6. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
		Within: *Miles*		Surveillance approach			
250°	350°	30	2600	T-dn	300–1	300–1	200–½
350°	030°	30	2400	C-dn*	400–1	500–1	500–1½
030°	215°	30	2500	C-dn**	700–1	700–1	700–1½
215°	250°	30	2400	S-dn#*	400–1	400–1	400–1
000°	360°	10	2000	S-dn**	700–1	700–1	700–1
				A-dn	800–2	800–2	800–2

and including the area 4 miles E and 7 miles W of Runway 18–36 centerline extended 16 miles to the N; and the area 4 miles W and 7 miles E of Runways 18–36 centerline extended 16 miles to the S, minimum altitude 2000′.

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.

Radar control will provide 1000′ vertical clearance within a 3-mile radius of towers, 1746′ and 1411′—9 miles ENE; 1550′—24 miles NE; 1260′—2.5 miles E; 1130′—9 miles E; 1120′—12 miles NW; and water tank, 1083′—4 miles SSE. Tower, 1167′—14 miles NNE.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 4 and 36: Climb to 2500′ and proceed to New Baltimore Int. Hold N 1-minute right turns 186° Inbnd. Runways 9, 18, 22, and 27: Climb to 2000′ and proceed S to Union Int. Hold S, 1-minute right turns, 360° Inbnd.

*Runways 4, 9, 18, 36.

**Runways 22 and 27.

#400–¾ authorized for Runways 18 and 36, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

#400–½ authorized for Runways 18 and 36, except for 4-engine turbojet aircraft, with operative ALS.

City, Covington; State, Ky.; Airport name, Greater Cincinnati; Elev., 890′; Fac. Class., and Ident., Cincinnati Radar; Procedure No. 1, Amdt. 6; Eff. date, 2 July 66; Sup. Amdt. No. 5; Dated, 27 Mar. 65

				Surveillance approach			
				T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-Rwy 25*	400–1	400–1	400–1
				S-dn-Rwy 19#	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 19, 25: Turn left, climb via LAS, R 066° to 5000′ at Kids Int.

*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

#500–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Las Vegas; State, Nev.; Airport name, McCarran Airport; Elev., 2171′; Fac. Class., and Ident., Las Vegas Radar; Procedure No. 1, Amdt. 1; Eff. date, 2 July 66; Sup Amdt. No. Orig.; Dated, 2 Nov. 63

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 26, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66–6465; Filed, June 14, 1966; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—____)

Miscellaneous Amendments

Subpart M of Regulations No. 4 of the Social Security Administration, as amended (20 CFR 404.1201 et seq.), are further amended as follows:

1. Section 404.1221 is amended to read as follows:

§ 404.1221 Rate and computation of contributions.

(a) *Contributions for calander years prior to 1966.* (1) The rates of taxes imposed on employees by section 1400 of the Internal Revenue Code of 1939 for the respective calendar years prior to 1955, and by section 3101 of the Internal Revenue Code of 1954 for the respective calendar years 1955 through 1965, are as follows:

For the calendar years:	*Percent*
1951 through 1953	1½
1954, 1955, and 1956	2
1957 and 1958	2¼
1959	2½
1960 and 1961	3
1962	3⅛
1963 through 1965	3⅝

(2) The rates of taxes imposed on employers by section 1410 of the Internal Revenue Code of 1939 for the respective calendar years prior to 1955, and by section 3111 of the Internal Revenue Code of 1954 for the respective calendar years 1955 through 1965, are as follows:

For the calendar years:	*Percent*
1951 through 1953	1½
1954, 1955, and 1956	2
1957 and 1958	2¼
1959	2½
1960 and 1961	3
1962	3⅛
1963 through 1965	3⅝

(b) *Contributions for calendar years after 1965.* (1) The rates of taxes imposed on employees by section 3101 of the Internal Revenue Code of 1954 for the respective calendar years are as follows:

For the calendar years	Percent		
	Old-age, survivors, and disability insurance	Hospital insurance	Total
1966	3.85	0.35	4.20
1967 and 1968	3.9	.50	4.40
1969 through 1972	4.4	.50	4.90
1973 through 1975	4.85	.55	5.40
1976 through 1979	4.85	.60	5.45
1980 through 1986	4.85	.70	5.55
1987 and subsequent years	4.85	.80	5.65

(2) The rates of taxes imposed on employers by section 3111 of the Internal Revenue Code of 1954 for the respective calendar years are as follows:

For the calendar years	Percent		
	Old-age, survivors, and disability insurance	Hospital insurance	Total
1966	3.85	0.35	4.20
1967 and 1968	3.9	.50	4.40
1969 through 1972	4.4	.50	4.90
1973 through 1975	4.85	.55	5.40
1976 through 1979	4.85	.60	5.45
1980 through 1986	4.85	.70	5.55
1987 and subsequent years	4.85	.80	5.65

(c) *Method of computation of contributions.* The contributions are computed by applying to the wages actually or constructively paid to an employee the rate in effect at the time such wages are actually or constructively paid.

Example: In 1966, A receives wages of $250 from his employer for services which he performed in 1965. The applicable rate is that for the calendar year 1966 (the year in which the wages were received) rather than the rate for the calendar year 1965 (the year in which the services were performed). Thus, the applicable rate is 4.20 percent (3.85 percent for old-age, survivors, and disability insurance, and 0.35 percent for hospital insurance).

2. Section 404.1230 is amended to read as follows:

§ 404.1230 Statements for employees.

Every State shall furnish or cause to be furnished to each individual performing services in employment as an employee in a coverage group included in an agreement, a written statement or statements, in a form suitable for retention by the employee, showing with respect to wages paid to the employee for such services on or after the effective date of the agreement: (a) The name, business address, and identification number of the State or political subdivision, as the case may be, in the employ of which such service was performed; (b) the name, address, and account number of the employee; (c) the period covered by the statement; (d) the total amount of wages subject to contributions under section 218 of the Social Security Act, as amended, paid during such period; and (e) if the State collects or causes to be collected contributions from individuals performing services in employment as employees in coverage groups included in the agreement, the amount of the employees' contributions with respect to such wages not in excess of the amount of the tax which would be imposed by the Federal Insurance Contributions Act if the services performed by such employees constituted employment as defined in such Act, and, with respect to calendar years after 1965, the proportion of the total amount of such contributions which is for financing the cost of hospital insurance benefits under part A of title XVIII of the Act. (See § 404.1221(b) for rates for calendar years after 1965.) If an adjustment of employees' contributions is made in accordance with § 404.1266, the amount set forth in paragraph (e) of this section shall be the adjusted amount of such contribution. If the State collects or causes to be collected employee's contributions from any individual performing services in employment as an employee in a coverage group included in an agreement, a statement (Internal Revenue Form W–2) furnished by a State or any political subdivision thereof in accordance with the provisions of section 1633 of the Internal Revenue Code of 1939 or section 6051 of the Internal Revenue Code of 1954 to such employee shall constitute the statement required for purposes of this section, if there is included in such statement all of the information required by this section. The statement shall be furnished to the employee not later than January 31 of the year following the calendar year covered by the statement, except that, if the employee leaves the employ of the State or of the political subdivision, so that he no longer performs services in employment as an employee in a coverage group included in an agreement, the final statement shall be furnished on the day on which the last payment of wages is made to the employee. (See § 404.1250(b) relating to the performance of services in more than one coverage group.)

3. Section 404.1250(c) is amended to read as follows:

§ 404.1250 Wage reports and contribution returns in general.

* * * * *

(c) *Contribution returns.* The State shall prepare a contribution return (Form OAR–S1) in duplicate, and attach the original of the return to the recapitulation report (Form OAR–S2), which is filed with the Department of Health, Education, and Welfare. At the same time the State shall file in quadruplicate a certificate of deposit (Form OAR–S11) with the Federal Reserve bank, or any branch thereof, serving the district in which the State is located, together with payment of the amount of contributions due and payable. Checks for such payment shall be made payable to the Treasurer of the United States. It is not necessary that any of the copies of Form OAR–S11 be signed by the depositing officer of the State. For the purposes of reports and returns under the Act, the quarters shall each be 3 calendar months as follows:

(1) January 1 to March 31, both dates inclusive;

(2) From April 1 to June 30, both dates inclusive;

(3) From July 1 to September 30, both dates inclusive; and

(4) From October 1 to December 31, both dates inclusive.

4. Section 404.1250a is amended to read as follows:

§ 404.1250a Wage reports and contribution returns for employees performing services in more than one coverage group.

(a) *Employee of State in more than one coverage group.* Where an individual performs services in employment as an employee of the State in more than one coverage group included in an agree-

ment, the aggregate wages paid to such employee by the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by the State, shall be reported in the report filed for only one such coverage group, in such manner as may be specified in the agreement.

(b) *Employee of political subdivision in more than one coverage group.* Where an individual performs services in employment as an employee of a political subdivision of the State in more than one coverage group included in an agreement, the aggregate wages paid to such employee by the political subdivision, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by the political subdivision, shall be reported in the report filed for only one such coverage group, in such manner as may be specified in the agreement.

(c) *Employee of State and of one or more political subdivisions.* Where an individual performs services in employment as an employee of the State in one or more coverage groups included in an agreement and as an employee of one or more political subdivisions of a State in one or more coverage groups included in an agreement and the State agreement does not provide for the computation of contributions pursuant to section 218 (e) (2) of the Act, the aggregate wages paid to such employee by the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965, shall be reported by the State in accordance with paragraph (a) of this section, and the aggregate wages paid to such employee by each political subdivision of the State, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by each political subdivision, shall be reported by each political subdivision, in accordance with paragraph (b) of this section.

(d) *Employee of more than one political subdivision.* Where an individual performs services in employment as an employee of one political subdivision in one or more coverage groups included in an agreement and as an employee of one or more other political subdivisions in one or more coverage groups included in an agreement and the State agreement does not provide for the computation of contributions pursuant to section 218 (e) (2) of the Act, the aggregate wages paid to such employee by each such political subdivision, not in excess of $3,600 paid in any calendar year prior to 1955, not in excess of $4,200 paid in any calendar year after 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965 by each political subdivision, shall be reported by each such political subdivision in accordance with paragraph (b) of this section.

(e) *Employees performing services for more than one employer; section 218(e) (2) of the Act applicable*—(1) *Employee of State and one or more political subdivisions.* Where an agreement provides for the computation of contributions for any calendar year in accordance with section 218(e) (2) of the Act with respect to an individual who performs services in employment as an employee of the State in one or more coverage groups included in an agreement and as an employee of one or more political subdivisions of such State in one or more coverage groups included in an agreement, the aggregate wages paid to such employee by the State and the political subdivisions, not in excess of $4,200 paid in any such calendar year after 1956 and prior to 1959, not in excess of $4,800 paid in any such calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965, shall be reported. The wages shall be reported by the State and each such political subdivision in accordance with § 404.1255 for the calendar quarter in which paid until the maximum amount for each such calendar year has been reached. In determining when the maximum amount has been reached for any such calendar year, the State shall consider only the wages with respect to which it has been authorized by the agreement to compute the contributions in accordance with section 218(e) (2) of the Act.

(2) *Employee of more than one political subdivision.* Where an agreement provides for the computation of contributions for any calendar year in accordance with section 218(e) (2) of the Act with respect to an individual who performs services in employment as an employee of one political subdivision of the State in one or more coverage groups included in an agreement and as an employee of one or more other political subdivisions of the State in one or more coverage groups included in an agreement, the aggregate wages paid to such employee by such political subdivisions, not in excess of $4,200 paid in any such calendar year after 1956 and prior to 1959, not in excess of $4,800 paid in any such calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965, shall be reported. The wages shall be reported by each such political subdivision in accordance with § 404.1255 for the calendar quarter in which paid until the maximum amount for each such calendar year has been reached. In determining when the maximum amount has been reached for any such calendar year, the State shall consider only the wages with respect to which it has been authorized by the agreement to compute the contributions in accordance with section 218 (e) (2) of the Act.

5. Section 404.1250b is amended to read as follows:

§ 404.1250b Filing of single wage report where individual is jointly employed by more than one employer.

Where the State and any of its political subdivisions or any two or more political subdivisions jointly employ any individuals to perform services in employment, the aggregate wages paid to such individuals by the State and any of its political subdivisions, or by any two or more political subdivisions, as the case may be, may, upon request by the State and with the approval of such request by the Secretary, be reported by an agent duly appointed to file such reports if:

(a) There is included in the agreement each of the coverage groups of employees of the State and its political subdivisions, or of two or more political subdivisions, as the case may be, of which such individuals are members;

(b) There is uniformity with respect to such coverage groups in the effective dates of coverage, in the services covered, and in the services excluded from coverage;

(c) There is filed by such agent one wage report for each calendar quarter on Form OAR–S3, which includes the aggregate of the wages paid to such individuals as employees of the State and as employees of any of its political subdivisions, or as employees of any two or more political subdivisions, as the case may be. In computing the aggregate wages to be reported, there shall be included in the wage report the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by the State and the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by each political subdivision of the State, or, if the individual is not employed by the State, the wages (not in excess of $4,200 paid in any calendar year subsequent to 1954 and prior to 1959, not in excess of $4,800 paid in any calendar year after 1958 and prior to 1966, and not in excess of $6,600 paid in any calendar year after 1965) paid or caused to be paid by each political subdivision of the State by which such individual is employed. (For provisions relating to the furnishing of wage statements to employees see § 404.1230.)

(d) There is included on the wage report (Form OAR–S3) the name and identification number of the State and of each political subdivision of the State by which the individual is employed, or, if the individual is not employed by the State, the name and identification number of each such political subdivision,

and the name and address and the identification number of the agent by which the wage reports are filed.

6. Section 404.1266 is amended by adding paragraph (c) thereto to read as follows:

§ 404.1266 **Adjustment of employee contributions.**

* * * * *

(c) *Credit or refund of self-employment tax.* An individual who properly reported self-employment income may, because of retroactive coverage under a State agreement of his services as an employee, pay in excess of the taxes due for a year or years. If he wishes to claim a refund of such overpayment on his self-employment income, he may do so by complying with the provisions of section 6511(d)(5) of the Internal Revenue Code of 1954, and the regulations issued pursuant thereto.

(Secs. 205, 218, 1102, 53 Stat. 1368, as amended; 64 Stat. 514, as amended, 49 Stat. 647, as amended; sec. 5, Reorg. Plan, No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.S. 405, 418, 1302)

7. *Effective date.* The foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

Dated: May 25, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 7, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66-6591; Filed, June 14, 1966; 8:50 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 C—Listing of Color Additives for Food Use Subject to Certification

Subpart E—Listing of Color Additives for Drug Use Subject to Cerification

FD&C YELLOW NO. 5; STAY OF EFFECTIVE DATE OF LISTING FOR FOOD AND DRUG USE SUBJECT TO CERTIFICATION

In the matter of listing FD&C Yellow No. 5 for food use (§ 8.275) and drug use (§ 8.4175):

Objections have been received that warrant giving further consideration to the order in the above-identified matter published in the FEDERAL REGISTER of February 22, 1966 (31 F.R. 3008). Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(1), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(1), (d)), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008): *It is ordered*, That the effective date of § 8.275 and § 8.4175 be stayed pending a decision in this matter.

Until further notice, FD&C Yellow No. 5 will continue to be provisionally listed in § 8.501(a).

(Sec. 706 (b), (c)(1), (d), 74 Stat. 399, 402; 21 U.S.C. 376 (b), (c)(1), (d))

Dated: June 7, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6582; Filed, June 14, 1966; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

INORGANIC BROMIDES; DENIAL OF INCREASE OF PESTICIDE TOLERANCES; ESTABLISHMENT OF FOOD ADDITIVE TOLERANCES

A petition (PP 4F0345) was filed with the Food and Drug Administration by the Dow Chemical Co., Post Office Box 512, Midland, Mich., 48640, on behalf of themselves; Great Lakes Chemical Corp., New York, N.Y., 10036; Frontier Chemical Co., Newark, N.J., 07105; and Michigan Chemical Co., St. Louis, Mich., 48880, proposing an increase from 50 parts per million to 125 parts per million in the established pesticide tolerances for residues of inorganic bromides resulting from methyl bromide fumigation of barley, corn, grain sorghum (milo), oats, rice, and rye.

Also, a petition (FAP 5H1508) was jointly filed by the same petitioners proposing that food additive tolerances be established at 325 parts per million on milled fractions of barley, corn, grain sorghum (milo), oats, rice, and rye; and at 125 parts per million on the milled fractions of wheat to cover carryover and concentration of inorganic bromide residues resulting from fumigation of the grains with methyl bromide.

A petition (FAP 1H0435) was also filed by the Dow Chemical Co. proposing food additive tolerances for residues of inorganic bromides resulting from fumigation with methyl bromide in dog food at 400 parts per million, in parmesan cheese and roquefort cheese at 325 parts per million, and in other processed foods at 125 parts per million.

The fumigant use of methyl bromide may result initially in residues of this chemical in the food. However, before the food is marketed, these residues rapidly convert from the highly toxic organic form of the pesticide to inorganic bromide residues which have comparatively low toxicity but which in high concentration in the diet are capable of causing the physiological sedative effects typical of inorganic bromide drugs.

After evaluating the data in these petitions and upon consideration of the pharmacology of inorganic bromides, the Commissioner of Food and Drugs has concluded (1) that the pesticide tolerances for grains in § 120.123 should not be increased but should be maintained at the established level of 50 parts per million; (2) that the food additive regulations should be amended to establish the additional safe tolerances for residues of inorganic bromides petitioned for, except that the tolerance requested for 325 parts per million on milled fractions of specified grains should be denied and a tolerance of 125 parts per million should be granted instead; and (3) that these actions will protect the public health.

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 2.120; 31 F.R. 3008), Part 121 is amended in the following respects:

1. Section 121.270 is revised to read as follows:

§ 121.270 **Inorganic bromides.**

Tolerances are established for residues of inorganic bromides (calculated as Br) as follows:

400 parts per million for residues in or on dog food, resulting from fumigation with methyl bromide.

125 parts per million for residues in or on milled fractions for animal feed from barley, corn, grain sorghum (milo), oats, rice, rye, and wheat, resulting directly from fumigation with methyl bromide or from carryover and concentration of residues of inorganic bromides from fumigation of the grains with methyl bromide or ethylene dibromide.

90 parts per million for residues in or on dehydrated citrus pulp for cattle feed, resulting from carryover and concentration of residues in this feed item when present therein as a result of soil treatment with the nematocide 1,2-dibromo-3-chloropropane in the production of citrus fruits.

2. Section 121.1020 is amended by revising paragraphs (a), (b), and (w) to read as follows:

§ 121.1020 **Inorganic bromides.**

* * * * *

(a) When the food additive is present as a result of fumigation of the processed food with methyl bromide or from such fumigation in addition to the authorized use of methyl bromide, ethylene dibromide, or the nematocide 1,2-dibromo-3-chloropropane on the source raw agricultural commodity, as provided for in Part 120 of this chapter, the total residues of inorganic bromides (calculated as Br) shall not exceed the following levels:

325 parts per million in or on parmesan cheese and roquefort cheese.

250 parts per million in or on concentrated tomato products and dried figs.

125 parts per million in or on processed foods other than those listed in paragraph (b) of this section.

(b) When the food additive is present as the result of the use of a mixture of methyl bromide and ethylene dibromide as a fumigant, the residues of inorganic bromides (calculated as Br) shall not exceed the following levels:

400 parts per million in or on dried eggs and processed herbs and spices.
200 parts per million in or on oat flour.

* * * * *

(w) Where tolerances are established under sections 408 and 409 of the act on both the raw agricultural commodities and processed foods made therefrom, the total residues of inorganic bromides in or on the processed food shall not be greater than those designated in paragraphs (a) and (b) of this section, unless a higher level is established elsewhere in Part 120 of this chapter or in this Part 121.

3. Section 121.1133(c) is revised to read as follows:

§ 121.1133 Fumigants for grain-mill machinery.

* * * * *

(c) Residues of inorganic bromides (calculated as Br) in milled fractions derived from cereal grain from all fumigation sources including fumigation of grain-mill machinery, shall not exceed 125 parts per million, except that residues in oat flour shall not exceed 200 parts 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 become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d), 409(c)(1), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d), 348(c)(1))

Dated: June 7, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-6583; Filed, June 14, 1966; 8:49 a.m.]

Title 29—LABOR

Chapter XIV—Equal Employment Opportunity Commission

PART 1605—GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION

By virtue of its authority under section 713(b) of the Civil Rights Act of 1964, 42 U.S.C. 2000e-12(b), the Equal Employment Opportunity Commission hereby amends Chapter XIV of Title 29 of the Code of Federal Regulations to add a new Part 1605, entitled "Guidelines on Discrimination Because of Religion." Because the provisions of the Administrative Procedure Act (5 U.S.C. 1003) requiring notice of proposed rule making, opportunity for public participation, and delay in effective date, are inapplicable to this interpretative rule it shall become effective immediately and shall be applicable with respect to cases presently before or hereafter filed with the Commission.

The new Part 1605 reads as follows:

§ 1605.1 Observance of Sabbath and religious holidays.

(a) (1) Several complaints filed with the Commission have raised the question whether it is discrimination on account of religion to discharge or to refuse to hire a person whose religious observances require that he take time off during the employer's regular workweek. These complaints arise in a variety of contexts, but typically involve employees who regularly observe Saturdays as the Sabbath or who observe certain special holidays during the year.

(2) The Commission believes that the duty not to discriminate on religious grounds includes an obligation on the part of the employer to accommodate to the reasonable religious needs of employees and, in some cases, prospective employees where such accommodation can be made without serious inconvenience to the conduct of the business.

(3) However, the Commission believes that an employer is free under Title VII to establish a normal workweek (including paid holidays) generally applicable to all employees, notwithstanding that this schedule may not operate with uniformity in its effect upon the religious observances of his employees. For example, an employer who is closed for business on Sunday does not discriminate merely because he requires that all his employees be available for work on Saturday. Likewise, an employer who closes his business on Christmas or Good Friday is not thereby obligated to give time off with pay to Jewish employees for Rosh Hashanah or Yom Kippur.

(b) While the question of what accommodation by the employer may reasonably be required must be decided on the peculiar facts of each case, the following guidelines may prove helpful:

(1) An employer may permit absences from work on religious holidays, with or without pay, but must treat all religions with substantial uniformity in this respect. However, the closing of a business on one religious holiday creates no obligation to permit time off from work on another.

(2) An employer, to the extent he can do so without serious inconvenience to the conduct of his business, should make a reasonable accommodation to the needs of his employees and applicants for employment in connection with special religious holiday observances.

(3) The employer may prescribe the normal work week and foreseeable overtime requirements, and, absent an intent on the part of the employer to discriminate on religious grounds, a job applicant or employee who accepted the job knowing or having reason to believe that such requirements would conflict with his religious obligations is not entitled to demand any alteration in such requirements to accommodate his religious needs.

(4) Where an employee has previously been employed on a schedule which does not conflict with his religious obligations, and it becomes necessary to alter his work schedule, the employer should attempt to achieve an accommodation so as to avoid a conflict. However, an employer is not compelled to make such an accommodation at the expense of serious inconvenience to the conduct of his business or disproportionate allocation of unfavorable work assignments to other employees.

Signed at Washington, D.C., this 9th day of June 1966.

LUTHER HOLCOMB,
Acting Chairman.

[F.R. Doc. 66-6541; Filed, June 14, 1966; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W is amended as follows:

PART 1001—GENERAL PROVISIONS

Subpart C—General Policies

In § 1001.363, the introductory material is revised and new paragraphs (f) and (g) are added, as follows:

§ 1001.363 Responsibility of procurement personnel to question procurements.

All procurement personnel will use the knowledge gained by daily contact with industry, commodities, markets, prices, and normal process of doing business to support the overall AF mission. This includes questioning any contemplated procurement action that appears inconsistent with this knowledge or where-