

Since the conditions prerequisite to providing for certification of subject antibiotic drug have been complied with and since the matter is noncontroversial, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective on February 6, 1973.

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

Dated: January 30, 1973.

MARY A. McENIRY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc.73-2239 Filed 2-5-73;8:45 am]

PART 150g—MINOCYCLINE HYDROCHLORIDE

Minocycline Hydrochloride Capsules

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, with respect to providing for the certification of 50 milligram minocycline hydrochloride capsules.

The Commissioner has concluded that the data supplied by the manufacturer concerning the subject antibiotic drug is adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended to provide for the certification of this drug.

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), § 150g.11 *Minocycline hydrochloride capsules* is amended in paragraph (a)(1) by changing the second sentence to read "Each capsule contains minocycline hydrochloride equivalent to 50 or 100 milligrams of minocycline."

Since the conditions prerequisite to providing for certification of this drug

have been complied with and since the matter 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 on February 6, 1973.

Dated: January 30, 1973.

MARY A. McENIRY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc.73-2240 Filed 2-5-73;8:45 am]

SUBCHAPTER F—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS OTHER THAN THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 295—REGULATIONS UNDER THE POISON PREVENTION PACKAGING ACT OF 1970

Exemption of Certain Effervescent Aspirin-Containing Preparations From Child Protection Packaging Standards

In the FEDERAL REGISTER of July 18, 1972 (37 FR 14238), the Commissioner of Food and Drugs proposed to exempt certain tableted effervescent aspirin preparations from the regulation (§ 295.2(a)(1)) prescribing child protection packaging standards. The proposal was based on a request for exemption submitted by Miles Laboratories, Inc., and the Commissioner acknowledged that reasonable grounds in support of the exemption were given.

In response to the proposal, two pharmaceutical manufacturers submitted comments requesting that the exemption be broadened to include other effervescent preparations containing a higher percentage of aspirin and releasing significantly less carbon dioxide when in contact with moisture. Following a review of the comments and accompanying supportive data, the Commissioner concludes that the information submitted does not justify broadening the exemption. The Commissioner is prepared to reconsider this issue upon presentation of adequate data and information.

Although no comment was received regarding preparations for pediatric use, the Commissioner concludes that the exemption should not apply to them. The amendment has been changed accordingly.

Therefore, having evaluated the comments received and other relevant material, the Commissioner concludes that the proposal, changed as specified above, should be adopted as set forth below.

Accordingly, pursuant to provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, 84 Stat. 1670-1672; 15 U.S.C. 1471(4), 1472, 1474) and under authority delegated to the Commissioner (21 CFR 2.120), § 295.2(a) is amended by adding a new subdivision (i) to paragraph (1) as follows:

§ 295.2 Substances requiring "special packaging."

(a) * * *

(1) * * *

(i) Effervescent tablets containing aspirin, other than those intended for pediatric use, provided the dry tablet contains less than 10 percent of aspirin, the tablet has an oral LD-50 of greater than 5 grams per kilogram of body weight, and the tablet placed in water releases at least 85 milliliters of carbon dioxide per grain of aspirin in the dry tablet when measured stoichiometrically at standard conditions (0° C. 760 mm. hg.).

Effective date. This order shall be effective on February 6, 1973.

(Secs. 2(4), 3, 5, 84 Stat. 1670-1672; 15 U.S.C. 1471(4), 1472, 1474)

Dated: January 29, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-2241 Filed 2-5-73;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. Entries to the table published on December 27, 1972, at 37 FR 28505, listed certain communities whose eligibility for the sale of flood insurance was being suspended on the date indicated in the entries, on the basis of the communities' failure to adopt required land use and control measures consistent with 24 CFR Part 1910 criteria. The community listed in this entry was so listed, but has submitted, prior to the indicated suspension date for the community, a copy of adopted measures which appear to correct previous disqualifying deficiencies. Therefore, the suspension of eligibility of the community listed in this entry has been withdrawn on the date indicated hereinbelow, and the community's eligibility for the sale of flood insurance has been continued without interruption pending detailed review of submitted documents. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
...	...	...	...	...	...	...
Alaska	Fairbanks North Star Borough					January 15, 1973, suspension withdrawn.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-2155 Filed 2-5-73; 8:45 am]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
***	***	***	***	***	***	***
Connecticut	Tolland	Vernon, Town of				Jan. 28, 1973.
Illinois	Cook	Glenview, Village of				Emergency.
Do.	Lake	Lincolnshire, Village of				Do.
Michigan	Monroe	Erie, Township of				Do.
Do.	do.	Luna Pier, City of				Do.
Do.	St. Clair	Marine City, City of				Do.
Minnesota	Swift	Appleton, Village of				Do.
New York	Monroe	Brighton, Town of				Do.
Do.	Chemung	Elmira, City of				Do.
Do.	Cattaraugus	Olean, City of				Do.
Pennsylvania	Adams	Reading, Township of				Do.
Do.	Allegheny	West Elizabeth, Borough of				Do.
Do.	Bucks	East Rockhill, Township of				Do.
Do.	Chester	North Coventry, Township of				Do.
Do.	do.	West Gosben, Township of				Do.
Do.	Cumberland	Middlesex, Township of				Do.
Do.	Lebanon	Lebanon, City of				Do.
Do.	Lehigh	South Whitehall, Township of				Do.
Do.	Luzerne	Swoyersville, Borough of				Do.
Do.	Westmoreland	Scottsdale, Borough of				Do.
Do.	York	Manchester, Township of				Do.
Virginia	Chesterfield					Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: January 30, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-2156 Filed 2-5-73; 8:45 am]

Title 30—Mineral Resources

CHAPTER I—BUREAU OF MINES,
DEPARTMENT OF THE INTERIORSUBCHAPTER O—COAL MINE HEALTH AND
SAFETY

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

Requirements for Deenergization Devices
and Automatic Emergency Brakes on
Self-Propelled Electric Face Equipment

Background. In accordance with the provisions of section 305(r) of the Federal Coal Mine Health and Safety Act of 1969, as amended (83 Stat. 779; 30 U.S.C. 865(r)), and pursuant to the authority vested in the Secretary of the Interior under section 101(a) of the Act (83 Stat. 745; 30 U.S.C. 811(a)), there was published, as proposed rule making, in the FEDERAL REGISTER for June 23, 1972 (37 FR 12395), §§ 75.523-1 through 75.523-3 of Part 75, Subchapter O, Chapter I, Title 30, Code of Federal Regulations, setting forth proposed mandatory standards which would: (1) Establish installation and performance requirements for devices that would deenergize self-propelled electric face equipment in the event of an emergency; and, (2) establish installation and performance requirements for automatic emergency brakes on rubber-tired, self-propelled electric face equipment.

Interested persons were afforded a period of 45 days following publication within which to submit to the Director, Bureau of Mines, written comments, suggestions, or objections to these proposed mandatory safety standards, stating the grounds therefor, and to request a public hearing on such objections.

Written objections were timely filed with the Director, Bureau of Mines, stating the grounds for objections and requesting a public hearing on proposed §§ 75.523-1 through 75.523-3 of Part 75. In accordance with section 101(f) of the Act, a notice of objections filed and hearing requested was published in the FEDERAL REGISTER for October 13, 1972 (37 FR 21641).

Following this notice, there was published in the FEDERAL REGISTER for October 26, 1972 (37 FR 22883), a notice of public hearing to be held for the purpose of receiving relevant evidence on the following issues:

(1) That all self-propelled electric face equipment acquired for use in a coal mine (except for self-propelled electric face equipment that is equipped with a substantially constructed cab which meets the requirements of 30 CFR Part 75) be provided with a device that will quickly deenergize the tramping motors of the equipment in the event of an emergency in accordance with the schedule of time specified in proposed 30 CFR 75.523-1;

(2) That all rubber-tired, self-propelled electric face equipment acquired for use in a coal mine (except for rubber-tired, self-propelled electric face equipment that is equipped with a driving mechanism, in accordance with 30 CFR 18.20(f), that precludes movement of the equipment when parked) be provided

with an automatic emergency brake in accordance with the schedule of time specified in proposed 30 CFR 75.523-3;

(3) That proposed 30 CFR 75.523-1 through 75.523-3 should not be mandatory safety standards, but rather criteria to be utilized in the discretion of an authorized representative of the Secretary of the Interior;

(4) That deenergization of tramping motors of self-propelled electric face equipment be permitted by means other than interruption of the electrical power source;

(5) That rubber-tired, self-propelled electric face equipment be permitted to have parking brakes separate from the automatic emergency brake; and,

(6) That rubber-tired, self-propelled electric face equipment that is equipped with a substantially constructed cab which meets the requirements of 30 CFR Part 75 need not be required to have the automatic emergency brake specified in proposed 30 CFR 75.523-3.

The public hearing was held on November 15, 1972, in the House of Delegates Chambers, State Capitol Building, Charleston, W. Va. Presentations were made by the following organizations: U.S. Bureau of Mines, Bituminous Coal Operators' Association, Inc., and United Mine Workers of America. The record remained open for a period of 20 days after November 15, 1972, to permit submission of additional data.

A verbatim transcript of the hearing is available for public inspection in the office of the Deputy Director, Health and Safety, Room 4512, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

Findings. Section 101(g) of the Act (83 Stat. 747; 30 U.S.C. 811(g)), provides, in part, that within 60 days after completion of any public hearing on proposed mandatory safety standards, the Secretary of the Interior shall make findings of fact which shall be public. On the basis of evidence presented at the hearing, it is found that:

(1) Self-propelled electric face equipment is often operated in areas of coal mines where both vertical and horizontal clearances are extremely limited. Operators of such equipment consequently are in constant danger of being pinned, squeezed, or crushed against the coal mine roof, ribs, or other mining equipment.

(2) Fatalities caused by equipment operators being pinned, squeezed, or crushed against the roof, ribs, or other mining equipment have increased substantially since January 1970. Such fatalities will be significantly reduced by the installation and use of devices that will quickly deenergize the tramping motors of self-propelled electric face equipment in the event of an emergency and by the installation and use of automatic emergency brakes on rubber-tired, self-propelled electric face equipment.

(3) Practical technology is available to design and construct devices that will quickly deenergize the tramping motors

of self-propelled electric face equipment in the event of an emergency and to design and construct automatic emergency brakes on rubber-tired, self-propelled electric face equipment.

(4) Although a substantially constructed cab installed on self-propelled electric face equipment in accordance with the requirements of 30 CFR 75.1710-1 will afford equipment operators positioned within the confines of the cab the same degree of protection from the hazards of being pinned, squeezed, or crushed against the roof, ribs, or other mining equipment as will be afforded by emergency deenergization devices, a cab offers no protection to the equipment operator who is outside the confines of the cab or other miners in the vicinity of the equipment. Installation of an automatic emergency brake which engages whenever the equipment is deenergized will afford a substantial degree of protection to individuals who are not positioned within the confines of the cab, by preventing unintentional equipment movement.

(5) A substantially constructed canopy installed on self-propelled electric face equipment in accordance with the requirements of 30 CFR 75.1710-1 will not provide as effective protection to equipment operators from the hazards of being pinned, squeezed, or crushed against the ribs or other mining equipment as will be afforded by the installation and use of emergency deenergization devices and automatic emergency brakes.

In addition to the above findings, it is recognized that continuing research and study may lead to the development of other means of precluding the movement of equipment so as to protect equipment operators from being pinned, squeezed, or crushed against the roof, ribs, or other mining equipment. Therefore an operator will be permitted to apply to the Assistant Director—Technical Support for approval of devices to be used in lieu of the emergency deenergization devices described in the notice of proposed rule making, provided that the Assistant Director—Technical Support is satisfied that the performance thereof will be no less effective than the performance requirements specified in § 75.523-2 as set forth below.

It must also be stated that while the automatic emergency brake may also serve as a parking brake for rubber-tired, self-propelled electric face equipment, a separate parking brake system is in no way precluded by the requirements of 30 CFR 75.523-3.

Finally, it has been determined that the amount of time specified for the installation of deenergization devices and automatic emergency brakes should be the same for new equipment as for equipment already in use. Furthermore, the dates have been extended from those proposed in order to allow a sufficiently reasonable period for compliance by equipment manufacturers and mine operators.

After carefully considering all comments, suggestions, and objections re-

ceived in response to the notice of proposed rule making on the subject mandatory safety standards published in the *FEDERAL REGISTER* for June 23, 1972, and the evidence received at the public hearing of November 15, 1972; in view of the foregoing findings it is determined to adopt 30 CFR 75.523-1 through 75.523-3 as set forth below.

Effective date. This amendment shall be effective on March 1, 1973.

(Secs. 101(a), 305(r) Federal Coal Mine Health and Safety Act of 1969, as amended; 83 Stat. 745, 779; 30 U.S.C. 811(a), 865(r))

JANUARY 31, 1973.

HOLLIS M. DOLE,
Assistant Secretary of the Interior.

Part 75, Subchapter O, Chapter I, Title 30, Code of Federal Regulations, is hereby amended by adding new §§ 75.523-1 through 75.523-3, to read as follows:

§ 75.523-1 Deenergization of self-propelled electric face equipment installation requirements.

(a) Except as provided in paragraphs (b) and (c) of this section, all self-propelled electric face equipment which is used in the active workings of each underground coal mine on and after March 1, 1973, shall, in accordance with the schedule of time specified in paragraph (a) (1) and (2) of this section, be provided with a device that will quickly deenergize the tramping motors of the equipment in the event of an emergency. The requirements of this paragraph (a) shall be met as follows:

(1) On and after December 31, 1973, for self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters;

(2) On and after March 31, 1974, for all other types of self-propelled electric face equipment.

(b) Self-propelled electric face equipment that is equipped with a substantially constructed cab which meets the requirements of this part, shall not be required to be provided with a device that will quickly deenergize the tramping motors of the equipment in the event of an emergency.

(c) An operator may apply to the Assistant Director—Technical Support, Bureau of Mines, Department of the Interior, Washington, D.C. 20240 for approval of the installation of devices to be used in lieu of devices that will quickly deenergize the tramping motors of self-propelled electric face equipment in the event of an emergency. The Assistant Director—Technical Support may approve such devices if he determines that the performance thereof will be no less effective than the performance requirements specified in § 75.523-2.

§ 75.523-2 Deenergization of self-propelled electric face equipment; performance requirements.

(a) Deenergization of the tramping motors of self-propelled electric face equipment, required by paragraph (a) of § 75.523-1, shall be provided by:

(1) Mechanical actuation of an existing pushbutton emergency stopswitch,

(2) Mechanical actuation of an existing level emergency stopswitch, or

(3) The addition of a separate electro-mechanical switch assembly.

(b) The existing emergency stopswitch or additional switch assembly shall be actuated by a bar or lever which shall extend a sufficient distance in each direction to permit quick deenergization of the tramping motors of self-propelled electric face equipment from all locations from which the equipment can be operated.

(c) Movement of not more than 2 inches of the actuating bar or lever resulting from the application of not more than 15 pounds of force upon contact with any portion of the equipment operator's body at any point along the length of the actuating bar or lever shall cause deenergization of the tramping motors of the self-propelled electric face equipment.

§ 75.523-3 Rubber-tired, self-propelled electric face equipment; automatic emergency brake; installation and performance requirements.

(a) Except as provided in paragraph (c) of this section, all rubber-tired, self-propelled electric face equipment which is used in the active workings of each underground coal mine on and after March 1, 1973, shall, in accordance with the schedule of time specified in paragraph (a) (1) and (2) of this section be provided with an automatic emergency brake. The requirements of this paragraph (a) shall be met as follows:

(1) On and after December 31, 1973, for rubber-tired, self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters;

(2) On and after March 31, 1974, for all other types of rubber-tired, self-propelled electric face equipment.

(b) The emergency brake required by paragraph (a) of this section shall automatically engage when either:

(1) The device to deenergize the equipment, required by § 75.523-1, is activated; or

(2) The equipment is otherwise deenergized. The automatic emergency brake shall engage immediately; bring the equipment to a complete stop within at least the same distance as the service brakes; and, prevent movement of the equipment while engaged.

(c) Rubber-tired, self-propelled electric face equipment with a driving mechanism, in accordance with § 18.20(f) of this chapter, that precludes movement of the equipment when parked, shall not be required to be provided with an automatic emergency brake as is described in paragraph (a) of this section.

[FR Doc. 73-2192 Filed 2-5-73; 8:45 am]

PART 75—MANDATORY SAFETY STANDARDS, UNDERGROUND COAL MINES

Extension of Time for Installation of Automatic Warning Devices and Fire Suppression Devices on Belt Haulageways

Pursuant to the authority of sections 311(g) and 301(d) of the Federal Coal

Mine Health and Safety Act of 1969 (Public Law 91-173), there was promulgated in the *FEDERAL REGISTER* of August 16, 1972 (37 FR 16545-46) §§ 1103-2 through 1103-11 of Part 75, Subchapter O, Chapter I, Title 30, Code of Federal Regulations.

The above-referenced regulations which provide for the installation of automatic warning devices and fire suppression devices on belt haulageways became effective on August 16, 1972. However, coal mine operators were allowed a period of 180 days from the date of publication to acquire and install these devices. During this 180-day period, operators were to be advised by "safeguard notices" of conditions or practices which fail to meet these standards. After the 180-day period, failure to comply made the operators subject to the issuance of notices, orders and assessment of penalties pursuant to the Act.

The 180-day period was selected at the time of promulgation of these regulations based on information collected by the Bureau of Mines from operators and manufacturers. However, the information gathered at that time did not fully account for the number of belt haulage systems in use nor was the magnitude of the task facing the coal mine operators in obtaining and installing the devices within the time required by this section fully comprehended.

Subsequent to the promulgation of these regulations and after having discussed the availability of these devices with manufacturers and suppliers of such systems and with coal mine operators, it has been determined that despite a good faith effort on the part of all parties concerned, it is not possible to manufacture, acquire, install and make operative the required devices by February 13, 1973.

Therefore, the 180-day period will be extended for an additional 60 days from the date of this publication during which mine operators will continue to be advised of noncompliance by means of "safeguard notices." From and after April 9, 1973, operators who fail to comply with the provisions of §§ 75.1103-2 through 75.1103-11 will be subject to the issuance of notices, orders, and assessment of penalties pursuant to the Act.

JOHN B. RIGG,
Deputy Assistant Secretary
of the Interior.

JANUARY 31, 1973.

[FR Doc. 73-2193 Filed 2-5-73; 8:45 am]

**Title 32A—National Defense, Appendix
CHAPTER X—OFFICE OF OIL AND GAS,
DEPARTMENT OF THE INTERIOR**

[Oil Import Reg. I (Revision 5), Amdt. 52]

**OIL REG. 1—OIL IMPORT REGULATION
Miscellaneous Amendments; Oil Imports**

This Amendment 52 amends sections 5, 7, 8, 9, 10, 11, 13, and 22 of Oil Import Regulation 1 (Revision 5). The amendments to sections 9, 10, and 11 provide for allocations to petrochemical plants and refiners in Districts I-IV and District V