

# Title 26—INTERNAL REVENUE

## Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 7122]

### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

#### Returns and Annual Reports of Exempt Organizations

##### Correction

In F.R. Doc. 71-7911 appearing at page 11025 in the issue of Tuesday, June 8, 1971, the third line of § 1.6033-2(e) reading "on or before the 15th calendar month" should read "on or before the 15th day of the fifth calendar month".

# Title 32—NATIONAL DEFENSE

## Chapter VI—Department of the Navy

### SUBCHAPTER C—PERSONNEL

#### PART 722—REPORTING PROCEDURES ON DEFENSE RELATED EMPLOYMENT

A new Part 722 is added to read as follows:

Sec.

722.1 Purpose.

722.2 Report of DoD and Defense Related Employment (DD Form 1787); submission of.

722.3 Action.

722.4 Availability of forms.

**AUTHORITY:** The provisions of this Part 722 issued under 10 U.S.C. 5031 and Part 166 of this title.

**SOURCE:** SECNAV Instruction 5314.5, March 1, 1971.

##### § 722.1 Purpose.

This Part 722 implements within the Department of the Navy the reporting procedures on defense related employment established in Part 166 of this title.

##### § 722.2 Reports of DoD and Defense Related Employment (DD Form 1787); submission of.

Individuals required by Public Law 91-121, section 410 (November 19, 1969) and § 166.4(e) of this title, to submit reports of DoD and Defense Related Employment (DD Form 1787) to the Secretary of the Navy shall submit such reports in duplicate, not later than October 15 following the close of each fiscal year, to:

(a) If former or retired Navy officers: The Chief of Naval Personnel (Pers-Of), Navy Department, Washington, D.C. 20370.

(b) If former or retired Marine Corps officers: The Commandant of the Marine Corps (Code DNC), Navy Department, Washington, D.C. 20380.

(c) If present civilian employees: The Director of Civilian Manpower Management (Administrative Office (01B)), Navy Department, Washington, D.C. 20390, via the commanding officer or head of the activity in which they are employed.

(d) If former civilian employees: The Director of Civilian Manpower Management (Administrative Office (01B)), Navy Department, Washington, D.C. 20390.

##### § 722.3 Action.

(a) The Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, shall include notification, as prescribed in § 166.5(c) (1) of this title, in separation or retirement counseling procedures, and in appropriate publications directed at individuals in the category described in § 166.4(a) of this title.

(b) All chiefs and heads of commands, bureaus, and offices, and all commanding officers, shall direct attention within their organizations or commands to the requirement of Public Law 91-121 and insure that all civilian personnel within their organizations or commands, who are subject to this requirement, are familiar with the provisions of this part. Further, they shall (1) include notification, as prescribed in § 166.5(c) (1) of this title, in entrance orientation and exit interview or separation counseling procedures; and (2) notify, as prescribed in § 166.5(c) (1) of this title, all civilian personnel who become subject to the requirement of Public Law 91-121 by virtue of a promotion or step increase after initial employment.

(c) The Chief of Naval Personnel shall bring the contents of this part to the attention of the principal officer of each contractor identified, pursuant to § 166.5 (a) of this title, doing business with the Department of the Navy and request that such officer inform all former or retired Naval Establishment personnel within his organization of the requirement of Public Law 91-121 and the provisions of this part.

(d) The Chief of Naval Personnel, the Commandant of the Marine Corps, and the Director of Civilian Manpower Management, as provided in § 722.2, shall receive for the Secretary of the Navy all reports required by Public Law 91-121 and § 166.4(e) of this title, and review all such reports in the manner prescribed by § 166.7(a) of this title. Not later than November 15 of each year they shall each forward to the Administrative Officer of the Navy Department the forms received by them and reports based upon them prepared in the manner specified in § 166.7(b) of this title.

(e) Not later than November 21 of each year the Administrative Officer of the Navy Department shall forward to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) the forms and report specified in § 166.7(b) of this title.

(f) Not later than November 30 of each year the Assistant Secretary of the Navy (Manpower and Reserve Affairs) shall forward to the Assistant Secretary of Defense (Manpower and Reserve Affairs) the forms and report specified in § 166.7(b) of this title.

(g) The Judge Advocate General of the Navy and the General Counsel of the Navy shall provide, within their respective areas of jurisdiction, legal ad-

vice regarding questions which may arise under this part. Additionally, the deputy counselors designated in § 721.5(c) of this chapter shall provide advice in local areas.

##### § 722.4 Availability of forms.

Supplies of DD Form 1787 (Report of DoD and Defense Related Employment) are available in Forms and Publication Segment of the Navy Supply System under Stock No. 0102-025-5090. Individuals required to submit reports should obtain forms from local commands or organizations or from the officer designated in § 722.2 to whom reports are to be submitted. Use of facsimile copies of the same size is authorized.

By direction of the Secretary of the Navy.

MERLIN H. STARING,  
Rear Admiral, JAGC, U.S. Navy,  
Acting Judge Advocate General of the Navy.

JUNE 28, 1971.

[FR Doc. 71-9446 Filed 7-2-71; 8:47 am]

# Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

## Chapter I—Patent Office, Department of Commerce

### PART 1—RULES OF PRACTICE IN PATENT CASES

#### PART 3—FORMS FOR PATENT CASES

##### Division-Continuation Program

The current Rule 147 divisional practice and the "streamlined continuation" program set forth in the notices of February 11, 1966 (824 O.G. 1); May 13, 1966 (827 O.G. 2); May 31, 1966 (828 O.G. 1085) and October 14, 1969 (869 O.G. 1) are superseded by this change in the rules.

The practice under § 1.60 permits persons having authority to prosecute the prior application to file a continuation or divisional application without an oath or declaration, if the continuation or divisional application is a copy of the prior application as filed. However, some of the claims in the prior application as filed may be canceled by amendment in order to reduce the filing fee. An amendment presenting additional claims may accompany the request for filing an application under § 1.60 but such amendment will not be entered until after the filing date has been granted.

Form 3.54 is designed as an aid for use by both applicant and the Patent Office and should simplify filing and processing of applications under § 1.60.

Application copies may be prepared and submitted by the applicant, his attorney or agent, provided they are verified as true copies. No charges will be made for preparation of copies that are retained by the Office.

Notice of proposed rule making regarding a revision of §§ 1.41 and 1.75, an

## RULES AND REGULATIONS

addition of §§ 1.60 and 3.54 and revocation of § 1.147 of Title 37, Code of Federal Regulations, relating to a division-continuation program, was published in the FEDERAL REGISTER of January 28, 1971 (36 F.R. 1357).

Interested persons were given an opportunity to participate in the rule making process through submission of comments in writing and at an oral hearing held on March 23, 1971.

Full consideration has been given to the comments received and changes in the text of the original proposal have been made in view thereof.

In consideration of the foregoing and pursuant to the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), Parts 1 and 3 of Chapter I of Title 37 of the Code of Federal Regulations are hereby amended as follows:

1. In § 1.41, paragraph (a) is revised to read as follows:

§ 1.41 Applicant for patent.

(a) A patent must be applied for and the application papers must be signed and the necessary oath or declaration executed by the actual inventor in all cases, except as provided by §§ 1.42, 1.43, and 1.47. (See § 1.60)

2. A new § 1.60 is added to read as follows:

§ 1.60 Continuing application for invention disclosed and claimed in a prior application.

A continuation or divisional application (filed under the conditions specified in 35 U.S.C. 120 or 121), which discloses and claims only subject matter disclosed in a prior application may be filed as a separate application before the patenting or abandonment of or termination of proceedings on the prior application. If the application papers comprise a copy of the prior application as filed, signing and execution by the applicant may be omitted provided the copy either is prepared and certified by the Patent Office or is prepared by the applicant and verified by an affidavit or declaration by the applicant, his attorney or agent, stating that it is a true copy of the prior application as filed. Certification may be omitted if the copy is prepared by and does not leave the custody of the Patent Office. Only amendments reducing the number of claims or adding a reference to the prior application (§ 1.78(a)) will be entered before calculating the filing fee and granting of the filing date.

3. In § 1.75, paragraph (d) (2) is revised to read as follows:

§ 1.75 Claim(s).

(d) \*\*\*

(2) See §§ 1.141 to 1.146 as to claiming different inventions in one application.

§ 1.147 [Revoked]

4. Section 1.147 is revoked.

5. Section 3.54 is added to read as follows:

§ 3.54 Division-continuation program application transmittal form.

IN THE UNITED STATES PATENT OFFICE

Docket No. \_\_\_\_\_

THE COMMISSIONER OF PATENTS,  
Washington, D.C. 20231.

Sir: This is a request for filing a

☐ Continuation application under 37 CFR 1.60,

☐ Divisional of pending prior application Serial No. \_\_\_\_\_

filed on \_\_\_\_\_ of \_\_\_\_\_  
(date) (inventor)

for \_\_\_\_\_  
(title of invention)

1. ☐ Enclosed is a copy of the prior application as originally filed and an affidavit or declaration verifying it as a true copy.

2. ☐ Prepare a copy of the prior application.

3. ☐ The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT

| For                | Number filed | Number extra | Rate  | Basic fee \$65 |
|--------------------|--------------|--------------|-------|----------------|
| Total claims       | -10-         | X            | \$2 = |                |
| Independent claims | -1-          | X            | 10 =  |                |
| Total filing fee   |              |              |       |                |

4. ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

5. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

6. ☐ Cancel claims \_\_\_\_\_

7. ☐ Amend the specification by inserting before the first line the sentence:—This is a ☐ continuation, ☐ division, of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

9. ☐ The prior application is assigned to \_\_\_\_\_

10. ☐ The power of attorney in the prior application is to \_\_\_\_\_  
(name, reg. No., and address)

a. ☐ The power appears in the original papers of the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☐ Recognize as associate attorney and address all future communications to \_\_\_\_\_  
(name, reg. No., and address)

(Signature)

☐ Inventor(s)  
☐ Assignee of Complete Interest  
☐ Attorney or agent of record in prior application

Effective date. These amendments shall become effective on September 1, 1971, and will apply to applications filed after that date.

WILLIAM E. SCHUYLER, JR.,  
Commissioner of Patents.

Approved: June 29, 1971.

JAMES H. WAKELIN, JR.,  
Assistant Secretary for  
Science and Technology.

[FR Doc. 71-9484 Filed 7-2-71; 8:51 am]

## Title 43—PUBLIC LANDS: INTERIOR

### Chapter II—Bureau of Land Management, Department of the Interior

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5082]

[Wyoming 28423]

#### WYOMING

### Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the Act of December 29, 1916, 39 Stat. 865, as amended, 43 U.S.C. § 300 (1964), it is ordered as follows:

1. The departmental order of December 28, 1922, enlarging Stock Driveway Withdrawal No. 128 (Wyoming No. 13), is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 86 W.,  
Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 360 acres in Washakie County.

2. This revocation is made in furtherance of an exchange under section 8 of the Act of June 28, 1934, 48 Stat. 1272, as amended, 43 U.S.C. sec. 315g (1964), by which the offered lands will benefit a Federal land program. Accordingly, the land described in this order is hereby classified, pursuant to section 7 of said act, 43 U.S.C. sec. 315f (1964), as suitable for such exchange. The land, therefore, will not be subject to other use or disposition under the public land laws in

the absence of a modification or revocation of such classification (43 CFR 244.0).

HARRISON LOESCH,  
Assistant Secretary of the Interior.

JUNE 28, 1971.

[FR Doc.71-9447 Filed 7-2-71; 8:47 am]

## Title 46—SHIPPING

### Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES  
[Tariff Circular 3; Exemption Application 9]

#### PART 531—PUBLICATION, POSTING, AND FILING OF FREIGHT AND PASSENGER RATES, FARES, AND CHARGES IN THE DOMESTIC OFFSHORE TRADE

##### Exemption; Carriage of U.S. Coin and Currency Between U.S. Atlantic Coast Ports and Ports in Puerto Rico

Application for exemption from the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, and regulations applicable thereto, for U.S. coins and currency shipped by the Federal Reserve Banks between U.S. Atlantic Coast ports on the one hand and on the other ports in Puerto Rico was filed in the FEDERAL REGISTER.

The effect of such an exemption would be to permit movements of U.S. coins and currency for the Federal Reserve Banks with freedom from tariff filing requirements and regulations with respect to the reasonableness of rates.

The proposed operations are highly specialized. Insurance requirements are high. Security requires armed guards and makes it desirable not to publish precise points of origin and destination. The conditions under which the operation must be conducted make rate and tariff regulations an unnecessary and undue burden.

Any carriers indicating a desire to perform a service similar to that proposed by the applicant may file similar applications for exemption which will be expeditiously considered.

The exemption will not substantially impair effective regulation by the Federal Maritime Commission, be unjustly discriminatory or be detrimental to commerce. Therefore, pursuant to section 4 of the Administrative Procedure Act, 5 U.S.C. 553 and sections 35 and 43 of the Shipping Act, 1916, 46 U.S.C. 833(a), and 841(a), Part 531 of Title 46 CFR is amended as follows:

Section 531.26 is amended by the addition of a new paragraph (e), reading as follows:

#### § 531.26 Exemptions.

(e) The provisions of the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, as amended, shall not apply to the service provided by Sea-Land Service,

Inc., for U.S. coins and currency shipped by the Federal Reserve Banks between U.S. Atlantic Coast ports and ports in Puerto Rico.

**Effective date.** The exemption granted herein shall become effective upon publication of this order in the FEDERAL REGISTER (7-3-71).

By the Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-9424 Filed 7-2-71; 8:45 am]

## Title 49—TRANSPORTATION

### Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket No. 3-3; Notice 4]

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

##### Flammability of Interior Materials in Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses

#### Correction

In F.R. Doc. 71-190 appearing at page 289 in the issue of Friday, January 8, 1971, in Motor Vehicle Safety Standard No. 302 (§ 571.21), the first sentence of paragraph S4.3 should read as follows: "Material described in S4.1 and S4.2 shall not burn, or transmit a flame front across its surface, at a rate of more than 4 inches per minute."

## Title 21—FOOD AND DRUGS

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

#### PART 135a—NEW ANIMAL DRUGS FOR OPHTHALMIC AND TOPICAL USE

##### Triamcinolone Acetonide Cream

The Commissioner of Food and Drugs has evaluated a new animal drug application (46-146V) filed by E. R. Squibb & Sons, Inc., New Brunswick, N.J. 08903, proposing the safe and effective use of triamcinolone acetonide cream for use in dogs. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)), and under authority delegated to the Commissioner (21 CFR 2.120), Part 135a is amended by adding the following new section:

#### § 135a.16 Triamcinolone acetonide cream.

(a) **Specifications.** Triamcinolone acetonide cream contains 0.1 percent triamcinolone acetonide in an aqueous-vanishing cream base.

(b) **Sponsor.** See code No. 035 in § 135.501(c) of this chapter.

(c) **Conditions of use.** (1) The drug is recommended for use on dogs as an anti-inflammatory, antipruritic, and antiallergic agent for topical treatment of allergic dermatitis and summer eczema.

(2) The drug is applied by rubbing into affected areas two to four times daily for 4 to 10 days.

(3) For use only by or on the order of a licensed veterinarian.

**Effective date.** This order shall be effective upon publication in the FEDERAL REGISTER (7-3-71).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 24, 1971.

FRED J. KINGMA,  
Acting Director,  
Bureau of Veterinary Medicine.

[FR Doc.71-9469 Filed 7-2-71; 8:49 am]

#### PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

##### Dichlorvos

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (40-848V) filed by Shell Chemical Co., Agricultural Chemical Division, 110 West 51st Street, New York, N.Y. 10020, proposing a revision in the declaration of the quantity of dichlorvos to be administered and revised labeling for use of the drug in swine feed. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135e is amended in § 135e.54 by revising paragraphs (c), (d), and (e) and by revising the information in the "Amount" column of the table in paragraph (f), as follows:

#### § 135e.54 Dichlorvos.

(c) **Assay limits.** Finished feed must contain 80-130 percent of the labeled amount of dichlorvos.

(d) **Special considerations.** (1) Dichlorvos is to be included in meal or mash or mixed with feed in crumble form only after the crumble feed has been manufactured. Do not mix in feeds to be pelleted nor with pelleted feed. Do not soak the feed or administer as wet mash. Feed must be dry when administered. Do not use in animals other than swine. Do not allow fowl access to feed containing this preparation or to feces from treated animals.

(2) Dichlorvos is a cholinesterase inhibitor. Do not use this product in animals simultaneously or within a few days before or after treatment with or exposure to cholinesterase-inhibiting drugs, pesticides, or chemicals. If human or animal poisoning should occur, immediately consult a physician or a veterinarian. Atropine is antidotal.

(3) Labeling for feed supplements must include a statement that containers