

and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

*It is further ordered.* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 63-10575; Filed, Oct. 4, 1963;  
8:46 a.m.]

[Docket No. C-580]

### PART 13—PROHIBITED TRADE PRACTICES

#### Model Home Furniture Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; § 13.15-195 *Nature*; § 13.70 *Fictitious or misleading guarantees*; § 13.125 *Limited offers or supply*; § 13.235 *Source or origin*; § 13.235-35 *History*; § 13.235-60 *Place*; § 13.235-60(a) *Domestic products as imported*. Subpart—Using misleading name—Vendor: § 13.2425 *Nature, in general*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Model Home Furniture Corporation, et al., Washington, D.C., Docket C-580, Sept. 11, 1963]

*In the Matter of Model Home Furniture Corporation, a Corporation, and Evan Sax, and Audrey Sax, Individually and as Officers of Said Corporation.*

Consent order requiring retail furniture dealers in Washington, D.C., to cease representing falsely, through use of their corporate name and in advertising, that their principal business was that of decorating and furnishing model homes and apartments and that furniture offered for sale had been obtained from model homes; and to cease representing falsely in newspaper advertising that excessive amounts were regular retail prices or "original cost", that certain furniture was "Danish" and "completely guaranteed", and that merchandise was limited in quantity and as to time on sale.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered.* That respondents Model Home Furniture Corporation, a corporation, and its officers, and Evan Sax and Audrey Sax, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of furniture, home furnishings or other merchandise to persons or firms other than bona fide exhibitors of model homes or apartments, in commerce as "commerce" is defined in the Federal Trade

Commission Act, do forthwith cease and desist from:

a. Using the words "Model Home Furniture" or any other word or words of similar import or meaning as a part of respondents' trade or corporate name.

b. Representing in any other manner, that respondents' principal business is that of decorating and furnishing model homes and apartments.

*It is further ordered.* That respondents Model Home Furniture Corporation, a corporation, and its officers, and Evan Sax and Audrey Sax, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of furniture, home furnishings or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

a. Representing, directly or by implication, that furniture or home furnishings offered for sale have been withdrawn or obtained from model homes or apartments: *Provided, however,* That it shall be a defense, hereunder, for respondents to establish the truth of such representations.

b. Representing, directly or by implication, through the use of the words "Compare with groups sold in stores for" or other words or terms of similar import or meaning, or in any other manner, that respondents' merchandise is of a value comparable to any other merchandise retailing at a higher price unless respondents' merchandise is at least of like grade and quality in all material respects as the merchandise with which it is compared and such other merchandise is generally available for purchase at the comparative price in the same trade area or areas where the representation is made.

c. Representing, directly or by implication, that any saving is afforded in the purchase of respondents' merchandise, as compared to the purchase of another's merchandise, unless respondents' merchandise is at least of like grade and quality in all material respects as the merchandise with which it is compared and such other merchandise is generally available for purchase at the comparative price in the same trade area or areas in which the representation is made.

d. Using the words "original cost" or any other words of similar import or meaning, to refer to any amount which is in excess of the price at which such merchandise has been usually and regularly sold by respondents at retail in the recent, regular course of their business; or otherwise misrepresenting the respondents' usual and customary retail selling price of such merchandise.

e. Using the words "worth", "Stores sell this group for" or any other words of similar import or meaning, to refer to any amount which is in excess of the price or prices at which such merchandise is usually and customarily sold in the trade area where the representation is made; or otherwise misrepresenting the usual and customary retail selling

price or prices of such merchandise in the trade area.

f. Representing in any manner that, by purchasing any of their merchandise, customers are afforded savings amounting to the difference between respondents' stated selling price and any other price used for comparison with their selling price, unless the comparative price used represents the price at which the merchandise is usually and customarily sold at retail in the trade area involved, or is the price at which such merchandise has been usually and regularly sold by respondents at retail in the recent regular course of their business.

g. Representing, directly or by implication, through the use of the words "Danish Modern", "Danish" or any other terms or words of similar import or meaning, or in any other manner, that domestically manufactured furniture is manufactured in the country of Denmark; or misrepresenting in any other manner the country of origin of respondents' merchandise.

h. Representing, directly or by implication, that merchandise is guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

i. Representing, directly or by implication, that the quantity of any merchandise is limited or that said merchandise must be purchased within a limited time, where an adequate supply is available.

j. Misrepresenting in any manner the source, price, value, or availability of any item of merchandise or the savings resulting to purchasers thereof.

*It is further ordered.* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 63-10576; Filed, Oct. 4, 1963;  
8:46 a.m.]

[Docket No. C-576]

### PART 13—PROHIBITED TRADE PRACTICES

#### Pariseau Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*; § 13.155-40 *Exaggerated as regular and customary*; § 13.155-70 *Percentage savings*. Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 *Fur products tags or identification*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*; § 13.1212-30 *Fur Products Labeling Act*.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*; § 13.1845–30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852–35 *Fur Products Labeling Act*; § 13.1865 *Manufacture or preparation*; § 13.1865–40 *Fur Products Labeling Act*; § 13.1886 *Quality, grade or type*; § 13.1900 *Source or origin*; § 13.1900–40 *Fur Products Labeling Act*; § 13.1900–40(a) *Maker or seller*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, *The Pariseau Corp.* (Manchester, N.Y.), et al., Docket C-576, Sept. 10, 1963]

*In the Matter of The Pariseau Corp., Rooks, Inc., and Rooks, Inc. of Lynn, Corporations, and Alexander Rooks, Individually and as an Officer of Said Corporations, and George Younger, and Isadore Rooks, Individually and as Officers of The Pariseau Corp., and Jack Younger, Individually and as Manager of the Fur Department of The Pariseau Corp.*

Consent order requiring a Massachusetts wholesaler and two New Hampshire retailers of furs to cease violating the Fur Products Labeling Act by failing on labels and invoices and in advertising, to describe as "natural" fur products that were not artificially colored; failing, in invoicing and advertising, to show the country of origin of imported furs and to disclose that certain furs were bleached, etc.; failing on invoices, to show the true animal name of fur and when the product contained cheap or waste fur; failing to use the term "Persian Lamb" in advertising; representing prices falsely as reduced from so-called regular prices which were, in fact, fictitious, and "25 to 30% off" and reduced "up to 50% and more"; failing to maintain adequate records as a basis for pricing claims; substituting non-conforming labels on fur products for those affixed by the manufacturer, etc., and failing in other respects to comply with labeling, invoicing and advertising requirements.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents The Pariseau Corp., and Rooks, Inc. and Rooks, Inc. of Lynn, corporations and their officers and Alexander Rooks, individually and as an officer of said corporations and George Younger and Isadore Rooks, individually and as officers of The Pariseau Corp. and Jack Younger, individually and as manager of the fur department of The Pariseau Corp., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in com-

merce as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by:

1. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to fur products.

2. Failing to set forth the term "Dyed Broadtail-processed Lamb" on labels in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb".

3. Failing to set forth the term "Natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

5. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Misrepresenting in any manner, directly or by implication, the country of origin of the fur contained in fur products.

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth the term "Persian Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

5. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Failing to set forth on invoices the item number or mark assigned to fur products.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively advertising any fur product with respect to the name

or designation of the animal or animals that produced the fur contained in such fur product.

3. Sets forth information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

5. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Represents, directly or by implication, that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise advertised was usually and customarily sold at retail by the respondents unless such advertised merchandise was in fact usually and customarily sold at retail at such price by respondents in the recent past.

7. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated when the prices of such fur products are not reduced to afford to purchasers the percentage of savings stated.

8. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

9. Falsely or deceptively represents in any manner that prices of respondents' fur products are reduced.

10. Falsely or deceptively represents directly or by implication that the prices of fur products are at or below cost.

D. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

*It is further ordered*, That respondents The Pariseau Corp., and Rooks, Inc. and Rooks, Inc. of Lynn, corporations and their officers and Alexander Rooks, individually and as an officer of said corporations and George Younger and Isadore Rooks, individually and as officers of The Pariseau Corp. and Jack Younger, individually and as manager of the fur department of The Pariseau Corp., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce, or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce, do forthwith cease and desist from misbranding fur products by substituting

for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act labels which do not conform to the requirements of the aforesaid Act and the rules and regulations promulgated thereunder.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 10, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 63-10577; Filed, Oct. 4, 1963;  
8:46 a.m.]

## Title 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

#### SUBCHAPTER A—GENERAL

#### PART 8—COLOR ADDITIVES

#### Subpart D—Listing of Color Additives for Food Use Exempt From Certification

##### TAGETES MEAL

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b)(1), 74 Stat. 399; 21 U.S.C. 376(b)(1)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the Commissioner of Food and Drugs, based on a petition filed by Dawe's Laboratories, Inc., 4800 South Richmond Street, Chicago, Illinois, and other relevant material, finds that tagetes meal when used in accordance with the conditions prescribed in this order is safe for use in or on foods and that certification is not necessary for the protection of the public health. Therefore, it is ordered, That Part 8 be amended by adding to Subpart D the following new section:

#### § 8.306 Tagetes (Aztec marigold) meal.

(a) *Identity.* The color additive tagetes (Aztec marigold) meal is the dried, ground flower petals of the Aztec marigold (*Tagetes erecta* L.) mixed with not more than 0.3 percent ethoxyquin.

(b) *Specifications.* Tagetes (Aztec marigold) meal is free from admixture with other plant material from *Tagetes erecta* L. or from plant material or flowers of any other species of plants.

(c) *Uses and restrictions.* The color additive tagetes (Aztec marigold) meal may be safely used in chicken feed in accordance with the following prescribed conditions:

(1) The color additive is used to enhance the yellow color of chicken skin and eggs.

(2) The quantity of the color additive incorporated in the feed is such that the finished feed:

(i) Is supplemented sufficiently with xanthophyll and associated carotenoids so as to accomplish the intended effect described in subparagraph (1) of this paragraph; and

(ii) Meets the tolerance limitation for ethoxyquin in animal feed prescribed in § 121.202 of this chapter.

(d) *Labeling requirements.* The label and labeling of the color additive and any premixes prepared therefrom shall bear, in addition to the other information required by the act, and other regulations in this chapter:

(1) The name of the color additive.

(2) A statement of the concentrations of xanthophyll and ethoxyquin contained therein.

(3) Adequate directions to provide a final product complying with the limitations prescribed in paragraph (c) of this section.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Any person who will be adversely affected by the foregoing order may within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed preferably in quintuplicate.

*Effective date.* This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706(b)(1), 74 Stat. 399; 21 U.S.C. 376(b)(1))

Dated: October 1, 1963.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 63-10610; Filed, Oct. 4, 1963;  
8:47 a.m.]

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 121—FOOD ADDITIVES

#### Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

#### Subpart D—Food Additives Permitted in Food for Human Consumption

##### FOOD ADDITIVES FOR USE IN MILK-PRODUCING ANIMALS

1. The Commissioner of Food and Drugs, having evaluated the data sub-

mitted by the Surgets Company, Inc., Spring Valley, Minnesota, and other relevant material, has concluded that salicylic acid is safe and effective for use in milk-producing animals and that § 121.249 should be amended to prescribe conditions of use for this food additive. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.249 is amended by adding thereto the following new paragraph (b):

#### § 121.249 Food additives for use in milk-producing animals.

(b) It is used or intended for use for the removal of scar tissue in the teat canal of milk-producing cows.

(1)(i) It contains in each dose 0.55 gram of salicylic acid (in gum arabic and dextrin vehicle).

(ii) Each dose is incorporated upon a device (teat dilator) suitable for insertion into and subsequent removal from the teat canal.

(iii) It bears labeling which directs the user to:

(a) Treat lactating cows initially by inserting dosage and removal of the device;

(b) Insert second dose and permit device to remain in canal until the next milking; and

(c) Insert one dose following each milking for not more than 2 days.

(iv) Milk that has been drawn from animals within 48 hours of such treatment may not be used for food.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

2. Based upon an evaluation of the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where animals producing milk for food are treated with formulations containing salicylic acid, a zero tolerance is required to assure that such milk is safe for food. Therefore Part 121 is amended by adding to Subpart D a new section, as follows:

#### § 121.1140 Salicylic acid.

A tolerance of zero is established for residues of salicylic acid in milk from dairy animals.

(Sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4))

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order

## Title 28—JUDICIAL ADMINISTRATION

### Chapter I—Department of Justice

[Parole Board Directive No. 2]

#### PART 2—PAROLE, RELEASE, SUPERVISION, AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

##### Revocation of Parole or Mandatory Release

Under and by virtue of the authority vested in the United States Board of Parole and the Youth Correction Division thereof by Title 18 of the United States Code, particularly Chapter 311 and Part IV, and Subpart T of Part O of Chapter I of Title 28 of the Code of Federal Regulations, §§ 2.40 and 2.41 of Part 2 of Title 28 of the Code of Federal Regulations (Parole Board Directive No. 1, 27 F.R. 8487) are hereby amended to read as follows:

##### § 2.40 Revocation by the Board.

A prisoner who is retaken pursuant to a warrant issued by the Board or a Member thereof, shall, while being held in custody under authority of such warrant awaiting possible return to a federal institution, be afforded a preliminary interview by an official designated by the Board. Following receipt of a summary or digest of the preliminary interview, the Board shall afford the prisoner an opportunity to appear before the Board, a Member thereof, or an Examiner designated by the Board. If the prisoner requests a local hearing prior to return to a federal institution in order to facilitate the retention of counsel or the production of witnesses, and if he has not been convicted of a crime committed while under community supervision, he shall be afforded a local revocation hearing reasonably near the place of the alleged violation (or one of the alleged violations if more than one is alleged). Otherwise, he shall be given a revocation hearing after he is returned to a federal institution. Following the revocation hearing, the Board may then or at any time within its discretion revoke and terminate the order of parole or mandatory release or modify the terms and conditions thereof. Whenever a parole or mandatory release is thus revoked, the prisoner may be required to serve all or any part of the remainder of the term for which he was sentenced, less such good time as he may earn following his recommitment.

##### § 2.41 Same; legal counsel and witnesses at preliminary interviews and revocation hearings.

Each alleged parole or mandatory release violator shall be advised that he may be represented by counsel and that voluntary witnesses who have information relevant and material may testify at the preliminary interview or the revocation hearing, or both, authorized by

§ 2.40: *Provided*, That the alleged violator arranges for the appearance of counsel and witnesses in accordance with procedures prescribed by the Board.

The amendments made by this directive shall be effective as of October 7, 1963.

RICHARD A. CHAPPELL,  
Chairman,  
United States Board of Parole.

JAMES A. CARR, JR.,  
Chairman, Youth Correction  
Division, United States Board  
of Parole.

[F.R. Doc. 63-10678; Filed, Oct. 4, 1963;  
10:47 a.m.]

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration

#### PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

##### Miscellaneous Amendments

1. In § 13.58(b), subparagraph (2) is amended to read as follows:

##### § 13.58 Legal custodian.

(b) *Payment to.* Veterans Administration benefits may be paid to a legal custodian subject to the following conditions:

(2) The proposed legal custodian is qualified to administer the benefits payable and will agree to:

- (i) Apply the benefits paid for the best interests of the beneficiary,
- (ii) Invest surplus funds as provided by Veterans Administration regulations,
- (iii) Provide adequate safeguards for the estate, and
- (iv) Establish upon request compliance with agreement and the existence of funds agreed to be saved.

2. In § 13.59(b), subparagraph (8) is revoked.

##### § 13.59 Guardian.

- (b) *Chief Attorney's authority.* \* \* \*
- (8) [Revoked]

3. Section 13.66 is revoked.

§ 13.66 *Legal custodian and custodian-in-fact may be required to furnish bond.* [Revoked]

4. Section 13.100 is revised to read as follows:

##### § 13.100 Supervision of fiduciaries.

(a) In any case where a fiduciary fails to render a satisfactory account or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are illegal or inequitable or in excess of those allowed by law, or has failed to use Veterans Administration funds for the benefit of the ward or his

deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c) (1), (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1), (4))

Dated: October 1, 1963.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 63-10611; Filed, Oct. 4, 1963;  
8:47 a.m.]

#### SUBCHAPTER C—DRUGS

#### PART 146b—CERTIFICATION OF STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS

##### Streptomycin Tablets; Dihydrostreptomycin Tablets

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for the certification of streptomycin (or dihydrostreptomycin) and streptomycin- (or dihydrostreptomycin-) containing drugs are amended as follows:

In § 146b.104 *Streptomycin tablets; dihydrostreptomycin tablets*, the minimum potency requirement for the tablets is changed from 50 milligrams per tablet to 37.5 milligrams per tablet by changing the third sentence in paragraph (a) to read: "The potency of each tablet is not less than 50 milligrams, except if it is intended solely for veterinary use the potency of each tablet is not less than 37.5 milligrams."

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment in this order merely relaxes existing requirements.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: October 1, 1963.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 63-10612; Filed, Oct. 4, 1963;  
8:47 a.m.]