**§179.26 Ionizing radiation for the treatment of food.**

* * * * *

(b) * * *

| Use | Limitations |
|---|---|
| * * * | * * |
| 11. For the control of Vibrio bacteria and other foodborne micro-organisms in or on fresh or frozen molluscan shellfish. | Not to exceed 5.5 kGy. |
| * * * | * * |

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Dated: August 11, 2005.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. 05–16279 Filed 8–12–05; 1:19 pm]

**BILLING CODE 4160–01–S**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Part 1240

### Turtles Intrastate and Interstate Requirements

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA) is amending its regulation regarding the intrastate and interstate distribution of turtles to reflect a change in responsibility for administering the provisions of the regulations from FDA's Center for Food Safety and Applied Nutrition (CFSAN) to FDA's Center for Veterinary Medicine (CVM). FDA is taking this action to enable the agency to more effectively administer the provisions of this regulation.

**DATES:** This rule is effective August 16, 2005.

**FOR FURTHER INFORMATION CONTACT:** Joseph Paige, Center for Veterinary Medicine (HFV–230), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–276–9210, e-mail: *jpaige@cvm.fda.gov*.

**SUPPLEMENTARY INFORMATION:** FDA is amending its regulations regarding the intrastate and interstate distribution of turtles (§ 1240.62 (21 CFR 1240.62)) to reflect the transfer of regulatory responsibility from CFSAN to CVM. Except as otherwise provided, § 1240.62 requires that viable turtle eggs and live turtles with a carapace length of less than 4 inches not be sold, held for sale, or offered for any other type of commercial or public distribution. FDA is amending this regulation because current expertise for addressing issues regarding this regulation is within CVM. Reassigning regulatory responsibility to CVM more effectively utilizes agency resources in administering the provisions of the regulation.

Publication of this document constitutes final action on this change under the Administrative Procedures Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment to the regulation is nonsubstantive. It merely reflects an organizational change.

**List of Subjects in 21 CFR Part 1240**

Communicable diseases, Public health, Travel restrictions, Water supply.

■ Therefore, under the Public Health Service Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 1240 is amended as follows:

## PART 1240—CONTROL OF COMMUNICABLE DISEASES

■ 1. The authority citation for 21 CFR part 1240 continues to read as follows:

**Authority:** 42 U.S.C. 216, 243, 264, 271.

**§ 1240.62 [Amended]**

■ 2. Section 1240.62 is amended as follows:

a. In paragraphs (c)(1)(i), (c)(1)(ii), (c)(1)(v), and (c)(2) by removing ''Director of the Center for Food Safety and Applied Nutrition'' each time it appears, and adding in its place ''Director of the Center for Veterinary Medicine''.

b. In paragraph (c)(1)(ii) by removing ''5100 Paint Branch Pkwy., College Park, MD 20740'', and adding in its place ''7519 Standish Pl., Rockville, MD 20855''.

Dated: August 9, 2005.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. 05–16142 Filed 8–15–05; 8:45 am]

**BILLING CODE 4160–01–S**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

**[R07–OAR–2005–IA–0003; FRL–7953–7]**

### Approval and Promulgation of Implementation Plans; State of Iowa

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving the State Implementation Plan (SIP) revision submitted by the state of Iowa for the purpose of approving the 2001 and 2004 updates to the Linn County Air Quality Ordinance. These revisions will help to ensure consistency between the applicable local agency rules and Federally-approved rules, and ensure Federal enforceability of the applicable parts of the local agency air programs.

**DATES:** This direct final rule will be effective October 17, 2005, without further notice, unless EPA receives adverse comment by September 15, 2005. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Regional Material in EDocket (RME) ID Number R07–OAR–2005–IA–0003, by one of the following methods:

1. Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.

2. Agency Web site: *http://docket.epa.gov/rmepub/*. RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Once in the system, select ''quick search''; then key in the appropriate RME Docket identification number. Follow the on-line instructions for submitting comments.

3. E-mail: *Hamilton.heather@epa.gov*.

4. Mail: Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

5. Hand Delivery or Courier: Deliver your comments to Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

*Instructions:* Direct your comments to RME ID No. R07–OAR–2005–IA–0003. EPA's policy is that all comments received will be included in the public