

fee for the thin layer chromatographic identity test to read as follows:

§ 146.8 Fees.

(b) * * *	
(1) * * *	
	Chargeable fee per test
Test	
Thin layer chromatographic identity--	15

As this change is a reduction in a chargeable fee, involving the relaxation of the regulation, and is noncontroversial in nature, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the *FEDERAL REGISTER* (6-10-72).

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: May 30, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-8771 Filed 6-9-72; 8:46 am]

PART 148e—ERYTHROMYCIN

Certain Erythromycin Ethylsuccinate Products; Name Change

In a notice published in the *FEDERAL REGISTER* of March 2, 1972 (37 F.R. 4357), the Commissioner of Food and Drugs proposed that the antibiotic drug regulations be amended to delete the word "granules" from the term "erythromycin ethylsuccinate granules for oral suspension" and to delete the word "chewable" from the term "erythromycin ethylsuccinate chewable tablets." It was also proposed that the specification for disintegration time be added to the erythromycin ethylsuccinate tablet monograph. Interested persons were invited to submit their comments in response to the notice of proposed rule making within 30 days. No comments were received. Accordingly the Commissioner of Food and Drugs concludes that the antibiotic drug regulations should be amended as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 148e is amended as follows:

§ 148e.10 [Amended]

1. In § 148e.10 *Erythromycin ethylsuccinate granules for oral suspension* by deleting the word "granules" from the the heading and from the first sentence of paragraph (a) (1).

2. In § 148e.29 by deleting the word "chewable" from the heading and the first sentence in paragraph (a) (1); inserting a new sentence between the fourth and fifth sentences in paragraph (a) (1); revising paragraphs (a) (3) (i) (b) and (ii) (b); and adding a new sub-

paragraph (3) to the end of paragraph (b) to read as follows:

§ 148e.29 Erythromycin ethylsuccinate tablets.

(a) Requirements for certification—

(1) Standards of identity, strength, quality, and purity. Erythromycin ethylsuccinate tablets are composed of erythromycin ethylsuccinate, suitable and harmless diluents, binders, buffers, colorings, and flavorings. Each tablet contains erythromycin ethylsuccinate equivalent to 100 or 200 milligrams of erythromycin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of erythromycin that it is represented to contain. The moisture content is not more than 5 percent. The tablets shall disintegrate within 45 minutes. The erythromycin ethylsuccinate used conforms to the standards prescribed by § 148e.7(a) (1).

(3) * * *

(i) * * *

(b) The batch for potency, moisture, and disintegration time.

(ii) * * *

(b) The batch: A minimum of 36 tablets.

(3) Disintegration time. Proceed as directed in § 141.540 of this chapter.

Effective date. This order shall become effective 30 days after its date of publication in the *FEDERAL REGISTER*.

Dated: May 30, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-8770 Filed 6-9-72; 8:45 am]

Title 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary of the Treasury

PART 10—PRACTICE BEFORE INTERNAL REVENUE SERVICE

Economic Stabilization Matters

The Treasury Department hereby amends Part 10 of Subtitle A of Title 31 of the Code of Federal Regulations (Treasury Department Circular No. 230), concerning practice before the Internal Revenue Service on economic stabilization matters. The purpose of these amendments is to amend the rules prescribed on January 20, 1972, that were published in the *FEDERAL REGISTER* of Friday, January 21, 1972 (37 F.R. 1016), relating to authority to practice before the Internal Revenue Service on economic stabilization matters. These amendments are made as a result of policy decisions of the Cost of Living Council, Pay Board, and Price Commission, and will permit the Internal Revenue

Service to issue regulations, which it is constrained to issue as the delegate of those agencies in the administration of the Economic Stabilization Program. These amendments will permit any person to appear in a representative capacity before the Internal Revenue Service in matters relating to economic stabilization.

Despite these amendments, it remains and shall continue to remain the position of the Treasury Department, and the Internal Revenue Service, that in order to protect the public, only attorneys, certified public accountants, and enrolled agents, because of their training and prescribed standards of conduct, can properly be allowed to practice and represent the public in tax matters before the Internal Revenue Service. In order to preserve this position with respect to the Treasury Department's duty to protect the public, any appearance before the Internal Revenue Service on economic stabilization matters shall not in any manner be considered to be an authorization to practice before the Service for the purposes of tax matters. The proposed amendments are set forth below:

A. Section 10.9 is amended as follows:

- Paragraph (a) is amended to read as set forth below.
- The first sentence of paragraph (b) (ending with the colon) is amended to read as set forth below.
- Paragraph (b) is further amended by adding a new subparagraph (7) to read as set forth below.

§ 10.9 Practice before the Internal Revenue Service on economic stabilization matters.

(a) Who may practice. Any person may appear on his own behalf or may be represented by any natural person, age 21 years or older whom he has designated to represent him, except that such designated person may not be under disbarment or suspension from practice before the Internal Revenue Service. Any person who is recognized to practice and to appear before the Internal Revenue Service, including the Office of Chief Counsel, on matters relating to economic stabilization shall comply with such procedural requirements as the Commissioner of Internal Revenue or the Chief Counsel, Internal Revenue Service, as appropriate, may hereafter set forth.

(b) Disciplinary proceedings. Pursuant to the regulations contained in Subpart C of this part any person appearing before the Internal Revenue Service, including the Office of the Chief Counsel, on matters relating to economic stabilization may be suspended or disbarred from further appearances before the Internal Revenue Service, including the Office of the Chief Counsel, for disreputable conduct which includes, but is not limited to the following:

(7) Advertising or soliciting, directly, or indirectly, for employment before the Service on matters relating to economic

stabilization, or employing, accepting assistance from, or being employed or associated with any person or firm who advertises or solicits such employment.

B. New § 10.10 is added to Subpart A to read as follows:

§ 10.10 Limited practice in economic stabilization matters.

Nothing contained in the regulations in this part shall be deemed to permit any person not qualified under §§ 10.3 (a), 10.3(b), 10.4, and 10.7 to practice before the Internal Revenue Service in matters other than those matters relating to economic stabilization.

Because of the need for immediate guidance with respect to the subject matter of these amendments, it is found impracticable to issue such rules with notice and public procedure thereon under 5 U.S.C., section 553(b), or subject to the effective date limitation of 5 U.S.C., section 553(d) of such title.

These regulations shall become effective when filed with the FEDERAL REGISTER.

(Sec. 3, 23 Stat. 258, secs. 2-12, 60 Stat. 237 et seq.; 5 U.S.C. 301, 500, 551-559, 31 U.S.C. 1026, Reorg. Plan No. 26 of 1950, 15 F.R. 4935, 64 Stat. 1280, 3 CFR, 1949-1953 Comp.)

[SEAL] SAMUEL R. PIERCE, Jr.,
General Counsel.

[FR Doc.72-8806 Filed 6-9-72; 8:48 am]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5215]

[Oregon 7942 (Wash.)]

WASHINGTON

Amendment of Public Land Order No. 836 of June 8, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 836 of June 8, 1952, partially revoking Public Land Order No. 606 of September 13, 1949, is hereby amended by deleting the last paragraph therefrom, and by substituting the following paragraph:

"This revocation is in furtherance of exchanges under section 8 of the Taylor Grazing Act of June 28, 1934, 48 Stat. 1272, as amended, 43 U.S.C. section 315g (1964), by which the offered lands will benefit a Federal land program. Accordingly, the lands, excepting those lands within the Wallula Townsite, as may be described on a proposed supplemental plat of survey, are hereby classified pursuant to section 7 of said Act, 43 U.S.C. section 315f (1964), as suitable for such exchanges. The lands therefore, will not be open to other use or disposition under

the public land laws in the absence of a modification or revocation of such classification (43 CFR 2440.4)."

HARRISON LOESCH,
Assistant Secretary
of the Interior.

JUNE 6, 1972.

[FR Doc.72-8774 Filed 6-9-72; 8:46 am]

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-21; Notice 72-4]

PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Glazing and Window Construction

On August 7, 1970, the Director of the Bureau of Motor Carrier Safety issued a notice of proposed rule making, announcing that he was considering amendments to paragraphs (a), (b), and (c) of §§ 393.61 and amendments to 393.63 of the Motor Carrier Safety Regulations (35 F.R. 13024) for the purpose of revising the area requirements of windows in trucks and truck tractors and for the purpose of making bus window requirements consistent with a proposed Motor Vehicle Safety Standard. The comments received in response to the notice have been considered in this issuance of final amendments. The Administrator of the National Highway Traffic Safety Administration has issued the proposed Motor Vehicle Safety Standard (see 37 F.R. 9394) as Standard No. 217. Comments on Motor Vehicle Safety Standard 217 are discussed in that issuance by the Administrator and will not be mentioned here.

Several comments pointed out that there was no demonstrated need to increase truck cab side window minimum size and that a person in a truck had ready access to two doors for emergency egress. These comments are well founded and the proposed amendment to the size of windows in trucks and truck tractors is deleted from this final issuance.

Other changes made in the proposed amendments do not affect the substance of the amendments. The proposed effective date of January 1, 1972, has been changed to July 1, 1973; buses manufactured after the effective date of Standard No. 217, September 1, 1973, are required to conform to Standard No. 217, the term "push-out windows" in §§ 393.61 (b)(2) and in 393.63 (b) and (c) has been changed to "emergency exits" to reflect the fact that emergency exits other than push-out windows are required by Standard No. 217; and the words "including a school bus" have been inserted in § 393.61(b)(2) to make it clear that schoolbuses used in interstate commerce by common and contract carriers by motor vehicle must have the emergency exits provided in Standard No. 217.

In consideration of the foregoing paragraphs (b) and (c) of §§ 393.61 and 393.63 of Part 393 of Title 49, CFR, are amended to read as set forth below. These amendments are effective on July 1, 1973.

(Sec. 204, Interstate Commerce Act, 49 U.S.C. 304; sec. 6, Department of Transportation Act, 49 U.S.C. 1655, delegation of authority by the Secretary of Transportation, 49 CFR 1.48, delegation of authority by the Federal Highway Administrator, 49 CFR 389.4)

Issued on May 31, 1972.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

§ 393.61 Window construction.

(b) *Bus windows.* (1) Except as provided in subparagraph (3) of this paragraph a bus manufactured before September 1, 1973, having a seating capacity of more than eight persons shall have, in addition to the area provided by the windshield, adequate means of escape for passengers through windows. The adequacy of such means shall be determined in accordance with the following standards: For each seated passenger space provided, inclusive of the driver there shall be at least 67 square inches of glazing if such glazing is not contained in a push-out window; or at least 67 square inches of free opening resulting from opening of a push-out type window. No area shall be included in this minimum prescribed area unless it will provide an unobstructed opening sufficient to contain an ellipse having a major axis of 18 inches and a minor axis of 13 inches or an opening containing 200 square inches formed by a rectangle 13 inches by 17 $\frac{3}{4}$ inches with corner arcs of 6-inch maximum radius. The major axis of the ellipse and the long axis of the rectangle shall make an angle of not more than 45° with the surface on which the unladen vehicle stands. The area shall be measured either by removal of the glazing if not of the push-out type or of the movable sash if of the push-out type, and it shall be either glazed with laminated safety glass or comply with paragraph (c) of this section. No less than 40 percent of such prescribed glazing or opening shall be on one side of any bus.

(2) A bus, including a school bus, manufactured on and after September 1, 1973, having a seating capacity of more than 10 persons shall have emergency exits in conformity with Motor Vehicle Safety Standard No. 217, Part 571 of this title.

(3) A bus manufactured before September 1, 1973, may conform to Motor Vehicle Safety Standard No. 217, Part 571 of this title, in lieu of conforming to subparagraph (1) of this paragraph.

(c) *Push-out window requirements.* (1) Except as provided in subparagraph (3) of this paragraph, every glazed opening in a bus manufactured before September 1, 1973, and having a seating capacity of more than eight persons, used to satisfy the requirements of paragraph (b)(1) of this section, if not glazed

with laminated safety glass, shall have a frame or sash so designed, constructed, and maintained that it will yield outwardly to provide the required free opening when subjected to the drop test specified in Test 25 of the American Standard Safety Code referred to in § 393.60. The height of drop required to open such push-out windows shall not exceed the height of drop required to break the glass in the same window when glazed with the type of laminated glass specified in Test 25 of the Code. The sash for such windows shall be constructed of such material and be of such design and construction as to be continuously capable of complying with the above requirement.

(2) On a bus manufactured on and after September 1, 1973, having a seating capacity of more than 10 persons, each push-out window shall conform to Motor Vehicle Safety Standard No. 217, Part 571 of this title.

(3) A bus manufactured before September 1, 1973, may conform to Motor Vehicle Safety Standard No. 217, Part 571 of this title, in lieu of conforming to subparagraph (1) of this paragraph.

* * * * *

§ 393.63 Windows, markings.

(a) On a bus manufactured before September 1, 1973, each bus push-out window and any other bus escape window glazed with laminated safety glass

required in § 393.61 shall be identified as such by clearly legible and visible signs, lettering, or decalcomania. Such marking shall include appropriate wording to indicate that it is an escape window and also the method to be used for obtaining emergency exit.

(b) On a bus manufactured on and after September 1, 1973, emergency exits required in § 393.61 shall be marked to conform to Motor Vehicle Safety Standard No. 217, Part 571 of this title.

(c) A bus manufactured before September 1, 1973, may mark emergency exits to conform to Motor Vehicle Safety Standard No. 217, Part 571 of this title in lieu of conforming to paragraph (a) of this section.

[FR Doc.72-8803 Filed 6-9-72;8:50 am]