authority to study proposed construction or alteration for the purpose of determining their physical and electromagnetic effect on the operation of air navigation facilities.

The Air Transport Association (ATA) did not oppose the proposed amendment, but made several suggestions. Among them ATA commented that FAA has published few guidelines for constructing facilities on or near airports and such guidelines should be published by FAA prior to amending Part 77 as proposed.

In addition, ATA felt it should be made clear that airport control towers are not air navigation facilities in the sense of the proposed rule. ATA comments are under careful consideration and the FAA at the present time is engaged in a project to develop new criteria to determine whether proposed construction would affect the operation of air navigation facilities. The intent of the amendment to Part 77, however, is not to revise or develop criteria but to provide the authority to consider possible interference with the operation of air navigation facilities during the aeronautical study of construction proposals. At such time as new criteria have been developed a determination will be made as to their adequacy and whether they should be incorporated in the regulation.

In consideration of the foregoing, Part 77 of the Federal Aviation Regulations is amended as follows, effective August 31, 1968:

1. In § 77.31, paragraph (a) is revised to read:

§ 77.31 Scope.

(a) This subpart applies to the conduct of aeronautical studies of the effect of proposed construction or alteration on the use of air navigation facilities or navigable airspace by aircraft. In the aeronautical studies, present and future IFR and VFR aeronautical operations and procedures are reviewed and any possible changes in those operations and procedures and in the construction proposal that would eliminate or alleviate the conflicting demands are ascertained.

* * * * *

2. In § 77.35, paragraph (a) is revised to read:

§ 77.35 Aeronautical studies.

(a) The Regional Director of the region in which the proposed construction or alteration would be located, or his designee, conducts the aeronautical study of the effect of the proposal upon the operation of air navigation facilities and the safe and efficient utilization of the navigable airspace. This study may include the physical and electromagnetic radiation effect the proposal may have on the operation of an air navigation facility.

* * * * *

(Secs. 307, 313, 1101, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354, 1501)

Issued in Washington, D.C., on July 25, 1968.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 68-9146; Filed, July 30, 1968; 8:50 a.m.]

[Docket No. 7594; Amdt. 121-43]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Pilot in Command Experience Requirements for IFR Landings

The purpose of this amendment to Part 121 of the Federal Aviation Regulations is to permit a reduction in the 100 hours of pilot in command experience required by §§ 121.651(e) and 121.653(d), based on the substitution of one landing in Part 121 operations for 1 hour of pilot in command experience up to 50 percent of the 100-hour requirement.

This amendment is based on a notice of proposed rule making (Notice 67-34), issued July 24, 1967, and published in the FEDERAL REGISTER on August 1, 1967 (32 F.R. 11169). The basis for this amendment is discussed in that notice.

The comments received in response to Notice 67-34 generally concurred with the proposal to reduce the 100-hour requirement by substituting landings for hours, inasmuch as pilots in command of aircraft operating over short routes acquire the desired level of experience sooner than pilots operating over long routes. However, several comments objected to the proposal insofar as it would allow the reduction in total hours to apply to pilots with less than 100 hours in command of any airplane in Part 121 operations and recommended that pilots qualifying for the first time under Part 121 should be required to have 100 hours as pilot in command, regardless of the number of landings, in order to become familiar not only with a new type airplane but also with the duties and responsibilities of a pilot in command. The FAA agrees that a pilot qualifying for the first time under Part 121 should have a minimum of 100 hours as pilot in command and the proposed rule is being changed to permit the reduction in hours only for pilots who have 100 or more hours as pilot in command of another type airplane under Part 121.

Several comments suggested that qualifications for landings at the lowest minimums should be based on a number of instrument approaches rather than hours or landings. The problems associated with promulgation of a qualification requirement based on number and kind of landings are beyond the scope of Notice 67-34, which is intended only to reduce the present 100-hour requirement.

The FAA agrees with a comment by the Air Line Pilots Association that the regulation as proposed in Notice 67-34 should be changed to make it clear that until a pilot has qualified under subsection (a), his lowest MDA or DH and visibility landing minimum are 300 and 1, and Category II minimums do not apply.

At the time Notice 67-34 was issued, the Category II amendments had not been incorporated in the regulations and the lowest minimums contemplated in the notice were 300 and 1. The proposed amendment has been changed to make it clear that Category II minimums as well as the sliding scale minimums do not apply and the lowest minimums are 300 and 1 until the experience requirement is met.

The proposed regulation has also been changed in consideration of comments received to include RVR equivalents to landing visibility minimums.

In consideration of the foregoing, Part 121 of the Federal Aviation Regulations is amended effective July 31, 1968, as follows:

§ 121.651 [Amended]

1. By deleting paragraph (e) of § 121.651.

2. By adding the following new section immediately following § 121.651:

§ 121.652 Landing weather minimums: IFR: all certificate holders.

(a) If the pilot in command of an airplane has not served 100 hours as pilot in command in operations under this part in the type of airplane he is operating, the MDA or DH and visibility landing minimums in the certificate holder's operations specification for regular, provisional, or refueling airports are increased by 100 feet and one-half mile (or the RVR equivalent). The MDA or DH and visibility minimums need not be increased above those applicable to the airport when used as an alternate airport, but in no event may the landing minimums be less than 300 and 1.

(b) The 100 hours of pilot in command experience required by paragraph (a) of this section may be reduced (not to exceed 50 percent) by substituting one landing in operations under this part in the type of airplane for 1 required hour of pilot in command experience, if the pilot has at least 100 hours as pilot in command of another type airplane in operations under this part.

(c) Category II minimums and the sliding scale when authorized in the certificate holder's operations specifications do not apply until the pilot in command subject to paragraph (a) of this section meets the requirements of that paragraph in the type of airplane he is operating.

§ 121.653 [Amended]

3. By deleting paragraph (d) of § 121.653.

(Secs. 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421)

Issued in Washington, D.C., on July 24, 1968.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 68-9111; Filed, July 30, 1968; 8:47 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—Provisional Regulations

POSTPONEMENT OF CLOSING DATES OF PROVISIONAL LISTING

The color additive amendments of 1960 (Public Law 86–618; 74 Stat. 404; 21 U.S.C. 376, note) authorize 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 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.

The Commissioner of Food and Drugs finds that postponement of the closing dates of the provisionally listed color additives in this order is consistent with the protection of the public health. These extensions are granted on condition that, where applicable, progress reports be supplied on or before December 31, 1968.

Scientific investigations of the safety of iron oxide in mink feed have been completed. The Commissioner concludes that the data available to him do not presently permit the establishment of a safe level of ingested use in mink feed of this color additives. Accordingly, the closing date of the provisional listing for iron oxide in mink feed is not postponed and its provisional listing for this use is terminated as of June 30, 1968. To permit an orderly change in mink feed formulations containing iron oxide, a grace period of 6 months is allowed for continued use.

Therefore, 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 to the Commissioner (21 CFR 2.120), § 8.501 *Provisional lists of color additives* is amended as follows:

1. In paragraph (a) *Color additives previously and presently subject to certification and provisionally listed for food, drug, and cosmetic use*, the closing dates under "Drug and cosmetic use" for FD&C Green No. 3, FD&C Yellow No. 6, FD&C Red No. 2, FD&C Red No. 4, FD&C Blue No. 2, and FD&C Violet No. 1 are changed to "December 31, 1968."

2. In paragraph (b) *Color additives previously and presently subject to certification and previsionally listed for drug and cosmetic use*, the closing dates of D&C Green No. 8, D&C Yellow No. 7, D&C Yellow No. 8, D&C Red No. 17, D&C Red No. 34, D&C Orange No. 4, D&C Blue No. 9, and D&C Violet No. 2 are changed to "December 31, 1968."

3. In paragraph (c) *Color additives previously and presently subject to certification and provisionally listed for use in externally applied drugs and cosmetics*, the closing date of Ext. D&C Yellow No. 7 is changed to "December 31, 1968."

4. In paragraph (e) *Color additives provisionally listed for food use on the basis of prior commercial sale but which have not been nor are now subject to certification*, the closing date of iron oxide is changed to "December 31, 1968" and the statement under "Restrictions" for iron oxide is changed to read "For dog and cat foods only."

5. In paragraph (f) *Color additives provisionally listed for drug use on the basis of prior commercial sale but which have not been nor are now subject to certification*, the closing dates for chromium-cobalt-aluminum oxide, ferric ammonium citrate, and pyrogallol are changed to "December 31, 1968" and the closing dates for fustic and logwood are changed to "June 30, 1970."

6. Paragraph (g) is revised to read as follows to change the closing dates for certain color additives:

(g) *Color additives provisionally listed for cosmetic use on the basis of prior commercial sale but which have not been nor are now subject to certification.* The color additives provisionally listed in this paragraph are so listed only for the uses and purposes commercially employed prior to July 12, 1960. Thus, a color additive previously used for coloring cosmetics to be applied to portions of the body other than the eye area (as defined in § 8.1(s)) is not provisionally listed for eye-area use.

Color additive	*Closing date*
Aluminum hydroxide	Dec. 31, 1968
Aluminum powder	Do.
Aluminum silicate (including hydrated aluminum silicate)	Do.
Aluminum stearate	Do.
Annato	Do.
Azulene	Do.
Barium sulfate (blanc fixe)	Do.
Bentonite	Do.
Bismuth oxychloride	Do.
Bronze powder	Do.
Calcium carbonate	Do.
Calcium silicate	Do.
Calcium stearate	Do.
Calcium sulfate	Do.
Caramel	Do.
Carbon black (prepared by the "impingement" or "channel" process)	Sept. 30, 1968
Carmine	Dec. 31, 1968
Carotene	Do.
Chlorophyll copper complex and chlorophyllin copper complex	Sept. 30, 1968
Chromium hydroxide green	Dec. 31, 1968
Chromium oxide greens	Do.
Copper, metallic powder	Do.
Copper versenate	Do.
Cornstarch	Do.
Dihydroxyacetone	Do.
Ferric ferrocyanide (iron blue)	Do.
Gold	Do.
Graphite	Do.
Guanine (pearl essence)	Do.
Iron oxides (including hydrated iron oxides)	Do.
Kaolin	Do.
Lithium stearate	Do.
Magnesium aluminum silicate	Dec. 31, 1968
Magnesium carbonate	Do.
Magnesium oxide	Do.
Magnesium stearate	Do.
Magnesium trisilicate	Do.
Manganese violet (probably $2(NH_4)_2Mn_2(P_2O_7)_2$)	Do.
Mica	Do.
Silicic acid	Do.
Silicon dioxide (silica)	Do.
Silk, powdered	Do.
Talc	Do.
Tin oxide	Do.
Titanium dioxide	Do.
Ultramarine blue	Do.
Ultramarine green	Do.
Ultramarine pink	Do.
Ultramarine red	Do.
Ultramarine violet	Do.
Zinc carbonate	Do.
Zinc oxide	Do.
Zinc stearate	Do.

In order to allow orderly withdrawal from the market of iron oxide for use in mink feed and in the absence of information that the continued use of this color additive for a short time at the level customarily used will adversely affect the health of minks, the Food and Drug Administration will not institute regulatory action against iron oxide, or the mink feed in which it has been permitted to be used, solely for the reason that it is not provisionally or permanently listed as a color additive for the period ending December 31, 1968.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since section 203(a)(2) of Public Law 86–618 provides for this issuance.

Effective date. This order is effective as of June 30, 1968.

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

Dated: July 22, 1968.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 68-9142; Filed, July 30, 1968; 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

POLYETHYLENE GLYCOL (400) MONO- AND DI-OLEATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 6C1882) filed by The C. P. Hall Co. of Illinois, 7300 South Central Avenue, Chicago, Ill. 60638, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of polyethylene glycol (400) mono- and di-oleate as a processing aid in the manufacture of animal feeds. 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 (21 CFR 2.120), Part 121 is amended by adding to Subpart C the following new section:

§ 121.320 Polyethylene glycol (400) mono- and di-oleate.

(a) The food additive polyethylene glycol (400) mono- and di-oleate meets the following specifications: Saponification number, 80–88; acid number, 5.0 maximum; and average molecular weight range, 640–680.

(b) It is used as a processing aid in the production of animal feeds when present as a result of its addition to molasses in an amount not to exceed 250 parts per million of the molasses.

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.

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

Dated: July 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-9143; Filed, July 30, 1968; 8:49 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER B—PERSONNEL

[Dept. Reg. 108.592]

PART 11—APPOINTMENT OF FOREIGN SERVICE OFFICERS

Lateral Entry Appointment of Foreign Service Officers to Classes 1 Through 6

Section 11.11 is revised to read as follows:

§ 11.11 Lateral entry appointment of Foreign Service Officers to Classes 1 through 6.

Appointments of Foreign Service officers, under the provisions of section 517 of the Foreign Service Act of 1946, as amended, are governed by the regulations in this section.

(a) *Purpose of lateral entry appointment.* (1) The lateral entry program is a means by which the intake of Foreign Service officers through the junior Foreign Service officer examination can be supplemented to meet total requirements for Foreign Service officers. Lateral entry appointments are made only to Classes 1 through 6, insuring retention of the career principle of entry primarily at Classes 7 and 8 through competitive examination. Additional officers will be added to the Foreign Service Officer Corps through lateral entry on the basis of established service need for each class by functional specialty or general manpower requirements.

(2) The great majority of lateral entrants will be drawn from officers of the Department and the Foreign Service of proven ability who possess high potential for advancement, or similar personnel of other foreign affairs agencies who may be appointed based on agreements between the Department and those agencies.

(3) The need for other lateral entrants in Classes 1 through 6 is met by appointing applicants who are officers or former officers of other Federal Government agencies. Principally, these will be persons possessing skills and abilities in short supply in the Foreign Service appointed to meet rapidly changing requirements. On a limited and highly selective basis, however, other persons may be appointed who have demonstrated outstanding qualities of leadership and who possess capabilities, insights, techniques, experiences, and differences of outlook which would serve to enrich and stimulate the Foreign Service and enable them to perform effectively in assignments both abroad and in the Department.

(b) *Magnitude.* (1) The Department places no numerical limitation on the lateral appointment of FSR, FSSO, and Civil Service officers on its rolls who apply, are certified on the basis of service need by personnel management authorities for examination, and are found qualified by the Board of Examiners.

(2) Lateral entry from other sources is limited and based on intake levels established in accordance with total Foreign Service officer manpower and functional requirements upon certification of service needs.

(c) *Eligibility requirements.* The religion, race, sex, and political affiliations of a candidate will not be considered in designations, examinations, or certifications.

(1) *Citizenship.* Each applicant must have been a citizen of the United States for at least 10 years and, if married, shall be married to a citizen of the United States.

(2) *Service.* On the date of application, each applicant must have completed at least 3 years of service (4 years if under age 31) in a position of responsibility in a Federal Government agency or agencies. For this purpose, a position of responsibility is defined as service as a Foreign Service Reserve officer at Class 7, a Foreign Service Staff officer at Class 6, in the Departmental service as GS–9, and in the Armed Forces of the United States at the grade of First Lieutenant or Lieutenant Junior Grade, or higher. The duties and responsibilities of the position occupied by the applicant must have been similar or closely related to that of a Foreign Service officer in terms of knowledge, skills, and abilities. To be eligible, an applicant must have been in or currently be in a grade or class comparable to FSO–6 or be receiving a base salary at least equal to the first salary step of that class.

(3) *Other.* On the date of application, each applicant for lateral entry appointment should be under age 54. Candidates will not normally be certified who are more than 55 years of age since Foreign Service officers are expected to serve 5 years or more before reaching mandatory retirement age.

(d) *Recruitment.* (1) It is the Department's policy to encourage eligible personnel on its rolls to apply for lateral entry into the Foreign Service Officer Corps, including, in particular, the following categories:

(i) Foreign Service Reserve officers, who, in competition with Foreign Service officers, are either recommended for promotion or ranked in the upper percentage groups of their class;

(ii) Foreign Service Staff officers who are recommended for consideration for lateral entry by a Staff Officer Selection Board, whose performance has been consistently of a high caliber, and whose background, experience, and general qualifications indicate they can contribute to the Foreign Service Officer Corps and compete favorably with Foreign Service officers;

(iii) Civil Service officers in the Department and domestic Foreign Service Reserve officers who are serving in positions to which Foreign Service officers are normally assigned, who have superior records, and who can be expected to make substantial contributions to Foreign Service work and compete favorably with Foreign Service officers.

(2) The Department also considers highly qualified applicants from other agencies of the Government and from outside the Federal service who meet the statutory and other eligibility requirements and for whom there has been a certification of need as an additional Foreign Service officer. Appointments from these sources for the limited vacancies available are made on a competitive basis to fill specific Service needs after assuring that the vacancies cannot be filled by Foreign Service officers already in the Foreign Service Officer Corps.

(e) *Method of application.* Applicants for lateral entry must complete Standard Form 171, Personal Qualifications Statement, and Form DSP–34, Supplement to Application for Federal Employment, and forward them to the Board of Examiners for the Foreign Service, Department of State. Application is made