

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.171 (29 F.R. 117581), the Chico, Calif., control zone is added as follows:

#### CHICO, CALIF.

Within a 5-mile radius of Chico Municipal Airport (latitude 39°47'45" N., longitude 121°51'25" W.) and within 2 miles each side of the Chico VOR 308° radial, extending from the 5-mile radius zone to 8 miles NW of the VOR, excluding the portion within a 1-mile radius of Rancho Airport, Chico, Calif. (latitude 39°43'10" N., longitude 121°52'10" W.). The control zone shall be effective during the times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 22, 1965.

JOSEPH H. TIPPETS,  
Director, Western Region.

[F.R. Doc. 65-6816; Filed, June 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-2]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

#### Change of Effective Date

On March 17, 1965, there was published in the FEDERAL REGISTER (30 F.R. 3515) an amendment to Part 71 of the Federal Aviation Regulations which altered the Marysville, Calif., control zone. This amendment was to become effective July 22, 1965.

Because of a delay in commissioning the Marysville VOR, action is taken herein to change the effective date of the rule to August 19, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedure Act.

In consideration of the foregoing, Airspace Docket No. 65-WE-2 is amended, effective immediately, as follows:

"Effective July 22, 1965", is deleted and "effective August 19, 1965", is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 22, 1965.

JOSEPH H. TIPPETS,  
Director, Western Region.

[F.R. Doc. 65-6817; Filed, June 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-42]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

#### Designation of Transition Area

On April 9, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4610) stating that

the Federal Aviation Agency proposed to designate controlled airspace in the vicinity of Spencer, Iowa.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable, including those of the Air Transport Association.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth:

In § 71.181 (29 F.R. 17643) the following transition area is added:

#### SPENCER, IOWA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Spencer, Iowa, Municipal Airport (latitude 43°09'45" N., longitude 95°11'30" W.), and within 2 miles each side of the 191° bearing from the Spencer Municipal Airport, extending from the 5-mile radius to 8 miles S of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles W and 8 miles E of the 191° bearing from the Spencer Municipal Airport, extending from the airport to 12 miles S of the airport, and within 5 miles each side of the 011° bearing from the Spencer Municipal Airport, extending from the airport to V-120.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 17, 1965.

ROBERT I. GALE,  
Acting Director, Central Region.

[F.R. Doc. 65-6818; Filed, June 29, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WA-34]

### PART 75—ESTABLISHMENT OF JET ROUTES

#### Alteration of En Route Jet Advisory Area and Revocation of Terminal Jet Advisory Area

The purpose of these amendments to Part 75 of the Federal Aviation Regulations is to alter Jet Routes Nos. 25 and 29 jet advisory areas by deleting "radar" and substituting "nonradar" therefor, and by revoking the Brownsville, Tex., jet advisory area.

Jet Route No. 25 jet advisory area and Jet Route No. 29 jet advisory area are identical and presently are designated as radar jet advisory areas from the United States/Mexican border to the positive control area boundary north of Brownsville. The radar presently available in the area is not acceptable for the provision of this service. Therefore, radar jet advisory service is no longer available along this segment. For this reason, action is taken herein to designate these two radar jet advisory areas as nonradar jet advisory areas.

The Brownsville radar jet advisory area presently is designated from Brownsville via the Brownsville 024° radial to the boundary of the continental control area. A requirement for this area no longer exists and action is taken herein to revoke it.

Since these actions are essentially editorial in nature and are necessary for reasons of safety to aircraft, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

1. In § 75.200 (30 F.R. 2440), Jet Routes Nos. 25 and 29 jet advisory areas are amended by deleting "Radar" and substituting "Nonradar" therefor.

2. In § 75.300 (30 F.R. 2440), the Brownsville, Tex., jet advisory area is revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 23, 1965.

H. B. HELSTROM,  
Acting Chief, Airspace Regulations  
and Procedures Division.

[F.R. Doc. 65-6819; Filed, June 29, 1965; 8:45 a.m.]

## Title 18—CONSERVATION OF POWER AND WATER RESOURCES

### Chapter I—Federal Power Commission

[Docket No. R-243; Order 300]

### PART 1—RULES OF PRACTICE AND PROCEDURE

### PART 155—CONTRACTS AND RATE SCHEDULES FOR DIRECT INDUSTRIAL SALES

### PART 260—STATEMENTS AND REPORTS (SCHEDULES)

#### Miscellaneous Amendments

JUNE 24, 1965.

This proceeding was initiated by a notice of proposed rule making issued July 15, 1963, published in the FEDERAL REGISTER (28 F.R. 7434, July 20, 1963) and mailed to all natural gas companies and other parties, including Federal and State agencies, who might be interested in the proposals.

Section 155.1 of the Commission's regulations under the Natural Gas Act (18 CFR 155.1) now requires the pipeline companies to furnish currently to the Commission copies of every contract, involving sales of 100,000 Mcf per year or more, in effect for the direct sale of natural gas together with copies of all other writings relative to each such sale. However, no data are available at present on the gas curtailment policies, practices and methods used by the pipeline companies. The notice proposed to require additional information with respect to such sales which the Commission deems essential in order to be advised whether the service being rendered to direct industrial customers conforms to the certificate authorization; whether direct interruptible customers are such only in contract terms; and whether the pipeline's actual operations require modification of the allocation of costs to jurisdictional customers. The new schedule which was proposed in the notice to be added to FPC Report Form No. 2 is intended to supplement information already required by the form. The regulations will supply the Commission



with much more complete and meaningful information concerning the direct industrial sales made by natural gas pipeline companies, for use in carrying out its statutory functions.

Following publication of the notice, comments were received from the Independent Natural Gas Association of America, 10 pipeline companies, 1 state commission and a group of distribution companies. Some opposed the proposed regulation for a variety of reasons; others favored the regulation but suggested certain modifications. By this order we are adopting most of the suggestions proposed. The two principal objections to the regulation were (1) the proposals are beyond the authority of the Commission since it has no jurisdiction over the rates at which direct industrial sales are made, and (2) the publication of detailed rate and curtailment data would give other fuel interests an unfair competitive advantage.

The jurisdictional argument is without merit because the Commission's power to prescribe accounting and reporting is not limited to the regulated portion of the overall business activities engaged in by a natural gas company subject to its jurisdiction. It has long been established that the Commission's discretionary power to require periodic reports encompasses the reporting of such nonregulated activities to the extent that they are relevant to the performance of the Commission's regulatory activities. The imposition of a reporting requirement concerning the nonjurisdictional business of a regulated company does not constitute the regulation of that business. Rather, it is action necessary to enable the Commission to properly regulate matters which fall directly within the ambit of its jurisdiction (*Interstate Commerce Commission v. Goodrich Transit Company*, 224 U.S. 194 (1911); *Norfolk and Western Railway Company v. U.S.*, 287 U.S. 134 (1932)).

The Commission has no rate jurisdiction over direct industrial sales but it does have certificate jurisdiction pursuant to section 7 of the Act to determine whether the transportation and delivery of natural gas to such customers, and the facilities, if any, meet the standards of public convenience and necessity. In order to exercise this jurisdiction intelligently as well as to make proper allocation between jurisdictional and nonjurisdictional operations of a pipeline in fixing the rates for the jurisdictional sales, we believe we must secure reasonable information as to the nature of the pipeline's direct industrial sales.

The comments also urged that the public availability of curtailment data would afford an undue competitive advantage to suppliers of alternative fuels. While the Commission has the responsibility for obtaining meaningful information to discharge its statutory functions and in appropriate proceedings must make such data available to all interested parties (cf. *Federal Communications Commission v. Schreiber*, — U.S. —, 33 L.W. 4492, May 24, 1965), we are not obligated in the absence of a proceeding in which the material is relevant to make such business information available to

competitors or other parties only indirectly affected by the curtailment practices of the reporting company. Accordingly, we are providing that the new schedule entitled "Curtaillments of Main Line Industrial Customers" proposed in paragraph 5(D) of the notice herein, but revised as described below, shall be filed separately from, but concurrently with, Form No. 2 to which it is supplementary. Further, we provide that it, unlike the form itself, will not be open to public inspection but will be available for inspection pursuant to our existing rules relating to the availability to the public of information in the Commission's files (see 18 CFR 1.36(e) and the new subparagraph (7) being added by this order to paragraph (d) of § 1.36), or by incorporation in the record of any proceeding pending before the Commission or the courts when such action is determined by the Commission to be in the public interest.

We are making several substantial changes in the amendments proposed in the notice—in connection with the new schedule; with respect to the amendments proposed to be made by paragraph 5(C) of the notice to the existing schedule "Main Line Industrial Sales of Natural Gas" on page 519 of the form; and to the text of § 155.1. These changes arise out of some of the comments received.

With respect to the new schedule, we are revising the form of the schedule to show both the average daily delivery to direct industrial customers during the system peak period (col. (d)), and the maximum daily delivery during the year (cols. (e) and (f)). This change will make available data from which it will be possible to determine the extent that pipeline capacity is being utilized by jurisdictional interruptible customers and direct industrial customers, and will indicate the extent of the curtailment in relation to the average day and maximum day takes of the particular customer.

Suggestion was made that the rate adjustment information, which under paragraph (d) of the proposed amendment to § 155.1 would be furnished as a special report by May 1 of each year, could be furnished just as well, and in fact preferably, as a part of the existing schedule on page 519 "Main Line Industrial Sales of Natural Gas." This change would eliminate the filing of a special report and would still give the Commission the information it needs. Therefore, in lieu of the proposed § 155.1 (d) and the specific amendments to that schedule proposed in paragraph 5(C) of the notice, we are prescribing a revised schedule which makes provision for the inclusion of the information which under the original proposal, would have been included in a special report.

In addition to the deletion of paragraph (d) of the proposed amendments to § 155.1, two other changes are being made in that section; viz, the reporting date of the list required by paragraph (c) is changed from November 1 of each year to May 1, and in paragraphs (a) and (c) the figure 100,000 Mcf is changed to 50,000 Mcf, thereby requiring the filing and information with respect to

contracts involving transactions between those figures. We are informed that the industry generally keeps records for its own purposes on the basis of the lower figure and, therefore, would have no objection to reporting to us on the same basis. It might be noted that instruction 3 of the existing schedule for reporting "Main Line Industrial Sales" on page 519 provides for the reporting separately of sales of \$10,000 or more per year. That figure has been changed to 50,000 Mcf in the revised form prescribed herein.

Finally, in view of our conclusion that the new supplemental schedule for reporting curtailments should not be made available for general public inspection, we are amending § 1.36 of the rules of practice and procedure, relating to public information, by adding to paragraph (d) Exceptions, a new subparagraph (7) to exempt, in effect, this schedule from public inspection.

The Commission finds: (1) The amendments herein adopted are necessary and appropriate for the administration of the Natural Gas Act.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (52 Stat. 826, 830; 15 U.S.C. 717i, 717o), orders:

(A) Part I, Subchapter A, Part 155, Subchapter E, and Part 260, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, are amended as follows:

(1) Paragraph (d) of § 1.36 is amended by deleting subparagraph (7) which is now obsolete and inserting in lieu thereof the following:

#### § 1.36 Public information.

(d) Exceptions. . . .

(7) The schedule entitled "Curtaillments of Main Line Industrial Customers" prescribed as a supplement to FPC Form No. 2 by § 260.1 of this chapter.

(2) The existing text of § 155.1 is amended, designated as paragraph (a), and new paragraphs (b) and (c) are added, as follows:

#### § 155.1 Contracts and rate schedules for direct industrial sales.

(a) Every natural gas company shall furnish to the Commission two full and complete copies of every contract and every amendment thereto, presently or hereafter effective, for the direct sale of natural gas to industrial consumers for consumption where such contract involves the sale of 50,000 Mcf or more per year, together with all rate schedules, agreements, leases, writings or other understandings, services and rules, and regulations relative to such sale. Such submittals shall include the docket number(s) of the certificate proceeding(s) in which the transportation and delivery were authorized for the particular sale and shall be made within 60 days after issuance of the certificate, or execution of the contract or amendment thereto, whichever occurs later. When any contract now on file or hereafter furnished is renewed or extended on



identical terms except as to the period during which it is to be in effect, the natural gas company may, in lieu of furnishing copies of such renewal or extension agreement, within 60 days, notify the Commission of such renewal or extension by letter, in duplicate, stating the date of the renewal or extension agreement and the period during which it is to be in effect.

(b) On or before September 1 every natural gas company shall furnish to the Commission a list, in duplicate, of every contract theretofore tendered to the Commission pursuant to this Part 155, which is effective as of the date of submittal of the list. Such list shall include the docket number(s) of the certificate proceeding(s) in which the transportation and delivery were authorized for the particular sale, the name of the buyer thereunder and date of the contract. When any of the listed contracts, or any contract subsequently tendered to the Commission pursuant to this Part 155, is canceled or terminated by its own terms (whether superseded by a new contract or not), the natural gas company shall so advise the Commission within 60 days of such cancellation or termination by letter, in duplicate, identifying the contract being canceled or terminated and the date of such cancellation or termination.

(c) Every natural gas company shall furnish to the Commission, in duplicate, by May 1 of each year, a list of all direct industrial sale customers using 3,000 Mcf or more during any of the 12 months ended with the preceding calendar year, but less than 50,000 Mcf during the 12 months ended with the preceding calendar year, showing the docket number(s) of the proceeding(s) authorizing the transportation of natural gas and facilities, if any, necessary for each particular sale, name, and location of purchaser, type of service such as firm or interruptible, and the maximum monthly use during the 12 months ended with the preceding calendar year.

§ 260.1 [Amended]

(3) Paragraph (c) of § 260.1 is amended by inserting, to follow schedule title "Main Line Industrial Sales of Natural Gas," a new title to read "Curtaillments of Main Line Industrial Customers (submitted separately)."

(B) The annual report for natural gas companies, FPC Form No. 2, prescribed by paragraph (a) of § 260.1, is amended as follows:

(1) Effective for the reporting year 1965, the schedule "Main Line Industrial Sales of Natural Gas," set out in Attachment A hereto, is prescribed for use in lieu of the similarly titled schedule appearing on pages 519-520 of such form.

(C) Effective for the reporting year 1965, a new schedule "Curtaillment of Main Line Industrial Customers," as set out in Attachment B hereto, is prescribed as a supplement to FPC Form No. 2. The schedule shall be filed concurrently with Form No. 2 but shall not be included as an integral part thereof and shall not be available for inspection

in public files of the Commission except pursuant to § 1.36(e) of this chapter. The Commission may, also, when it finds such action to be in the public interest, authorize such schedules to be made public and incorporated in the record of any proceeding before the Commission or the courts.

(Secs. 10, 16, 52 Stat. 826, 830; 15 U.S.C. 7171, 7170)

(D) The amendments herein made to Parts 1, 155, and 260 and to FPC Form No. 2 shall be effective August 1, 1965.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIE,  
Secretary.

[F.R. Doc. 65-6823; Filed, June 29, 1965; 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

#### Postponement of Closing Dates of Provisional Listing of Certain Items; Deletion of Certain Items From Provisional Lists

The color additives amendments of 1960 (Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note) authorizes the Secretary of Health, Education, and Welfare to postpone the closing date of a provisional listing of a color additive on his own initiative or upon application of an interested person. Requests have been received to postpone the closing dates of the provisional listings of a number of color additives because scientific investigations necessary for listing these color additives under section 706 of the Federal Food, Drug, and Cosmetic Act have not been completed. It is found that postponement of the closing dates of the provisionally listed color additives included in this order will not be contrary to the interests of the public health. Any extensions so granted are conditioned upon a requirement that progress reports be supplied on or before January 1, 1966.

The closing dates of a number of the provisionally listed color additives are not postponed, and their provisional listing therefore automatically terminates on July 1, 1965. The Commissioner of Food and Drugs has no evidence that these color additives are harmful, but the persons making the study have concluded that the colors would not be commercially useful and have terminated the scientific investigations. The termination of these listings as of July 1, 1965, is indicated by deletions in amendments 1b, 2c, and 3b of this order.

Pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (sec. 203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note), delegated by the Secretary to the Commissioner of

Food and Drugs (21 CFR 2.90), § 8.501 *Provisional lists of color additives* is amended in the following respects:

1. Paragraph (a) is amended:

a. By changing the closing dates of the following items to July 1, 1966:

FD&C Green No. 3 (§ 9.23 of this chapter).  
FD&C Yellow No. 5 (§ 9.40 of this chapter).  
FD&C Yellow No. 6 (§ 9.41 of this chapter).  
FD&C Red No. 2 (§ 9.61 of this chapter).  
FD&C Red No. 3 (§ 9.62 of this chapter).  
FD&C Blue No. 1 (§ 9.80 of this chapter).  
FD&C Blue No. 2 (§ 9.81 of this chapter).  
FD&C Violet No. 1 (§ 9.90 of this chapter).

b. By deleting the following items:

FD&C Green No. 1 (§ 9.21 of this chapter).  
FD&C Green No. 2 (§ 9.22 of this chapter).

2. Paragraph (b) is amended:

a. By changing the closing dates of the following items to January 1, 1966:

D&C Red No. 6 (§ 9.151 of this chapter).  
D&C Red No. 7 (§ 9.152 of this chapter).  
D&C Red No. 17 (§ 9.162 of this chapter).  
D&C Red No. 39 (§ 9.184 of this chapter).  
D&C Blue No. 9 (§ 9.245 of this chapter).

b. By changing the closing dates of the following items to July 1, 1966:

D&C Green No. 5 (§ 9.103 of this chapter).  
D&C Green No. 6 (§ 9.104 of this chapter).  
D&C Yellow No. 10 (§ 9.133 of this chapter).  
D&C Yellow No. 11 (§ 9.134 of this chapter).  
D&C Red No. 19 (§ 9.164 of this chapter).  
D&C Red No. 21 (§ 9.166 of this chapter).  
D&C Red No. 22 (§ 9.167 of this chapter).  
D&C Red No. 27 (§ 9.172 of this chapter).  
D&C Red No. 28 (§ 9.173 of this chapter).  
D&C Red No. 30 (§ 9.175 of this chapter).  
D&C Red No. 36 (§ 9.181 of this chapter).  
D&C Red No. 37 (§ 9.182 of this chapter).  
D&C Orange No. 5 (§ 9.202 of this chapter).  
D&C Orange No. 10 (§ 9.207 of this chapter).  
D&C Orange No. 11 (§ 9.208 of this chapter).  
D&C Orange No. 17 (§ 9.214 of this chapter).  
D&C Brown No. 1 (§ 9.230 of this chapter).  
D&C Blue No. 4 (§ 9.240 of this chapter).  
D&C Blue No. 6 (§ 9.242 of this chapter).

c. By deleting the following items:

D&C Red No. 5 (§ 9.150 of this chapter).  
D&C Black No. 1 (§ 9.260 of this chapter).

3. Paragraph (c) is amended:

a. By changing the closing dates of the following items to July 1, 1966:

Ext. D&C Yellow No. 3 (§ 9.303 of this chapter).  
Ext. D&C Red No. 8 (§ 9.347 of this chapter).  
Ext. D&C Red No. 24 (§ 9.363 of this chapter).  
Ext. D&C Violet No. 2 (§ 9.411 of this chapter).  
Ext. D&C Orange No. 3 (§ 9.422 of this chapter).

b. By deleting the following items:

Ext. D&C Red No. 15 (§ 9.354 of this chapter).

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, because section 203(a)(2) of Public Law 86-618 provides for this issuance.

*Effective date.* This order shall be effective on the date of signature.

(Sec. 203(a)(2), Public Law 86-618; 74 Stat. 404; 21 U.S.C. 376, note)

Dated: June 25, 1965.

JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F.R. Doc. 65-6900; Filed, June 29, 1965; 8:50 a.m.]

<sup>1</sup> Filed as part of original document.



## SUBCHAPTER B—FOOD AND FOOD PRODUCTS

## PART 121—FOOD ADDITIVES

## Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

## LUBRICANTS WITH INCIDENTAL FOOD CONTACT

The Commissioner of Food and Drugs has evaluated data in a petition (FAP 4B1345) filed by Silicone Products Department, General Electric Co., Waterford, N.Y., 12188, and other relevant material, and has concluded that the food additive regulations should be amended to prescribe the safe use of dimethylpolysiloxane as a component of surface lubricants having incidental food contact. 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 (21 CFR 2.90), § 121.2553(a)(3) is amended by inserting in alphabetical sequence, a new item, as follows:

## § 121.2553 Lubricants with incidental food contact.

Substances	Limitations
(a) * * *	
(3) * * *	
Dimethylpolysiloxane (viscosity greater than 300 centistokes).	Addition to food not to exceed 1 part per million.

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, D.C., 20201, written objections thereto, preferably in quintuplicate. 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. 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.

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

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

Dated: June 24, 1965.

JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F.R. Doc. 65-6860; Filed, June 29, 1965; 8:48 a.m.]

## PART 121—FOOD ADDITIVES

## Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

## UREA-FORMALDEHYDE RESINS IN MOLDED ARTICLES

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1430) filed by American Cyanamid Co., Wayne, N.J., 07470, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of urea-formaldehyde resins in molded articles intended for use in contact with food. 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 (21 CFR 2.90), Part 121 is amended by adding to Subpart F the following new section:

## § 121.2595 Urea-formaldehyde resins in molded articles.

Urea-formaldehyde resins may be safely used as the food-contact surface of molded articles intended for use in contact with food, in accordance with the following prescribed conditions:

- (a) For the purpose of this section, urea-formaldehyde resins are those produced when 1 mole of urea is made to react with not more than 2 moles of formaldehyde in water solution.
- (b) The resins may be mixed with refined wood pulp and the mixture may contain other optional adjuvant substances which may include the following:

List of substances	Limitations
Hexamethylenetetramine	For use only as polymerization-control agent.
Tetrachlorophthalic acid anhydride.	Do.
Zinc stearate.	For use as lubricant.

(c) The finished food-contact article, when extracted with the solvent or solvents characterizing the type of food and under the conditions of time and temperature characterizing the conditions of its intended use as determined from tables 1 and 2 of § 121.2514(d), yields total extractives in each extracting solvent not to exceed 0.5 milligram per square inch of food-contact surface as determined by the methods described in § 121.2514(e).

(NOTE: In testing the finished food-contact article, use a separate test sample for each required extracting solvent.)

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, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed ob-

jectionable 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.

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

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

Dated: June 24, 1965.

JOHN L. HARVEY,  
Deputy Commissioner  
of Food and Drugs.

[F.R. Doc. 65-6861; Filed, June 29, 1965; 8:48 a.m.]

## SUBCHAPTER C—DRUGS

## PART 130—NEW DRUGS

## Subpart A—Procedural and Interpretative Regulations

## RECORDS AND REPORTS CONCERNING EXPERIENCE ON DRUGS FOR WHICH AN APPROVAL IS IN EFFECT

Manufacturers of complete medicated feeds that are new drugs under section 505 of the Federal Food, Drug, and Cosmetic Act have been required to submit periodic reports of certain kinds of information described in § 130.13(a) of the new-drug regulations (21 CFR Part 130). The Commissioner of Food and Drugs has concluded that submission of these periodic reports by such manufacturers is unnecessary and that elimination of this requirement will not adversely affect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052 as amended; 1055; 21 U.S.C. 355, 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 130.13(b)-(3) is amended by changing subdivision (ii) to read as follows:

## § 130.13 Records and reports concerning experience on drugs for which an approval is in effect.

- (b) \* \* \*
- (3) \* \* \*
- (ii) If the drug is intended solely for administration to animals, at intervals within 6 months beginning with the date of approval of the application during the first year following such date, and at yearly intervals thereafter: *Provided, however,* That such reports are not required from applicants to the extent that the reporting obligation is based on their manufacture of complete medicated feeds.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since this amendment, which eliminates submission by manufacturers of complete medicated feeds of certain reports that have been