(4) (i) When at least one of the children in a family is eligible due to the unemployment of his father in the home, the recipient count may include all eligible children, the father, and his wife with whom the children are living, if the needs of such father and wife were included in computing the assistance payment.

(ii) As used in subdivision (i) of this subparagraph, the term "father" means the natural or adoptive father, or the stepfather who was ceremonially married to the child's natural or adoptive mother and is legally obligated to support the child under State law of general applicability which requires stepparents to support stepchildren to the same extent that natural or adoptive parents are required to support their children; and the term "wife" means an individual who is the wife of the child's own father, as defined above, by reason of a ceremonial or other legal marriage.

(5) Where there are two or more dependent children living in a place of residence with two other persons who are not married to each other and each of such other persons is a relative who has responsibility for the care and control of one or more of the dependent children, there may be two separate AFDC families for purposes of aid and recipient count, if neither of such persons is the parent of all the dependent children.

(c) Essential person: An "essential person" or other ineligible person who is living with the eligible person may not be counted as a recipient.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

Effective date. The regulation in this section shall be effective on November 29, 1973.

(Catalog of Federal Domestic Assistance Programs No. 13.714, Medical Assistance Program and No. 13.761, Public Assistance—Maintenance Assistance (State Aid))

Dated: October 23, 1973.

JAMES S. DWIGHT, Jr.,
Administrator, Social and Rehabilitation Service.

Approved: November 23, 1973.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.73-25343 Filed 11-28-73;8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-6CR]

PART 111—ELECTRICAL SYSTEMS; GENERAL REQUIREMENTS

Wiring Methods and Materials for Hazardous Locations; Corrections

In FR Doc. 73-17934, appearing at page 22788 for the issue of Friday, August 24, 1973, the following corrections should be made in Table 111.80-5(a)(7):

1. The 4th chemical listed in Group D which reads "Benziene" should be corrected to read "Benzene".

2. In the notice of proposed rulemaking, appearing in FR Doc. 73-2907 at page 4414 in the issue for Wednesday, February 14, 1973, the preamble proposed that "methanol" be added to Group D of Table 111.80-5(a)(7). In the proposal and in the final rule, "methanol" is omitted from Table 111.80-5(a)(7). Therefore, Table 111.80-5(a)(7) is corrected by listing "Methanol (methyl alcohol)" in Group D to follow the 17th chemical "Methane (natural gas)".

Dated: November 26, 1973.

C. R. BENDER,
Admiral, U.S. Coast Guard, Commandant.

[FR Doc.73-25317 Filed 11-28-73;8:45 am]

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 31; Docket No. 73-48]

PART 542—FINANCIAL RESPONSIBILITY FOR REMOVAL OF OIL AND HAZARDOUS SUBSTANCES

Correction

In FR Doc. 73-22162, appearing at page 28827 in the issue for Wednesday, October 17, 1973, in the 5th line of the 4th paragraph in the 3d column, the date "October 18, 1937" should read "October 18, 1973".

Title 6—Economic Stabilization

CHAPTER I—COST OF LIVING COUNCIL

PART 150—PHASE IV PRICE REGULATIONS

PART 152—PHASE IV PAY REGULATIONS

Manufacturers of Cement: Price and Pay Exemptions

Section 150.54 is amended by adding a new paragraph (t) exempting manufacturers of cement from the Phase IV price stabilization regulations.

Cement is a basic material, fundamental to construction activities and is an essential element to assuring the continued expansion of the U.S. economy. The Council is taking this action to maintain current supplies of cement and encourage the cement industry to invest in both additional new capacity and replacement of older, energy inefficient plants. In addition, the Council has received assurances that price increases over the next eight months will be moderate. The Council, of course, retains the authority to reestablish price controls in this sector if price behavior is inconsistent with Economic Stabilization policies. The impact of decontrol on the Wholesale Price Index should be moderate as cement, while it is an important ingredient of construction, as a percent of total value of construction is small.

The cement industry has had a long history of excess capacity and low return on investment. As a result, many cement plants are old, inefficient and wasteful of energy. Industry statistics show that more than 40 percent of existing cement kilns are over 30 years old. In newer cement plants, recent technological improvements have reduced both the energy and man-hour requirements per unit of output. Exempting prices charged for cement by cement manufacturers should provide the manufacturers of this important construction material the incentive to take advantage of these new technologies to build plants that are more productive, less harmful to the environment, and more efficient in the use of scarce energy resources.

The exemption is limited to manufacturers of cements described in the American Society for Testing and Materials 1973 Annual Book of ASTM Standards under designations for standard specifications C-10 (natural cement), C-91 (masonry cement), C-150 (Portland cement), or C-595 (blanded hydraulic cement), calcium aluminate cements, including but not limited to fondue cements and Lumite cement, and special portland cements, such as expansive cements, including but not limited to shrinkage compensating, self stressing, and semi-stressing cements, oil-well cements included in American Petroleum Institute Standard 10A, plastic cements and regulated-set cements.

As a complementary action to the exemption from price controls, the Council has also exempted pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the cement manufacturing industry or in support thereof. The exemption is set forth in new § 152.34. The exemption is inapplicable to any appropriate employee unit if pay adjustments with respect to such unit are currently the subject of a Notice of Challenge issued by the Council pursuant to Subpart F of this part (or its predecessor regulation).

The Cost of Living Council has challenged certain provisions of recently negotiated collective bargaining agreements of certain plants of six companies in the southern California area. A hearing is to be held on these challenges in Washington, D.C., on November 29. When these challenges have been resolved, the Council is empowered to make the exemption applicable by order.

The exemption is also inapplicable to any employee who receives an item of executive or variable compensation, or who is a member of an executive control group. It is further inapplicable to any employee whose duties and responsibilities are not of a type exclusively performed in or related to the manufacturing of cement and whose pay adjustments are historically related to the pay adjustments of employees performing such duties outside the cement manufacturing industry and are not related to the pay adjustments of other employees that are within the exemption. In cases of uncertainty of application, inquiries concerning the scope of coverage of the exemption should be addressed to the Administrator, Office of Wage Stabilization, P.O. Box 672, Washington, D.C. 20044.

Because the purpose of this amendment is to grant an immediate exemption from the Phase IV price and pay regulations, the Council finds that publication in accordance with normal rulemaking procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street NW, Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489)

In consideration of the foregoing, Parts 150 and 152 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective on November 27, 1973.

Issued in Washington, D.C., November 27, 1973.

JOHN T. DUNLOP,
Director.

1. Section 150.54 is amended to add a new paragraph (t):

§ 150.54 Certain price adjustments.

(t) *Cement.* Prices charged for cement by manufacturers of cement as described in the 1973 Annual Book of ASTM Standards, under designations for standard specifications C-10 (natural cement), C-91 (masonry cement), C-150 (Portland cement) or C-595 (blended hydraulic cement), calcium aluminate cement, including but not limited to fondue cement and Lumnite cements, and special portland cements, such as (1) expansive cement, including but not limited to shrinkage compensating, self stressing, and semi-stressing cement, (2) oil-well cements included in American Petroleum Institute Standard 10A, (3) plastic cements and (4) regulated-set cements are exempt.

2. In Subpart D of 6 CFR Part 152, a new § 152.34 is added to read as follows:

§ 152.34 Cement manufacturing industry.

(a) *Exemption.* Except as provided in paragraph (d) of this section, pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the cement manufacturing industry or in support thereof are exempt from and not included in the coverage of this title.

(b) *Definition.* For purposes of this section—

(1) "Establishment in the cement manufacturing industry" means an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under Industrial Code 3241 and engaged in the manufacturing of cement, or an establishment primarily engaged in manufacturing expansive cements or calcium aluminate cements.

(2) "Cement" means the following product or products defined in the 1973 Annual Book of ASTM Standards under designations of Standard Specifications C-10 (Natural Cement), C-91 (Masonry Cement), C-150 (Portland Cement), or C-595 (Blended Hydraulic Cement); calcium aluminate cement, including but not limitd to fondue ciment and Lumnite cement; and special portland cements such as (i) expansive cements including, but not limited to, shrinkage compensating, self-stressing and semi-stressing cements, (ii) oil-well cements included in American Petroleum Institute Standard 10A, (iii) plastic cements, and (iv) regulated-set cements.

(c) *Covered employees.* For purposes of this section, an employee may be engaged on a regular and continuing basis in the operation of an establishment in the cement manufacturing industry or in support thereof only if such employee is employed by the firm which operates such establishment.

(d) *Limitations.* The exemption provided in paragraph (a) of this section shall not be applicable to—

(1) Pay adjustments with respect to an appropriate employee unit with respect to which a Notice of Challenge has been issued by the Council prior to November 29, 1973 pursuant to § 152.53 or § 130.92 of this chapter (although the Council may by order direct that such exemption shall apply to such pay adjustments);

(2) An employee who receives an item of executive or variable compensation subject to the provisions of subpart K of this part, other than an item of executive or variable compensation pursuant to a plan or program subject to § 152.127;

(3) An employee who is a member of an executive control group (determined pursuant to § 152.130); or

(4) Employees whose occupational duties and responsibilities are of a type not exclusively performed in or related to the cement manufacturing industry and whose pay adjustments are—

(i) Historically related to the pay adjustments of employees performing such duties outside the cement manufacturing industry; and

(ii) Not related to pay adjustments of another unit of employees engaged on a regular and continuing basis in the operation of an establishment in the cement manufacturing industry or in support thereof within the meaning of paragraph (c) of this section.

[FR Doc.73-25412 Filed 11-27-73;1:31 pm]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS; EXTRAORDINARY EMERGENCY REGULATION OF INTRASTATE ACTIVITIES

PART 73—SCABIES IN CATTLE

Area Quarantined

This amendment quarantines a portion of Stanton County in Kansas because of the existence of cattle scabies. The restrictions pertaining to the interstate movement of cattle from quarantined areas as contained in 9 CFR Part 73, as amended, will apply to the area 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, and the Act of July 2, 1962 (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f), the provisions in Part 73, Title 9, Code of Federal Regulations, as amended, restricting the interstate movement of cattle because of scabies, are hereby amended as follows:

Section 73.1a is amended to read:

§ 73.1a Notice of quarantine.

(a) Notice is hereby given that cattle in certain portions of the State of Texas are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following areas in such State are hereby quarantined because of said disease:

(1) Bailey County.

(2) Hansford County.

(b) Notice is hereby given that cattle in certain portions of the State of Kansas are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following area in such State is hereby quarantined because of said disease:

The premises of Ivan Josserand Feedlot located 7½ miles east from the junction of State Highway 27 and U.S. Highway 270 on an unnamed county road, City of Johnson, in Stanton County, sec. 24, T. 28 S.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f); 37 FR 28464, 28477; FR 19141.)

Effective date. The foregoing amendment shall become effective on November 26, 1973.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of cattle scabies and must be made effective immediately to accomplish its purpose in the public interest. 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 amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of November 1973.

J. M. HEJL,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.73-25358 Filed 11-28-73;8:45 am]

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS; ORGANISMS AND VECTORS

PART 102—LICENSES FOR BIOLOGICAL PRODUCTS

PART 104—PERMITS FOR BIOLOGICAL PRODUCTS

Miscellaneous Amendments

On September 5, 1973, there was published in the FEDERAL REGISTER (FR Doc. 73-18743) a notice of proposed rulemaking with respect to proposed amendments to the regulations relating to viruses, serums, toxins, and analogous products in Parts 102 and 104 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158).

These amendments revise the regulations pertaining to the importation of biological products. The revised regulations are recodified in a new Part 104, titled "Permits For Biological Products." These changes emphasize the regulations pertaining to permits for biological products, differentiate these regulations from those pertaining to other permits issued by Animal and Plant Health Inspection Service, and make them more readily available to interested people.

The need for three types of permits is specified in § 104.1, including one for transit shipments. Such permits are authorized in § 104.2 and conditions under which a permit will not be issued are specified. Need for an application is prescribed in § 104.3.

The three types of permits—Research and Evaluation, Distribution and Sale, and Transit Shipment Only are provided in §§ 104.4, 104.5, and 104.6, respectively, with the conditions under which each will be issued included. The format for the permit is authorized in § 104.7.

These amendments make biological products imported for Distribution and Sale subject to the same test and release requirements currently being applied to licensed products prepared in the United States. They also provide for the disposition of shipments which do not comply with such requirements or which might otherwise not be eligible for entry.

These amendments to Part 102 delete regulations pertaining to permits in §§ 102.25, 102.26, 102.27, and 102.28 and change the title to "Licenses For Biological Products."

After due consideration of all relevant matters, including the proposals set forth in the aforesaid notice of rulemaking and the comments and views submitted by interested persons, and pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158), the amendments of Parts 102 and 104 of Subchapter E, Chapter I, Title 9 of the Code of Federal Regulations, as contained in the aforesaid notice are hereby adopted and are set forth herein, subject to the following noted modifications:

Correct spelling of "vesicular" in § 104.2(b); delete reserved §§ 102.7-102.24 and 102.29-102.50; and correct the index to Part 102.

1. Part 102 is amended by changing the title to read as set forth above and table of contents to read:

Sec.
102.1 Licenses issued by the Deputy Administrator.
102.2 Licenses required.
102.3 License applications.
102.4 U.S. Veterinary Biologics Establishment License.
102.5 U.S. Veterinary Biological Product License.
102.6 U.S. Veterinary Biological Product License (Special).

AUTHORITY: 37 Stat. 832-833 (21 U.S.C. 151-158).

§§ 102.7-102.24 [Deleted]

2. Part 102 is amended by deleting §§ 102.7-102.24 and 102.25-102.50.

3. Chapter I of Title 9 of the Code of Federal Regulations is amended by adding a new Part 104 to read:

Sec.
104.1 Permit required.
104.2 Permit authorized.
104.3 Permit application.
104.4 Products for research and evaluation.
104.5 Products for distribution and sale.
104.6 Products for transit shipment only.
104.7 Product permit.
104.8 Illegal shipments.

AUTHORITY: 37 Stat. 832-833 (21 U.S.C. 151-158).

§ 104.1 Permit required.

Unless otherwise authorized or directed by the Deputy Administrator, each permit to import a biological product into the United States shall be issued in accordance with the regulations in this part.

(a) No biological product shall be brought into the United States unless a permit has been issued for such product. A separate U.S. Veterinary Biological Product Permit shall be required for each shipment of biological product to be imported; *Provided*, That, a permit shall also be required for each transit shipment of biological products moved through the United States.

(b) Each person importing biological products shall hold an unexpired, unsuspended, and unrevoked permit issued by Veterinary Services. Such person shall reside within the United States, or operate a business establishment within the United States, or both.

§ 104.2 Permit authorized.

(a) Veterinary Services is authorized to issue three types of permits for importing biological products. They shall be:

(1) U.S. Veterinary Biological Product Permit for Research and Evaluation;

(2) U.S. Veterinary Biological Product Permit for Distribution and Sale; or

(3) U.S. Veterinary Biological Product Permit for Transit Shipment Only.

(b) A permit shall not be issued for a biological product from countries known to have exotic diseases, including but not limited to foot-and-mouth disease, rinderpest, fowl pest (fowl plague), swine vesicular disease, Newcastle disease, and African swine fever, if in the opinion of the Deputy Administrator, such products may endanger the livestock or poultry of this country.

(c) A permit shall not be issued until an inspector has determined the condition of the equipment and facilities of the producer, of the applicant, or of both if such a determination is considered necessary by the Deputy Administrator.

(d) A permit shall not be issued for a biological product prepared in the United States, exported, and presented for reentry except as provided in § 104.4(d).

§ 104.3 Permit application.

(a) Each person desiring to import a biological product shall make written application to Veterinary Services for a permit. Blank forms of application shall be furnished upon request.

(b) The application shall specify the type of permit required, the port of entry at which the product shall be cleared through Customs, the estimated quantity involved, and the anticipated date on which the importation shall be made.

§ 104.4 Products for research and evaluation.

(a) An application for a U.S. Veterinary Biological Product Permit to import a biological product for Research and Evaluation shall be accompanied by a brief description of such product, methods of propagating antigens including composition of medium, species of animals or cell cultures involved, degree of inactivation or attenuation, recommendations for use, and the proposed plan of evaluation.

(b) A permit to import a biological product for Research and Evaluation shall not be issued unless scientific capabilities of the investigator are determined to be adequate to safeguard domestic animals and protect public health, interest, or safety from any deleterious effects which might result from such product. Special restrictions shall be specified as part of the permit when such restrictions are deemed necessary or advisable by the Deputy Administrator.

(c) A biological product shall not be imported for Research and Evaluation which is not packaged and labeled in accordance with § 112.9 of this subchapter.

(d) When a licensed product has been exported from the United States, a permit may be issued to the producer for a small quantity of such product for in vitro Research and Evaluation tests; *Provided*, That, the importation of such product will not endanger the livestock or poultry of this country.

§ 104.5 Products for distribution and sale.

An application for a U.S. Veterinary Biological Product Permit to import a biological product for Distribution and Sale shall be accompanied by supporting material necessary to satisfy the requirements provided in this section.

(a) A permit shall not be issued unless the conditions under which the biological product is to be prepared or the methods to be used are such as to reasonably insure that the product is pure, safe, potent, and efficacious.

(1) Three copies of blueprints of the producing foreign establishment shall be submitted with the application unless satisfactory plans are on file with Veterinary Services from a previous application. The production facilities to be used for each product prepared at the establishment shall be designated.

(2) The manufacturer shall submit written authorization for properly accredited inspectors to inspect without previous notification, and at such times as may be demanded by the aforesaid inspectors, all parts of the establishment in which biological products shall be prepared, all processes of preparation, and all records relative to such preparation.

(3) The manufacturer shall furnish written assurance that a biological product to be imported for Distribution and Sale shall be prepared under the supervision of a person competent by education and experience to handle all matters pertaining to the preparation of such product and that each biological product shall be prepared in accordance with the regulations applicable to the product or in a manner acceptable to the Deputy Administrator so as to carry out the purposes of the Act.

(4) The methods to be used in the preparation of each biological product shall be written into an approved Outline of Production prepared in accordance with the applicable provisions of Part 114 of this subchapter. Three copies of such Outline of Production shall be submitted to Veterinary Services and be approved before the permit is issued.

(5) Data shall be furnished by the applicant which establishes that the product involved complies with the provisions of the Act and the regulations issued pursuant thereto. When deemed necessary to obtain required information, Veterinary Services may require that the product be tested under field conditions within or outside the United States as the occasion demands.

(b) The permittee shall furnish the following:

(1) Adequate facilities for storing all imported biological products. An inspection of such facilities shall be made by inspectors before a permit is issued and additional inspections shall be made at any time subsequent to the importation of the biological products if deemed necessary by the Deputy Administrator;

(2) Information regarding all claims to be made on labels and advertising matter used in connection with or related to the biological product to be imported;

(3) Mounted copies of final container labels, carton labels, and enclosures to be used with the imported product as provided in Part 112 of this subchapter; and

(4) Samples of each serial from each shipment of biological products imported or offered for importation. Such samples shall be collected, examined, and tested in a manner specified by the Deputy Administrator. The biological products being sampled shall not be further distributed by the permittee until released by Veterinary Services.

§ 104.6 Products for transit shipment only.

An application for a permit for Transit Shipment Only shall be required when a biological product is being shipped from one foreign country to another foreign country by way of the United States. The shipment shall move under a permit subject to the following restrictions:

(a) The shipment shall be confined to the carrier at all times when such shipment is to transit the United States on the same carrier on which it arrived. If the shipment is to be transferred to a carrier other than the one on which it shall arrive into the United States, a schedule of arrival and departure of each shipment shall be furnished by the permittee to Veterinary Services prior to arrival in the United States.

(b) The permittee shall be responsible to Veterinary Services for handling, storing, and forwarding of the biological product. Veterinary Services shall be notified of all shipments received and forwarded by the permittee and an accurate accounting shall be made.

§ 104.7 Product permit.

(a) A permit shall be numbered, shall be dated, and shall be in the following form:

U.S. VETERINARY BIOLOGICAL PRODUCT PERMIT

No. ------

RESEARCH AND EVALUATION OR DISTRIBUTION AND SALE

OR

TRANSIT SHIPMENT ONLY

(Insert One)

Issued at Washington, D.C. on ----------
Expires: ----------

This permit is issued pursuant to the terms of the Act of Congress approved March 4, 1913 (37 Stat. 832), governing the preparation, sale, barter, exchange, shipment, and importation of veterinary biological products. So far as the jurisdiction of the U.S. Department of Agriculture is concerned, ---------- ---------- is authorized to import ---------- ----------, prepared by ---------- ----, into the United States through the port of ----------

Importation shall be made subject to the following special conditions:

This permit may be revoked if the permittee violates or fails to comply with said Act, the regulations made thereunder, or the conditions specified herein.

Veterinary Services, Animal and Plant Health Inspection Service.

(b) The purpose for which the product is imported shall be specified on the permit as for Research and Evaluation, Distribution and Sale, or Transit Shipment Only.

(c) A permit shall not be used after the date specified.

§ 104.8 Illegal shipments.

(a) Biological products which are presented for importation without a permit having been issued shall be returned to the country of origin at the expense of the importer or in lieu thereof, destroyed by Department personnel.

(b) Biological products for Distribution and Sale presented for importation under a permit and found to be worthless, contaminated, dangerous, or harmful shall, within a period of 30 days after such finding, be returned to the country of origin at the expense of the importer or in lieu thereof, destroyed by Department personnel; *Provided*, That such product shall not be returned to the country of origin while bearing a U.S. permit number on the label.

Effective Date: This amendment takes effect December 31, 1973.

Done at Washington, D.C., this 26th day of November 1973.

E. E. SAULMON,
Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.73-25359 Filed 11-28-73;8:45 am]

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS: ORGANISMS AND VECTORS

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments; Correction

On June 12, 1973, a notice of proposed amendments to Part 113 was published in the FEDERAL REGISTER, Volume 38, Number 112, page 15450.

On October 30, 1973, there was published in the FEDERAL REGISTER, Volume 38, Number 208, page 29885, miscellaneous amendments to the regulations relating to viruses, serums, toxins, and analogous products in Part 113 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158) to become effective on November 29, 1973.

As published, sample provisions in § 113.31 do not include liquid vaccines, test procedures in § 113.35 are not clear, test requirements in § 113.51(c) and § 113.53 are too stringent, and the temperature requirement in § 113.51(c)(2) is incorrect. The purpose of this document is to effect the corrections needed and amend certain provisions by relaxing the requirements, as indicated.

It is hereby found that further notice of rulemaking and public procedure thereon are impracticable, unnecessary, and the corrections and amendments of §§ 113.31(a)(2), 113.35, 113.51(c), 113.51(c)(2), and 113.53 should be made effective less than 30 days after date of publication, i.e., should be made effective November 29, 1973, to conform with the effective date of the other amendments to Part 113 published October 30, 1973. Accordingly, §§ 113.31(a)(2), 113.35, 113.51(c), 113.51(c)(2), and 113.53 are corrected to read as follows:

1. Section 113.31(a)(2) is amended to read:

§ 113.31 Detection of avian lymphoid leukosis.

* * * * *

(a) * * *

(2) When cell cultures are tested, 5 ml of the final cell suspension as pre-

pared for seeding of production cell cultures shall be used as inoculum. When liquid vaccines are tested, 5 ml shall be used as inoculum. When desiccated vaccines are tested, 200 doses of Newcastle disease vaccine, or 500 doses of other vaccines for use in poultry, or the equivalent of one dose of vaccine for use in animals other than poultry shall be rehydrated with 5 ml of cell culture media and used as inoculum. Control cultures shall be prepared from the same cell suspension as the cultures for testing the vaccine.

* * * * *

2. Section 113.35 is amended to read:

§ 113.35 Detection of viricidal activity.

The test for detection of viricidal activity provided in this section shall be conducted when such a test is prescribed in an applicable Standard Requirement or in the filed Outline of Production for the product for a liquid fraction used as the diluent for a desiccated live virus vaccine in a combination package. Each serial or one subserial of each liquid fraction used as the diluent shall be tested as provided in this section.

(a) If the vaccine contains a single desiccated fraction, it shall be used in the test with the liquid fraction. If the vaccine contains more than one desiccated fraction, a test shall be conducted with each fraction after neutralizing the other fractions unless the licensee also prepares vaccines containing representative single desiccated fractions which may be substituted.

(b) Rehydrate two vials of vaccine with the liquid fraction under test according to the labeled dosage and pool contents. Rehydrate two vials of vaccine with the same volume of sterile distilled water as the liquid fraction and pool contents.

(c) Titrate the viruses in each pool. This is 0 hour except that when neutralization is necessary, 0 hour begins after the period of neutralization. Titrations shall be conducted using 1.0 $\log_{10}$ dilution steps and a minimum of 10 substrate units per dilution. Compare titers.

(d) Hold the two pools of vaccine at room temperature for 2 hours and retitrate the virus or viruses in each pool. Compare titers.

(e) If the change in titer of the 0 hour and 2 hour samples of the vaccine virus(es) rehydrated with the diluent under test is 0.7 $\log_{10}$ or more below the change in titer of the comparable vaccine virus(es) rehydrated with sterile distilled water, the diluent under test is unsatisfactory.

(f) A retest may be conducted if the difference in titers is not greater than 1.0 $\log_{10}$.

3. Section 113.51(c) and § 113.51(c)(2) are amended to read:

§ 113.51 Requirements for primary cells used in biological product production.

* * * * *

(c) Each batch of primary cells or each subculture of such cells used to prepare a biological product shall be shown free of adventitious agents as provided in this paragraph. The samples for testing shall consist of at least two separate monolayers of cells, each at least 75 cm^2 in area. The monolayers of avian origin shall be maintained for at least 14 days and those of other origins for at least 28 days using the media (with additives) intended for growth and maintenance and under conditions similar to those used to prepare biological products. Subculturing of the cells at least one time shall be done during the maintenance period.

(1) * * *

(2) At least one monolayer, at the conclusion of the required observation period, shall be washed with several changes of phosphate buffered saline. A mixed suspension of 0.2 percent guinea pig, chicken, and human "O" erythrocytes shall be added, and the cells incubated at 25° C for an appropriate incubation period and the monolayer examined for evidences of hemadsorption in the cell culture.

* * * * *

4. Section 113.53(a) and introductory text of paragraph (b) are amended to read:

§ 113.53 Requirements for ingredients of animal origin.

Each lot of ingredient of animal origin, which is not subjected to heat sterilization, such as, but not limited to serum and albumin, used in the preparation of biological products shall be tested as prescribed in this section by the licensee or a laboratory acceptable to Veterinary Services. Results of all tests shall be recorded by the testing laboratory and made a part of the licensees records. Each lot found unsatisfactory by any test shall not be used.

(a) General requirements.

(1) *Mycoplasma contamination.*—Samples shall be tested for mycoplasma in accordance with the test provided in § 113.23.

(2) *Bacteria and fungi.*—Samples shall be tested for bacteria and fungi in accordance with the test provided in § 113.23.

(b) Nutrient Serum added to cell culture systems used in the preparation of biological products shall be tested according to the tests provided in this paragraph.

* * * * *

Effective date: This amendment takes effect November 29, 1973.

Done at Washington, D.C., this 27th day of November 1973.

J. M. HEJL,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.73-25407 Filed 11-28-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 13377, Amdt. 892]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rulemaking dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAP's are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAP's, effective January 10, 1974:

Anchorage, Alas.—Anchorage Int'l Arpt., VOR Rwy 6R, Amdt. 9
Grand Haven, Mich.—Grand Haven Memorial Airpark, VOR-A, Amdt. 7
Great Falls, Mont.—Great Falls Int'l Arpt., VOR Rwy 3, Amdt. 12
Great Falls, Mont.—Great Falls Int'l Arpt., VOR/DME Rwy 21, Amdt. 4
Jonestown, Tex.—Bar K Airpark, VORTAC-A, Orig.
Lancaster, Pa.—Lancaster Arpt., VOR Rwy 8, Amdt. 9

Marianna, Fla.—Marianna Municipal Arpt., VOR-A, Amdt. 6
Minot, N.D.—Minot Int'l Arpt., VOR Rwy 8, Amdt. 6
Minot, N.D.—Minot Int'l Arpt., VOR Rwy 13, Amdt. 6
Minot, N.D.—Minot Int'l Arpt., VOR Rwy 26, Amdt. 7
Minot, N.D.—Minot Int'l Arpt., VOR Rwy 31, Amdt. 6
Oshkosh, Wis.—Wittman Field, VOR Rwy 36, Amdt. 11

* * * effective December 27, 1973:

Farmingdale, N.Y.—Republic Arpt., VOR-A, Amdt. 5

* * * effective November 19, 1973:

Los Angeles, Cal.—Los Angeles Int'l Arpt., VOR Rwy 25L, Amdt. 5
Los Angeles, Cal.—Los Angeles Int'l Arpt., VOR Rwy 25R, Amdt. 5

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAP's, effective January 10, 1974:

Miami, Fla.—Miami Int'l Arpt., LOC (BC) Rwy 9L, Orig.
Minot, N.D.—Minot Int'l Arpt., LOC (BC) Rwy 13, Amdt. 1

* * * effective December 27, 1973:

Farmingdale, N.Y.—Republic Arpt., LOC (BC) Rwy 32, Amdt. 1

* * * effective December 13, 1973:

Mosinee, Wis.—Central Wisconsin Arpt., LOC Rwy 8, Orig., Canceled

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAP's, effective January 10, 1974:

Great Falls, Mont.—Great Falls Int'l Arpt., NDB Rwy 34, Amdt. 13
Guymon, Okla.—Guymon Municipal Arpt., NDB Rwy 18, Amdt. 2

* * * effective December 20, 1973:

Atlantic City, N.J.—NAFEC-Atlantic City Arpt., NDB Rwy 13, Amdt. 2., Canceled
Sherman-Denison, Tex.—Grayson County Arpt., NDB Rwy 17L, Orig.

* * * effective December 6, 1973:

Deadhorse, Alas.—Deadhorse Arpt., NDB Rwy 4, Amdt. 3
Deadhorse, Alas.—Deadhorse Arpt., NDB Rwy 22, Amdt. 3
Millersburg, Ohio—Holmes County Arpt., NDB Rwy 27, Orig.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAP's, effective January 10, 1974:

Great Falls, Mont.—Great Falls Int'l Arpt., ILS Rwy 34, Amdt. 17
Miami, Fla.—Miami Int'l Arpt., ILS Rwy 9L, Amdt. 17
Minot, N.D.—Minot Int'l Arpt., ILS Rwy 31, Amdt. 1
Oshkosh, Wis.—Wittman Field, ILS Rwy 36, Amdt. 1
Wheeling, W. Va.—Wheeling-Ohio County Arpt., ILS Rwy 3, Amdt. 11

* * * effective December 13, 1973:

Mosinee, Wis.—Central Wisconsin Arpt., ILS Rwy 8, Orig.

* * * effective December 6, 1973:

Deadhorse, Alas.—Deadhorse Arpt., ILS/DME Rwy 4, Orig.

Denver, Colo.—Stapleton Int'l Arpt., ILS Rwy 35, Amdt. 16
New York, N.Y.—Laguardia Arpt., ILS Rwy 22, Amdt. 10

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAP's, effective January 10, 1974:

Anchorage, Alas.—Anchorage Int'l Arpt., RADAR-1, Amdt. 5
Great Falls, Mont.—Great Falls Int'l Arpt., RADAR-1, Amdt. 5

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAP's, effective November 19, 1973:

Los Angeles, Cal.—Los Angeles Int'l Arpt., RNAV Rwy 25L, Amdt. 2

Corrections

In Docket Nr. 13285, Amendment 888, to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER, dated November 1, 1973, on page 30104, under § 97.27 effective December 13, 1973—change effective date of cancellation of Mineral Wells, Texas—Mineral Wells Arpt., NDB (ADP) Rwy 31, Amdt. 4 to January 3, 1974.

In Docket Nr. 13335, Amendment 891, to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER under §§ 97.23 and 97.25 effective January 3, 1974—change effective dates of Mosinee, Wisconsin—Central Wisconsin Arpt., VOR-A, Amdt. 2; LOC (BC) Rwy 26, Amdt. 1 to December 13, 1973; Disregard procedure under Mosinee, Wisconsin—Central Wisconsin Arpt., LOC Rwy 8, Amdt. 1.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c), 5 U.S.C. 552(a)(1).)

Issued in Washington, D.C., on November 21, 1973.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610), approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.73-25261 Filed 11-28-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-831; Amdt. 288-17]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Rate Adjustment to Reflect Fuel Cost Increases

Correction

In FR Doc. 73-24603, appearing at page 31826 in the issue for Monday, November 19, 1973, in the 9th line of the second paragraph, the designation "LX188C" should read "L-188C".

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 72-27; Notice 3]

PART 567—CERTIFICATION

PART 568—VEHICLES MANUFACTURED IN TWO OR MORE STAGES

Certification and Labeling of Altered Vehicles; Correction

In FR 73-23313, appearing at page 30107 in the issue of November 1, 1973, the docket number in the notice heading is incorrect. The correct docket number is 72-27.

(Secs. 103, 112, 114, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1403, 1407); delegation of authority at 49 CFR 1.51.)

Issued on November 23, 1973.

JAMES B. GREGORY,
Administrator.

[FR Doc.73-25333 Filed 11-28-73;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER C—ACCOUNTS, RECORDS, AND REPORTS

[No. 35344 (Sub-No. 4)]

PART 1241—ANNUAL, SPECIAL OR PERIODIC REPORTS: CARRIERS SUBJECT TO PART I OF THE INTERSTATE COMMERCE ACT

Annual Reports of Class I Railroad Companies

Order. At a session of the Interstate Commerce Commission, Division 2, held at its Office in Washington, D.C. on the 7th day of November 1973.

The Commission, Division 2, has given consideration to the matter of annual reports required of Class I line-haul, and switching and terminal railroad companies, pursuant to sections 12, 17, and 20 of the Interstate Commerce Act.

Rulemaking procedures pursuant to the Administrative Procedure Act (5 U.S.C. 553), have been deemed unnecessary, since matters considered were revisions to reporting rules and modifications to annual reports of Class I railroads which reduce the paperwork burden without significant or substantive changes in information to be reported, and are otherwise minor in nature.

Wherefore, and for good cause appearing:

It is ordered, That the Annual Report of Class I Railroads, Form R-1,[1] and the reporting rules and requirements therein, as shown in Appendix A attached hereto, be, and they are hereby, adopted.

It is further ordered, That the reporting requirements prescribed hereby shall apply to all Class I line-haul, and switching and terminal railroad companies, as

[1] Filed as part of original document.