Two commentators suggested that the TCA call-up points be additionally identified as radial/DME points from the Washington VOR. This will be included in the next issue of the Washington terminal area chart.

Several commentators who basically approved of the proposed airspace configuration suggested that implementation be delayed until the new configuration could be depicted on sectional charts. Recent incidents and accidents in congested metropolitan airspace, in particular the recent mid-air collision in New Jersey, have highlighted the urgency of establishing the Washington, D.C., TCA as early as possible. Graphic depictions of the new configuration will be available and given the widest dissemination by the time the rule is implemented.

All comments received on the proposal have been given due consideration. In the interest of providing immediately increased air safety in a vital metropolitan complex, and since establishment of the Washington, D.C., TCA has been long publicized and pilots have been operating aircraft within the terminal control area configuration on a voluntary basis since October 1, 1970, good cause exists to make the rule effective in less than 30 days.

In consideration of the foregoing, § 71.401(a) of the Federal Aviation Regulations is amended, effective 0900 G.m.t., February 4, 1971, by changing the Washington, D.C., terminal control area to read as follows:

WASHINGTON, D.C., TERMINAL CONTROL AREA

PRIMARY AIRPORTS

1. Washington National Airport (lat. 38°51′05″ N., long. 77°02′20″ W.).
2. Andrews AFB (lat. 38°48′40″ N., long. 76°52′05″ W.).

BOUNDARIES

AREA A

That airspace extending upward from the surface to and including 7,000 feet MSL within a 7-mile radius of the Washington, D.C., VOR and within a 7-mile radius of the Andrews, Md., VORTAC excluding the airspace bounded on the north by lat. 38°45′50″ N., on the east by long. 76°54′25″ W., on the south by a 7-mile radius circle of the Andrews VORTAC, and on the west by long. 76°59′30″ W.; and excluding Prohibited Area P-56.

AREA B

That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within a 10-mile radius of the Washington VOR and a 10-mile radius of the Andrews VORTAC, excluding Area A.

AREA C

That airspace extending upward from 2,500 feet MSL to and including 7,000 feet MSL between the 10-mile and 15-mile radius circles of the Washington VOR and the Andrews VORTAC, excluding that airspace west of a line from a point on the Nottingham 308° T radial 31.75 nautical miles northwest of the VORTAC to a point on the Nottingham 268° T radial 25.25 nautical miles west of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on January 14, 1971.

LOUIS H. MCCAUGHEY,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc.71-711 Filed 1-15-71;8:52 am]

[Docket No. 10751; Amdt. 736]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

Correction

In F.R. Doc. 71-6 appearing at page 147 in the issue for Wednesday, January 6, 1971, the effective date in paragraph number 3 on page 148, now reading "January 23, 1971", should read "January 28, 1971".

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter X—Oil Import Administration, Department of the Interior

[Rev. 5, Amdt. 28]

OI REG. 1—OIL IMPORT REGULATION

Canadian Imports, Districts I–IV; Partial Allocations

Regulations providing for allocations of Canadian imports into Districts I–IV for the allocation period January 1, 1971, through December 31, 1971, will be issued after the proposal published in the FEDERAL REGISTER for November 28, 1970 (35 F.R. 18208) has been considered in the light of comments received during the thirty (30) day period ending December 28, 1970. Under the final regulations, persons who continue to meet the requirements for eligibility stated in paragraph (c) of section 29 of Oil Import Regulation 1 (Revision 5) (35 F.R. 10296) and who imported Canadian overland imports under allocations made pursuant to paragraph (d) of section 29 will be eligible for allocations of Canadian imports for the period January 1, 1971, through December 31, 1971. Pending the issuance of the final regulations, a new section 29A is added to Oil Import Regulation 1 (Revision 5) providing for partial allocations to such persons in order to avoid disruptions of their operations. Because such action must be taken promptly if such disruptions are to be avoided, it would not serve the public interest either to give notice of proposed rule making on, or to delay the effective date of, this amendment. Accordingly, this Amendment 28 shall become effective immediately.

A new section 29A, reading as follows, is added to Oil Import Regulation 1 (Revision 5):

Sec. 29A Canadian imports—partial allocations.

(a) As used in this section the term "Canadian imports" means imports from Canada of crude oil which has been produced in Canada and unfinished oils which have been derived from crude oil or natural gas produced in Canada and which have been transported into the United States by overland means or over waterways other than ocean waterways.

(b) For the allocation period January 1, 1971, through December 31, 1971, the Administrator shall make a partial allocation of Canadian imports into Districts I–IV to each person who has in Districts I–IV a facility or facilities for processing Canadian imports or pipeline facilities using crude oil as fuel and who received an allocation of Canadian overland imports under paragraph (d) of section 29 of this regulation and who imported under such allocation. The partial allocation shall not exceed the amount of the allocation received by that person under paragraph (d) of section 29 reduced by the amount of any licenses issued to that person under an interim allocation for the allocation period January 1, 1971, through December 31, 1971. Partial allocations made pursuant to this paragraph (b) will be superseded by regular allocations which will be made later. Licenses issued under a partial allocation will be charged against the superseding regular allocation.

(c) The Administrator shall issue a license under a partial allocation only upon request and only in an amount sufficient to cover the importation specified in the request.

(d) A person who imports Canadian imports under a partial allocation must run the oil in his own facility.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

(f) If a person holds a partial allocation of Canadian imports under this section and if he also holds an allocation of imports under section 10 for the period January 1, 1971, through December 31, 1971, he may obtain from the Administrator a license which will permit him to import Canadian imports in a quantity not exceeding two-thirds of the amount of the allocation made under section 10. Such licenses shall be charged against the allocation made under section 10.

Dated: January 13, 1971.

FRED J. RUSSELL,
Under Secretary of the Interior.

I concur:

G. A. LINCOLN,
Director, Office of Emergency Preparedness.

[FR Doc.71-713 Filed 1-14-71;3:16 pm]

[Rev. 5, Amdt. 27]

OI REG. 1—OIL IMPORT REGULATION

Asphalt Import Program, 1971

In the FEDERAL REGISTER of November 18, 1970 (35 F.R. 17225), notice was given by the Oil Import Administration of a proposal to permit increased imports of asphalt in 1971. Comments were received, were reviewed, and are part of the public record.

The Director of the Office of Emergency Preparedness has found, with the advice of the Oil Policy Committee, that the adoption for 1 year of a program which will permit increased importation of asphalt into Districts I–IV during the calendar year 1971 will not impair the national security and will help to avoid a possible shortage of asphalt during the year.

Accordingly, a new section 31 is added to Oil Import Regulation 1 (Revision 5), as amended, to provide for allocations of imports of asphalt during the calendar year 1971 to persons who certify a need for such imports in order to meet contractual obligations or manufacturing requirements. In order that the advantages offered by the amendment will be promptly available, this Amendment 27 shall become effective immediately.

No imports of asphalt pursuant to this section shall be construed as establishing a basis for future import allocations under any program that may be hereafter instituted for the control of asphalt imports.

A new section 31, reading as follows, is added to Oil Import Regulation 1 (Revision 5).

Sec. 31 Asphalt.

(a) As used in this section, the term "asphalt" means (1) if asphalt cement, a solid or semi-solid cementitious material which is refined from crude oil and in which the predominant constituents are bitumens, and (2) if liquid asphalt, a product (i) the principal constituent of which is a cementitious material that, when refined from crude oil, was a solid or semisolid consisting predominantly of bitumens, (ii) the kinematic viscosity of which is not less than 250 centistokes at 140° F., and (iii) in which hydrocarbon solvents do not exceed 40 percent of the product by volume.

(b) For the allocation period January 1, 1971 through December 31, 1971, the Administrator shall make an allocation of imports of asphalt into Districts I–IV to any person who certifies that such imports are required to meet obligations under contracts with, or purchase orders from, customers in Districts I–IV or to meet his own construction or manufacturing requirements. The allocation shall be in the quantity which such person certifies in writing is required to meet such obligations or requirements.

(c) Asphalt imports under an allocation made pursuant to paragraph (b) shall not be further processed except by blending by mechanical means or by air blowing and shall not be burned for lighting or for the generation of heat or power.

(d) Applications for allocations under this section may be filed with the Administrator at any time during the period. An application must be filed in such form as the Administrator may prescribe. All licenses issued under allocations made pursuant to this section shall be valid only during the period January 1, 1971 through December 31, 1971.

(e) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Dated: January 13, 1971.

FRED J. RUSSELL,
Under Secretary of the Interior.

I concur:

G. A. LINCOLN,
Director, Office of Emergency Preparedness.

[FR Doc.71-712 Filed 1-14-71;3:16 pm]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 71-504]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 34b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, paragraph (e) (7) relating to the State of North Carolina is amended to read:

(7) *North Carolina.* That portion of Gates, Chowan, and Perquimans Counties bounded by a line beginning at the junction of State Highways 37 and 32; thence, following State Highways 37, 32, in a southeasterly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a generally southerly direction to Secondary Road 1305; thence, following Secondary Road 1305 in a southeasterly direction to Secondary Road 1200; thence, following Secondary Road 1200 in a northerly direction to Secondary Road 1213; thence, following Secondary Road 1213 in an easterly direction to Secondary Road 1214; thence, following Secondary Road 1214 in a southeasterly direction to Secondary Road 1001; thence, following Secondary Road 1001 in a northerly direction to Secondary Road 1204; thence, following Secondary Road 1204 in a northwesterly direction to Secondary Road 1413; thence, following Secondary Road 1413 in a northerly and then southwesterly direction to State Highway 32; thence, following State Highway 32 in a southwesterly direction to its junction with State Highway 37 in Gates County.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine portions of Gates, Chowan, and Perquimans Counties in North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portions of such Counties.

The amendments also exclude a portion of Pitt County, N.C., from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the area excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of January 1971.

F. J. MULHERN,
Acting Administrator, Agricultural Research Service.

[FR Doc.71-623 Filed 1-15-71;8:47 am]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 33-5117]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

Optional Form for Registration of Additional Issues of Securities Registered on National Securities Exchanges, or for Offerings to Holders of Certain Classes of Convertible Securities, or to Holders of Certain Types of Warrants

I. *Adoption of Form S-16 (17 CFR 239.27)*. The Securities and Exchange Commission has adopted Form S-16, a short form for registration statements under the Securities Act of 1933, for use in connection with certain types of offerings specified in the instructions to the form. Notice of the proposed adoption of the form was published October 7, 1969, in Securities Act Release 5011 (34 F.R. 17033).

The use of proposed Form S-16 as published for comment would have been limited to securities of issuers qualified under proposed Rule 163 (17 CFR 230.163) of the "160 series." Since that rule has not been adopted it has been necessary to adopt some other standard for the use of the form. Accordingly, the form as adopted provides that it may be used by any company which would be entitled to use Form S-7 (17 CFR 239.26) for registration of securities.

The form is an optional form which may be used to register securities of issuers which at the time of filing the registration statement would be entitled to use Form S-7 for the registration of securities under the Act. The form may be used for registering securities to be sold in the following types of offerings:

1. Securities which are to be offered by persons other than the registrant in the regular way on a national securities exchange if securities of the same class are registered on the same or another such exchange.
2. Securities to be offered by an issuer to holders of convertible securities of an affiliate of the issuer which are convertible into securities of the issuer, where no commission or other remuneration is paid or payable by anyone for soliciting such conversion.
3. Securities to be issued upon the exercise of outstanding publicly held warrants where no commission or other remuneration is paid for soliciting the exercise of the warrants.

The prospectus must identify the issuer and the securities to be registered and state the amount to be registered. If the offering is to be made on behalf of a selling security holder, the name of the security holder and information concerning his ownership of the securities to be registered and his relationship to the issuer must be disclosed. If the offering involves convertible securities of an affiliate, certain information with respect to such securities must be disclosed and if the offering involves the exercise of warrants certain information with respect to the warrants must be given.

The statements and reports filed by the registrant under the Securities Exchange Act, specified in Item 6 of the form, must be incorporated by reference and a statement made that similar material subsequently filed is also deemed to be incorporated by reference. The material so incorporated includes the registrant's latest annual report, proxy, or information statement and reports on Forms 8-K (17 CFR 249.308) and 10-Q (17 CFR 249.308a) or 7-Q (17 CFR 249.307a), as the case may be.

In addition, any material adverse changes in the registrant's affairs subsequent to the date of the latest certified financial statements must be disclosed in the prospectus. The prospectus must also disclose where the documents incorporated by reference in the registration statement may be inspected or copies thereof obtained.

In addition to the prospectus, the registration statement must contain the required exhibits and signatures and an undertaking by the registrant to file section 10(a)(3) prospectuses as post-effective amendments to the registration statement and to notify the Commission when the offering is completed or terminated.

Like Forms S-7 (17 CFR 239.26), S-8 (17 CFR 239.16b) and S-9 (17 CFR 239.22), which take into consideration information otherwise filed with the Commission and available to the public, Form S-16 is in the nature of an experiment. The Commission intends to observe its operation in conjunction with the recently revised registration and reporting requirements under the Securities Exchange Act of 1934 to determine whether the omission of information from the prospectus is consistent with the objectives of the Securities Act of 1933. The form will be amended or rescinded if experience with its use indicates that such action is necessary or desirable in the public interest or for the protection of investors.

Commission action. The Commission hereby amends Part 239 of Chapter II of Title 17 of the Code of Federal Regulations by adding thereunder a new § 239.27 which reads as follows:

§ 239.27 Form S-16, optional form for registration of additional issues of securities of same class as those registered on a national securities exchange, or for offerings to holders of certain convertible securities, or for offerings to holders of certain types of outstanding warrants.

This form may be used for registration under the Securities Act of 1933 of the following securities of any issuer which at the time of filing the registration statement meets the requirements for the use of Form S-7 (§ 239.26):

(a) Securities to be offered on behalf of a person or persons, other than the registrant, in the regular way on a national securities exchange if securities of the same class are listed and registered on the same or another such exchange at the time of filing the registration statement on this form.

(b) Securities to be offered to the holders of convertible securities of an affiliate of the registrant and the registered securities are the securities such holders are entitled to receive upon conversion, provided no commission or other remuneration is paid or payable for solicitation of the conversion of such securities; or

(c) Securities of an issuer to be offered to the holders of outstanding warrants upon the exercise thereof provided no commission or other remuneration is paid or payable for soliciting the exercise of such warrants.

Incorporation by reference approved by the Director of the Office of the Federal Register on January 15, 1971.

The text of Form S-16 is set forth in Release 33-5117, dated December 23, 1971, copies of which have been filed with the Office of the Federal Register; additional copies of the Release and Form S-16 are available on request from the Securities and Exchange Commission, Washington, D.C. 20549.

II. *Amendment of Rule 427 (17 CFR 230.427)*. Rule 427 permits the omission from any prospectus used more than 9 months after the effective date of the registration statement of any information previously required to be contained in the prospectus insofar as later information covering the same subjects, as of a date not more than 16 months prior to the use of the prospectus, is contained therein. Paragraph (b) of the rule has been amended to provide that where securities have been registered on any form, but at the time of filing a prospectus as a part of a post-effective amendment the registrant would be entitled to register the securities on another form, such as Form S-8 or S-9, the prospectus may be prepared in accordance with the requirements of such other form. Prior to the amendment this procedure could be followed only where the initial registration statement was filed on Form S-1.

Commission action. Paragraph (b) of § 230.427 of Chapter II of Title 17 of the Code of Federal Regulations is amended to read as follows:

§ 230.427 Contents of prospectus used after 9 months.

* * * * *

(b) Notwithstanding the foregoing, a prospectus filed as a part of an amendment to an effective registration statement on any form may be prepared in accordance with the requirement of any other form which would then be appropriate for the registration of the securities to which the prospectus relates, provided all of the requirements of such other form (including the filing of any required undertakings) are met. The amendment shall be deemed to relate to the proper form if the Commission declares it effective.

III. *Amendment of Rule 429 (17 CFR 230.429)*. Rule 429 provides that where two or more registration statements have been filed by the same issuer, a prospectus which meets the requirements for use in connection with the securities covered by the latest statement may be used in connection with the securities covered by the earlier statements if it contains all of the information which would be required in a prospectus relating to the securities covered by the earlier statements. However, such a combined prospectus may not be used if the latest registration statement was filed on Form S-14 (17 CFR 239.23), since a prospectus for securities registered on that form is not deemed suitable for securities registered on other forms. For similar reasons, paragraph (a) of Rule 429 has been amended to provide that a combined prospectus may not be used if the latest registration statement is filed on Form S-16.

Commission action. Paragraph (a) of § 230.429 of Chapter II of Title 17 of the Code of Federal Regulations is hereby amended to read as follows:

§ 230.429 Prospectus relating to several registration statements.

(a) Where two or more registration statements have been filed by the same registrant, a prospectus which meets the requirements of the Act and the rules and regulations thereunder for use in connection with the securities covered by the latest registration statement shall be deemed to meet such requirements for use in connection with the securities covered by the earlier registration statements if such prospectus includes all of the information which would currently be required in a prospectus relating to the securities covered by the earlier statements: *Provided*, That this rule shall not apply if the latest registration statement was filed on Form S-14 (§ 239.23 of this chapter) or Form S-16 (§ 239.27 of this chapter).

* * * * *

The Commission finds that the adoption of Form S-16 provides a new optional form for issuers which would be entitled to use existing Form S-7, that the amendment of Rule 427 enlarges a previously existing privilege, and the amendment of Rule 429 merely makes it clear that new Form S-16 would be excluded from its permissive provisions; and that, therefore, notice and procedures under 5 U.S.C. 552 are unnecessary. Accordingly, the foregoing action, which was taken pursuant to the Securities Act of 1933, particularly sections 6, 7, 10, and 19(a) thereof, shall become effective on January 29, 1971.

(Secs. 6, 7, 10, 19(a), 48 Stat. 78, 81, 85, secs. 205, 209, 48 Stat. 906, 908, sec. 8, 68 Stat. 685, sec. 1, 79 Stat. 1051, 15 U.S.C. 77f, 77g, 77j, 77s(a))

By the Commission, December 23, 1970.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[FR Doc.71-612 Filed 1-15-71;8:46 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 71-15]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PART 174—PROTESTS

Administrative Review

On August 22, 1970, there were published in the FEDERAL REGISTER (35 F.R. 13428), regulations implementing the Customs Administrative Act of 1970, and conforming amendments to Chapter I of Title 19, Code of Federal Regulations. In order to conform the procedure set forth in § 10.21 of the Customs regulations for passengers dissatisfied with the assessment of duty on their baggage, clarify the place for filing a protest set forth in § 174.12, and clarify in § 174.28 the manner of submission of additional arguments while a protest is under review, the following amendments to Chapter I, Title 19 of the Code of Federal Regulations are hereby adopted:

In § 10.21 paragraph (h) is amended to read:

§ 10.21 Examination procedure; collection of duties and taxes.

* * * * *

(h) If the passenger remains dissatisfied with the assessment of duty after reexamination, he shall pay the duty assessed and may protest the decision of the district director in accordance with Part 174 of this chapter.

* * * * *

(R.S. 251, as amended, secs. 514, 624, 46 Stat. 734, as amended, 759; 19 U.S.C. 66, 1514, 1624)

In § 174.12 paragraph (d) is amended to read:

§ 174.12 Filing of protests.

* * * * *

(d) *Place of filing*. Protests shall be filed with the district director whose decision is protested except that, when the entry underlying the decision protested is filed at a port other than the district headquarters, the protest may be filed with the port director or at that port.

* * * * *

Section 174.28 is amended by adding a sentence at the end thereof so that the section reads:

§ 174.28 Consideration of additional arguments.

In determining whether to allow or deny a protest filed within the time allowed, a reviewing officer may consider alternative claims and additional grounds or arguments submitted in writing by the protesting party with respect to any decision which is the subject of a valid protest at any time prior to disposition of the protest. In any case in which alternative claims or additional grounds or arguments are submitted orally, they shall be considered in the allowance or denial of the protest only if submitted in writing in conjunction with, or no later than 60 days after, such oral submission.

(R.S. 251, as amended, secs. 514, 624, 46 Stat. 734, as amended, 759; 19 U.S.C. 66, 1514, 1624)

Since the amendment to § 10.21 conforms the procedure to be followed with those required by the Customs Administrative Act of 1970, and the amendments to §§ 174.12 and 174.28 clarify the statement of an existing rule, notice and public proceeding thereon is found unnecessary, and the amendments shall be effective upon publication in the FEDERAL REGISTER (1-16-71).

[SEAL] MYLES J. AMBROSE, *Commissioner of Customs*.

Approved: January 5, 1971.

EUGENE T. ROSSIDES, *Assistant Secretary of the Treasury*.

[FR Doc.71-680 Filed 1-15-71;8:51 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 138—DRUGS; OFFICIAL NAMES

New Names

In the FEDERAL REGISTER of February 13, 1970 (35 F.R. 2995), a notice was published proposing that § 138.2 be amended by adding certain items to the list therein as official names for drugs.

Having considered the comments received in response to the proposal, and other relevant information, the Commissioner of Food and Drugs concludes that the proposal, except for the proposed names "brinase" and "salcolex", should be adopted with minor technical or editorial changes.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 508, 76 Stat. 789; 21 U.S.C. 358) and the administrative procedure provisions of 5 U.S.C. 552 (80 Stat. 383, as amended 81 Stat. 54) and under authority delegated to the Commissioner (21 CFR 2.120), § 138.2 is amended by alphabetically inserting in the table the following new items as official names for drugs:

§ 138.2 Drugs; official names.

* * * * *

Official name	Chemical name or description	Molecular formula
* * *	* * *	* * *
Aklomide	2-Chloro-4-nitrobenzamide	$C_7H_5ClN_2O_3$
* * *	* * *	* * *
Arginine	*L*(+)-Arginine	$C_6H_{14}N_4O_2$
* * *	* * *	* * *
Bamethan	α-[(Butylamino)methyl]-*p*-hydroxybenzyl alcohol	$C_{12}H_{19}NO_2$
* * *	* * *	* * *
Bucrylate	Isobutyl 2-cyanoacrylate	$C_8H_{11}NO_2$
Bunolol	(±)-5-[3-(*tert*-Butylamino)-2-hydroxypropoxy]-3,4-dihydro-1(2*H*)-naphthalenone.	$C_{17}H_{25}NO_3$
* * *	* * *	* * *
Cellaburate	Cellulose acetate butyrate	
* * *	* * *	* * *
Cinoxate	2-Ethoxyethyl *p*-methoxycinnamate	$C_{14}H_{18}O_4$
* * *	* * *	* * *
Clonazepam	5-(*o*-Chlorophenyl)-1,3-dihydro-7-nitro-2*H*-1,4-benzodiazepin-2-one	$C_{15}H_{10}ClN_3O_3$
* * *	* * *	* * *
Clonixeril	2,3-Dihydroxypropyl 2-(3-chloro-*o*-toluidino)nicotinate	$C_{16}H_{17}ClN_2O_4$
Clonixin	2-(3-Chloro-*o*-toluidino)nicotinic acid	$C_{13}H_{11}ClN_2O_2$
* * *	* * *	* * *
Closiramine	8-Chloro-11-[2-(dimethylamino)ethyl]-6,11-dihydro-5*H*-benzo[5,6]-cyclohepta[1,2-*b*]pyridine.	$C_{18}H_{21}ClN_2$
* * *	* * *	* * *
Cyclacillin	6-(1-Aminocyclohexanecarboxamido)-3,3-dimethyl-7-oxo-4-thia-1-azabicyclo[3.2.0]heptane-2-carboxylic acid.	$C_{15}H_{23}N_3O_4S$
* * *	* * *	* * *
Diamocaine	1-(2-Anilinoethyl)-4-[2-(diethylamino)ethoxy]-4-phenylpiperidine	$C_{25}H_{37}N_3O$
* * *	* * *	* * *
Dopamine	4-(2-Aminoethyl)pyrocatechol	$C_8H_{11}NO_2$
* * *	* * *	* * *
Etidronic Acid	(1-Hydroxyethylidene)diphosphonic acid	$C_2H_8O_7P_2$
Etoxadrol	(+)-2-(2-Ethyl-2-phenyl-1,3-dioxolan-4-yl)piperidine	$C_{16}H_{23}NO_2$
Euprocin	*O*-6′-Isopentylhydrocupreine	$C_{24}H_{34}N_2O_2$
Famotine	1-[(*p*-Chlorophenoxy)methyl]-3,4-dihydroisoquinoline	$C_{16}H_{14}ClNO$
* * *	* * *	* * *
Fenticlor	2,2′-Thiobis[4-chlorophenol]	$C_{12}H_8Cl_2O_2S$
* * *	* * *	* * *
Flucrylate	2,2,2-Trifluoro-1-methylethyl 2-cyanoacrylate	$C_7H_6F_3NO_2$
* * *	* * *	* * *
Flufenisal	4′-Fluoro-4-hydroxy-3-biphenylcarboxylic acid acetate	$C_{15}H_{11}FO_4$
* * *	* * *	* * *
Iomethin I 125	4-[[3-(Dimethylamino)propyl]amino]-7-iodo-^{125}I-quinoline	$C_{14}H_{18}IN_3$ (in which the iodine atom is ^{125}I).
Iomethin I 131	4-[[3-(Dimethylamino)propyl]amino]-7-iodo-^{131}I-quinoline	$C_{14}H_{18}IN_3$ (in which the iodine atom is ^{131}I).
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Isomylamine	2-(Diethylamino)ethyl 1-isopentylcyclohexanecarboxylate	$C_{18}H_{35}NO_2$
* * *	* * *	* * *
Lorazepam	7-Chloro-5-(*o*-chlorophenyl)-1, 3-dihydro-3-hydroxy-2*H*-1, 4-benzodiazepin-2-one.	$C_{15}H_{10}Cl_2N_2O_2$
* * *	* * *	* * *
Mecrylate	Methyl 2-cyanoacrylate	$C_5H_5NO_2$
* * *	* * *	* * *
Nafronyl	2-(Diethylamino)ethyl tetrahydro-α-(1-naphthylmethyl)-2-furanpropionate.	$C_{24}H_{33}NO_3$
* * *	* * *	* * *
Ocrylate	Octyl 2-cyanoacrylate	$C_{12}H_{19}NO_2$
Octicizer	2-Ethylhexyl diphenyl phosphate	$C_{20}H_{27}O_4P$
* * *	* * *	* * *
Oxisuran	(Methylsulfinyl)methyl 2-pyridyl ketone	$C_8H_9NO_2S$
* * *	* * *	* * *
Oxypertine	5, 6-Dimethoxy-2-methyl-3-[2-(4-phenyl-1-piperazinyl)ethyl]-indole.	$C_{23}H_{29}N_3O_2$
* * *	* * *	* * *
Perlapine	6-(4-Methyl-1-piperazinyl)morphanthridine	$C_{19}H_{21}N_3$
* * *	* * *	* * *
Polytef	Poly(tetrafluoroethylene)	$(C_2F_4)_n$
* * *	* * *	* * *
Procarbazine	*N*-Isopropyl-α-(2-methylhydrazine)-*p*-toluamide	$C_{12}H_{19}N_3O$
* * *	* * *	* * *
Roxarsone	4-Hydroxy-3-nitrobenzenearsonic acid	$C_6H_6AsNO_6$
* * *	* * *	* * *
Sulfanitran	4′[(*p*-Nitrophenyl)sulfamoyl]acetanilide	$C_{14}H_{13}N_3O_5S$
* * *	* * *	* * *
Temazepam	7-Chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2*H*-1, 4-benzodiazepin-2-one.	$C_{16}H_{13}ClN_2O_2$
* * *	* * *	* * *
Tibolone	17-Hydroxy-7α-methyl-19-nor-17α-pregn-5(10)-en-20-yn-3-one	$C_{21}H_{28}O_2$
* * *	* * *	* * *
Tiletamine	2-(Ethylamino)-2-(2-thienyl)cyclohexanone	$C_{12}H_{17}NOS$
* * *	* * *	* * *
Triclofos	2,2,2-Trichloroethyl dihydrogen phosphate	$C_2H_4Cl_3O_4P$
Triflocin	4-(α,α,α-Trifluoro-*m*-toluidino)nicotinic acid	$C_{13}H_9F_3N_2O_2$
* * *	* * *	* * *
Trimipramine	5-[3-(Dimethylamino)-2-methylpropyl]-10,11-dihydro-5*H*-dibenz-[*b*,*f*]azepine.	$C_{20}H_{26}N_2$
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Effective date. This order shall become effective 30 days after its publication in the FEDERAL REGISTER.

(Sec. 508, 76 Stat. 789; U.S.C. 358)

Dated: January 4, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-476 Filed 1-15-71;8:45 am]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

SUBCHAPTER O—COAL MINE HEALTH AND SAFETY

PART 100—CIVIL PENALTIES FOR VIOLATIONS OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

In accordance with the provisions of section 109 of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91-173), and pursuant to the authority vested in the Secretary of the Interior under section 508 of the Act, Subchapter O of Chapter I, Title 30, Code of Federal Regulations, is amended by adding a new Part 100, as set forth below, which provides procedures to be followed by the Bureau of Mines in assessing civil penalties for violations of the mandatory health and safety standards and other provisions of the Federal Coal Mine Health and Safety Act of 1969.

Section 109 of the Act will be enforced, until further notice, in accordance with the procedures set forth in Part 100 which shall be reviewed from time to time in the light of enforcement experience gained under the Act.

Since these regulations are procedural in nature and are promulgated to obtain an immediate maximum enforcement effort by the Bureau of Mines under the Coal Mine Health and Safety Act of 1969, and are intended to insure a maximum compliance effort under the Act on the part of the coal mining industry, Part 100 shall become effective on the date of its publication in the FEDERAL REGISTER (1-16-71).

FRED J. RUSSELL,
Under Secretary of the Interior.

JANUARY 14, 1971.

AUTHORITY: The provisions of this Part 100 issued under secs. 109 and 508, Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742; Public Law 91-173).