

8. In § 622.38, paragraph (a) is revised and paragraph (i) is added to read as follows:

**§ 622.38 Landing fish intact.**

(a) The following must be maintained with head and fins intact: Cobia, king mackerel, and Spanish mackerel in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ, except as specified for king mackerel in paragraph (h) of this section; South Atlantic snapper-grouper in or from the South Atlantic EEZ, except as specified in paragraphs (e) and (i) of this section; yellowtail snapper in or from the Caribbean EEZ; and finfish in or from the Gulf EEZ, except as specified in paragraphs (c) and (d) of this section. Such fish may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

(i) In the South Atlantic EEZ, snapper-grouper lawfully harvested in Bahamian waters are exempt from the requirement that they be maintained with head and fins intact, provided valid Bahamian fishing and cruising permits are on board the vessel and the vessel is in transit through the South Atlantic EEZ. For the purpose of this paragraph (i), a vessel is in transit through the South Atlantic EEZ when it is on a direct and continuous course through the South Atlantic EEZ and no one aboard the vessel fishes in the EEZ.

9. In § 622.39, paragraph (a)(3) is added to read as follows:

**§ 622.39 Bag and possession limits.**

(a) \* \* \*  
 (3) Paragraph (a)(1) of this section notwithstanding, the bag and other limits specified in § 622.35(b) apply for South Atlantic snapper-grouper in or from the EEZ to a person aboard a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued that has on board a longline in the longline closed area.

10. Effective July 16, 1998, in § 622.40(b)(3)(ii)(B), the last sentence is revised to read as follows:

**§ 622.40 Limitations on traps and pots.**

(b) \* \* \*  
 (3) \* \* \*  
 (ii) \* \* \*  
 (B) \* \* \* The hinges or fasteners of such door or panel must be made of either ungalvanized or uncoated iron wire no larger than 19 gauge (0.04 inch (1.0 mm) in diameter) or untreated

cotton string no larger than 3/16 inch (4.8 mm) in diameter.

11. In § 622.41, paragraph (d)(2)(ii) introductory text and paragraph (d)(3) are revised and paragraphs (d)(4) and (d)(5) are added to read as follows:

**§ 622.41 Species specific limitations.**

(d) \* \* \*  
 (2) \* \* \*  
 (ii) Except as specified in paragraphs (d)(3) through (d)(5) of this section, a person aboard a vessel with unauthorized gear on board, other than trawl gear, that fishes in the EEZ on a trip is limited on that trip to:

(3) *Possession allowance regarding sink nets off North Carolina.* A vessel that has on board a commercial permit for South Atlantic snapper-grouper, excluding wreckfish, that fishes in the EEZ off North Carolina with a sink net on board, may retain, without regard to the limits specified in paragraph (d)(2)(ii) of this section, otherwise legal South Atlantic snapper-grouper taken with bandit gear, buoy gear, handline, rod and reel, or sea bass pot. For the purpose of this paragraph (d)(3), a sink net is a gillnet with stretched mesh measurements of 3 to 4.75 inches (7.6 to 12.1 cm) that is attached to the vessel when deployed.

(4) *Possession allowance regarding bait nets.* A vessel that has on board a commercial permit for South Atlantic snapper-grouper, excluding wreckfish, that fishes in the South Atlantic EEZ with no more than one bait net on board, may retain, without regard to the limits specified in paragraph (d)(2)(ii) of this section, otherwise legal South Atlantic snapper-grouper taken with bandit gear, buoy gear, handline, rod and reel, or sea bass pot. For the purpose of this paragraph (d)(4), a bait net is a gillnet not exceeding 50 ft (15.2 m) in length or 10 ft (3.1 m) in height with stretched mesh measurements of 1.5 inches (3.8 cm) or smaller that is attached to the vessel when deployed.

(5) *Possession allowance regarding cast nets.* A vessel that has on board a commercial permit for South Atlantic snapper-grouper, excluding wreckfish, that fishes in the South Atlantic EEZ with a cast net on board, may retain, without regard to the limits specified in paragraph (d)(2)(ii) of this section, otherwise legal South Atlantic snapper-grouper taken with bandit gear, buoy gear, handline, rod and reel, or sea bass pot. For the purpose of this paragraph (d)(5), a cast net is a cone-shaped net thrown by hand and designed to spread

out and capture fish as the weighted circumference sinks to the bottom and comes together when pulled by a line.

12. Effective December 14, 1998, in § 622.44, the last sentence of the introductory text and paragraph (c) are revised to read as follows:

**§ 622.44 Commercial trip limits.**

\* \* \* For fisheries governed by this part, commercial trip limits apply as follows (all weights are round or eviscerated weights):

(c) *South Atlantic snapper-grouper.* When a vessel fishes on a trip in the South Atlantic EEZ, the vessel trip limits specified in this paragraph (c) apply, provided persons aboard the vessel are not subject to the bag limits. See § 622.39(a) for applicability of the bag limits.

(1) *Trip-limited permits.* A vessel for which a trip-limited permit for South Atlantic snapper-grouper has been issued is limited to 225 lb (102.1 kg) of snapper-grouper.

(2) *Golden tilefish.* (i) Until the fishing year quota specified in § 622.42(e)(2) is reached, 5,000 lb (2,268 kg).

(ii) After the fishing year quota specified in § 622.42(e)(2) is reached, 300 lb (136 kg).

(3) *Snowy grouper.* (i) Until the fishing year quota specified in § 622.42(e)(1) is reached, 2,500 lb (1,134 kg).

(ii) After the fishing year quota specified in § 622.42(e)(1) is reached, 300 lb (136 kg).

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 BILLING CODE 3510-22-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 522 and 556**

**Implantation or Injectable Dosage Form New Animal Drugs; Spectinomycin Solution; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a final rule that appeared in the **Federal Register** of May 1, 1998 (63 FR 24106). The document amended the animal drug regulations to reflect approval of a new animal drug application (NADA)

filed by Pharmacia & Upjohn Co. The NADA provides for veterinary prescription use of Adspec™ (spectinomycin) sterile solution for cattle. The document incorrectly listed the tolerance for spectinomycin residues in cattle muscle. This document corrects that error.

**EFFECTIVE DATE:** July 16, 1998.

**FOR FURTHER INFORMATION CONTACT:**

George K. Haibel, Center for Veterinary Medicine (HFV-133), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1644.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 98-11686 appearing on page 24106 in the **Federal Register** of Friday, May 1, 1998, the following correction is made:

**§ 556.600 [Corrected]**

1. On page 24107, in the second column, in § 556.600 *Spectinomycin*, in paragraph (c), in the fourth line, "0.4" is corrected to read "0.25".

Dated: July 9, 1998.

**Stephen F. Sundlof,**

Director, Center for Veterinary Medicine.

[FR Doc. 98-18956 Filed 7-15-98; 8:45 am]

BILLING CODE 4160-01-F

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 529**

**Certain Other Dosage Form New Animal Drugs; Formalin Solution**

**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 supplemental new animal drug application (NADA) filed by Western Chemical, Inc. The supplement provides for use of formalin solution in the water of all finfish as a parasiticide and all finfish eggs as a fungicide.

**EFFECTIVE DATE:** July 16, 1998.

**FOR FURTHER INFORMATION CONTACT:**

Thomas A. Bell, Center for Veterinary Medicine (HFV-130), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-594-1649.

**SUPPLEMENTARY INFORMATION:** Western Chemical, Inc., 1269 Lattimore Rd., Ferndale, WA 98248, is sponsor of NADA 140-989 that provides for use of Parasite-S® (formalin, an aqueous solution of 37 percent formaldehyde) in the water (tanks, raceways, and ponds) of select fish and penaeid shrimp for the

control of specific external parasites, and as a fungicide for select fish eggs. Western Chemical, Inc., filed a supplemental NADA that provides for use of formalin in the water of all finfish for the control of specific external parasites and as a fungicide for all finfish eggs. The supplemental NADA is approved as of June 18, 1998, and the regulations are amended in 21 CFR 529.1030 to reflect the approval.

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 supplement 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.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects in 21 CFR Part 529**

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 529 is amended as follows:

**PART 529—CERTAIN OTHER DOSAGE FORM NEW ANIMAL DRUGS**

1. The authority citation for 21 CFR part 529 continues to read as follows:

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

2. Section 529.1030 is amended by revising paragraphs (b)(1) and (b)(2), by redesignating paragraph (c) as paragraph (d) and reserving paragraph (c), by revising newly redesignated paragraphs (d) introductory text, (d)(1) and (d)(2)(i), and by adding paragraphs (d)(2)(iv) and (d)(2)(v) to read as follows:

**§ 529.1030 Formalin solution.**

\* \* \* \* \*

(b) \* \* \*

(1) No. 050378 for use as in paragraphs (d)(1)(iii), (d)(1)(iv), (d)(1)(v), (d)(2)(iii), (d)(2)(iv), (d)(2)(v), and (d)(3).

(2) Nos. 049968 and 051212 for use as in paragraphs (d)(1)(i), (d)(1)(ii), (d)(2)(i), (d)(2)(ii), and (d)(3).

\* \* \* \* \*

(c) [Reserved]

(d) *Conditions of use.* It is added to environmental water as follows:

(1) *Indications for use.* (i) Select finfish. For control of external protozoa *Ichthyophthirius* spp., *Chilodonella* spp., *Costia* spp., *Scyphidia* spp., *Epistylis* spp., and *Trichodina* spp., and monogenetic trematodes *Cleidodiscus* spp., *Gyrodactylus* spp., and *Dactylogyrus* spp., on salmon, trout, catfish, largemouth bass, and bluegill.

(ii) Select finfish eggs. For control of fungi of the family Saprolegniaceae on salmon, trout, and esocid eggs.

(iii) Penaeid shrimp. For control of external protozoan parasites *Bodo* spp., *Epistylis* spp., and *Zoothamnium* spp.

(iv) All finfish. For control of external protozoa *Ichthyophthirius* spp., *Chilodonella* spp., *Costia* spp., *Scyphidia* spp., *Epistylis* spp., and *Trichodina* spp., and monogenetic trematodes *Cleidodiscus* spp., *Gyrodactylus* spp., and *Dactylogyrus* spp.

(v) All finfish eggs: For control of fungi of the family Saprolegniaceae.

(2) \* \* \*

(i) For control of external parasites on select finfish:

\* \* \* \* \*

(iv) For control of external parasites on all finfish:

Aquatic species	Administer in tanks and raceways for up to 1 hour (microliter/liter or part per million (µL/L or ppm))	Administer in earthen ponds indefinitely (µL/L or ppm)
Salmon and trout:		
Above 50 °F	Up to 170	15 to 25 <sup>1, 2</sup>
Below 50 °F	Up to 250	15 to 25 <sup>1, 2</sup>
All other finfish	Up to 250	15 to 25 <sup>1, 2</sup>

<sup>1</sup> Use the lower concentration when ponds, tanks, or raceways are heavily loaded with phytoplankton or fish to avoid oxygen depletion due to the biological oxygen demand by decay of dead phytoplankton. Alternatively, a higher concentration may be used if dissolved oxygen is strictly monitored.

<sup>2</sup> Although the indicated concentrations are considered safe for cold and warm water finfish, a small number of each lot or pond to be treated should always be used to check for any unusual sensitivity to formalin before proceeding.

(v) For control of fungi of the family Saprolegniaceae on all finfish eggs: Eggs