are unclear as to the procedures.

After consideration of the best way of tracking the exportation of shooks and staves and the importation of boxes or barrels made from United States-produced shooks and staves, Customs has determined that the CF 4455, the Certificate of Registration, is the best vehicle. Accordingly, Customs is amending §§ 10.5 and 10.6 to require the CF 4455 rather than the CF 3311 for tracking shooks and staves.

Regulatory Flexibility Act and Executive Order 12866

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act do not apply.

This document does not meet the criteria for a significant regulatory action under Executive Order (E.O.) 12866.

Inapplicability of Public Notice and Comment Requirements

Inasmuch as this amendment merely substitutes one Customs Form for another, pursuant to 5 U.S.C. 553(a)(2) and (b)(B), good cause exists for dispensing with the notice and public procedure thereon as unnecessary.

Drafting Information

The principal author of this document was Janet Johnson, Regulations Branch, Office of Regulations and Rulings, U. S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 10

Caribbean Basin Initiative, Customs duties and inspection, Exports, Reporting and recordkeeping requirements.

Amendments to the Regulations

For the reasons set forth in the preamble, part 10 of the Customs Regulations (19 CFR part 10) is amended as set forth below.

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for part 10 continues to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

* * * * *

2. Section 10.5 is amended by:

a. Revising the heading;

b. Removing in paragraph (d) the words ''a notice of intent to export, Customs Form 3311'' and by adding the words ''a Certificate of Registration, Customs Form 4455'' in their place;

c. Revising the first sentence of paragraph (e); and

d. Removing the Customs Form number ''3311'' wherever it appears in paragraphs (f) and (g) and by adding in its place ''4455''.

The revisions read as follows:

§ 10.5 Shooks and staves; cloth boards; port director's account.

* * * * *

(e) The Certificate of Registration, CF 4455, shall be completed in triplicate by the port director after verification from the manifest of the exporting vessel and the return of the lading officer. * * *

* * * * *

§ 10.6 [Amended]

3. Section 10.6 is amended by removing the Customs Form number ''3311'' and by adding in its place ''4455''.

Approved: May 5, 1998.

Samuel H. Banks,

Acting Commissioner of Customs.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.

[FR Doc. 98–14511 Filed 6–1–98; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08–98–015]

RIN 2115–AE47

Drawbridge Operating Regulation; Clear Creek, TX

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is removing the operating regulation for the Southern Pacific railroad bridge across Clear Creek, mile 1.0, at Seabrook, Texas. The bridge was removed in 1997 and the regulation governing its operation is no longer applicable. Notice and public procedure have been omitted from this action because the bridge the regulation formerly governed no longer exists.

DATES: This regulation becomes effective on June 2, 1998.

ADDRESSES: Documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130–3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589–2965. Commander (ob) maintains the public docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: