adopted without change and is set forth below.

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

This amendment shall be effective 0901 G.m.t., November 8, 1973.

Issued in Kansas City, Missouri, on August 21, 1973.

JOHN R. WALLS,
Acting Director,
Central Region.

In § 71.181 (38 FR 435), the following transition area is added:

RED OAK, IOWA

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Red Oak Municipal Airport (latitude 41°00'40" N., longitude 95°15'25" W.); and within 3 miles each side of a 335° bearing from the Red Oak Municipal Airport, extending from the 6-mile radius to 9½ miles northwest of the airport; and that airspace extending from 1,200 feet above the surface within 4½ miles southwest and 9½ miles northeast of the 335° bearing from the Red Oak, Iowa Airport extending from the airport to 18½ miles northwest of the airport.

[FR Doc.73-19122 Filed 9-7-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-821; Amdt. 208-3]

PART 208—TERMS, CONDITIONS, AND LIMITATIONS OF CERTIFICATES TO ENGAGE IN SUPPLEMENTAL AIR TRANSPORTATION

Prohibited Control of a Supplemental Air Carrier; Deletion

Adopted by the Civil Aeronautics Board at its office in Washington, D.C.

By Order 73-8-17, adopted August 2, 1973, the Board denied the various "routine" petitions for rule making filed in the Supplemental Renewal Proceeding, Docket 23944, including a request by Capitol International Airways, Inc. (Capitol) to amend Part 208 of the Economic Regulations so as to delete § 208.31[1] in its entirety. In denying this request, the Board stated that although it was not persuaded to delete this provision entirely, it would in due course revise the section so as to conform with the present text of section 408(a)5) of the Federal Aviation Act, 49 U.S.C. 1378 (a)(5). Upon further consideration, we have now decided that § 208.31 of our regulations may indeed be deleted, as superfluous.

Section 208.31 was adopted long before the 1969 amendment to the Act, at a time when approval of the acquisition of control of an air carrier was required only if the acquirer was one of the persons specifically described in the Act, to wit, any air carrier or person controlling an air carrier, any other common carrier, or any other person engaged in any other phase of aeronautics. Section 208.31 of our regulations therefore imposed special requirements applicable to acquisition of control of supplemental air carriers by certain persons not specified in the Act. However, Public Law 91-62,[2] inter alia, amended section 408(a)(5) so as to require Board approval of the acquisition of control of any air carrier by "any * * * person," rather than only those specifically described.[3] Thus there is no longer any real need for retaining our special regulation with respect to acquisition of control of one particular class of air carrier by certain particular persons.

Since this amendment is editorial in nature, in that it merely deletes a regulation which has become superfluous, and it imposes no burden on any person, the Board finds that notice and public procedure hereon are unnecessary, and the amendment may become effective immediately.

Accordingly, the Board hereby amends Part 208 of its Economic Regulations (14 CFR, Part 208) effective September 4, 1973, as follows:

1. Amend the Table of Contents of Subpart A of Part 208, by deleting and reserving § 208.31, as follows:

Sec.
208.31 [Reserved]

§ 208.31 [Reserved]

2. Delete and reserve § 208.31.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 (49 U.S.C. 1324))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-19166 Filed 9-7-73;8:45 am]

SUBCHAPTER F—POLICY STATEMENTS

[Reg. PS-54; Amdt. 399-33]

PART 399—STATEMENTS OF GENERAL POLICY

Treatment of Depreciation of Wide-Bodied Aircraft for Rate Purposes

Adopted by the Civil Aeronautics Board at its office in Washington, D.C.

In notice of proposed rule making PSDR-34,[1] the Board proposed to amend Part 399 of the regulations, Statements of General Policy (14 CFR, Part 399), to assign a common depreciation life of 16 years to all wide-bodied aircraft for rate-making purposes.

Pursuant to the notice, comments have been filed by the Department of Defense and Pan American World Airways, Inc. Upon consideration, the Board has determined to adopt the rule as proposed. The tentative findings and conclusions set forth in PSDR-34 are incorporated herein and made final.

The comment of the Department of Defense supports the proposed rule. Pan American does not object to a common service life for all wide-bodied aircraft, but it contends that that service life should be set at 15 years rather than 16 years. This request is denied.

Pan American argues that the weighted average service life of all (three-engine and four-engine) owned and leased wide-bodied aircraft is closer to 15 than 16 years, and that the average service life for owned B-747 aircraft is 14.6 years. With respect to their first point, we are not concerned in this proceeding with reviewing the reasonableness of the rates set for three-engine equipment, the question here being the reasonableness of using 16 years for the B-747. As to the latter, we tentatively found in the notice, and affirm here, that 16 years was reasonable even though at the top of the range for owned aircraft, since it represented the average for leased aircraft. In our judgment, reliance on the average for leased aircraft is fully warranted in light of the considerations expressed in our determination in Phase I of the Domestic Passenger-Fare Investigation.[2]

Pan American also asserts that the lesser flexibility of four-engine wide-bodied equipment must be taken into account. As we pointed out in the notice, the anticipated increase in traffic density should prolong the useful life of the four-engine wide-body to such an extent as to offset any lack of flexibility it may ultimately have vis-a-vis its three-engined counterparts.

Finally, it may be noted that Pan American, the only carrier to question

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[1] 14 CFR § 208.31. Section 208.31 provides as follows:

§ 208.31 *Prohibited control of a supplemental air carrier.*

Control of a supplemental air carrier shall not, without prior application to and approval by the Board, be transferred, directly or indirectly, by assignment, transfer of voting stock, or otherwise, to any person who controlled, or participated in control of, as a partner, officer, or director, any air carrier theretofore found by the Board to have committed knowing and willful violations of the Civil Aeronautics Act of 1938, as amended, the Federal Aviation Act of 1958, or any order, rule, or regulation issued pursuant to said Acts during the period such person controlled or participated in the control of said air carrier. Any such application may be approved by the Board with or without hearing. No such application shall be denied unless the Board finds, after notice to said supplemental air carrier and the parties to the proposed transfer, and after opportunity for hearing, that, in the event the proposed transfer is consummated, said supplemental air carrier will thereby be rendered unfit, unwilling, or unable to conform to the provisions of the Federal Aviation Act of 1958, and the rules, regulations, and requirements of the Board thereunder. For the purposes of this section, a transfer of 20% or more of the voting stock of the supplemental air carrier shall be deemed to constitute prima facie evidence of a transfer of control so as to require the filing of an appropriate application with the Board.

[2] 83 Stat. 103, approved by the President on August 20, 1969.

[3] Section 408(a)(5) was also amended by the addition of a proviso authorizing the Board to exempt by order any such acquisition of a noncertificated air carrier from this requirement to the extent and for such periods as may be in the public interest.

[1] 38 FR 14695, June 4, 1973 (Docket 25569).

[2] PS-45, 36 FR 7228, April 16, 1971 (Docket 21866-1).

the 16-year life, depreciates its own B-747 aircraft over a period of 16 years for accounting purposes.

Since the rule is a statement of policy the amendment may be made effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 399 of the Statements of General Policy (14 CFR, Part 399) as follows:

Amend § 399.42, the section as amended to read as follows:

§ 399.42 Flight equipment depreciation and residual values.

For rate-making purposes, it is the policy of the Board that flight equipment depreciation will be based on the conventional straight-line method of accrual, employing the service lives and residual values set forth below:

	Service life in years	Residual value as percent of cost
		Percent
Turbofan equipment:		
4-engine	14	2
3-engine	14	2
2-engine	14	2
Turbojet equipment:		
4-engine	10	5
2-engine	10	5
Turboprop equipment:		
4-engine	12	5
2-engine	10	15
Wide-body equipment:		
4-engine	16	10
3-engine	16	10

* * * * *

(Sections 204 and 404 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 and 760 (49 U.S.C. 1324 and 1374).)

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.73-19164 Filed 9-7-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

PYROGALLOL AND FERRIC AMMONIUM CITRATE; CONFIRMATION OF EFFECTIVE DATE

In the matter of listing pyrogallol and ferric ammonium citrate for safe use in coloring plain and chromic catgut sutures:

1. Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c), (d)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections or requests for hearing were filed in response to the order in the above-identified matter published in the FEDERAL REGISTER of May 16, 1973 (38 FR 12803). Accordingly, the regulations (§§ 8.6017 and 8.6018) promulgated thereby became effective July 16, 1973.

2. Effective September 10, 1973, § 8.501 *Provisional lists of color additives* is amended in the table in paragraph (f) by deleting "Ferric ammonium citrate" and "Pyrogallol" from the list of color additives.

Dated August 31, 1973.

SAM D. FINE, *Associate Commissioner for Compliance.*

[FR Doc.73-19088 Filed 9-7-73;8:45 am]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

DIISONONYL PHTHALATE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 2B2752) filed by Esso Research and Engineering Co., Post Office Box 111, Linden, NJ 07036, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of diisononyl phthalate as a plasticizer in vinyl chloride homo- and/or copolymer films for food contact use.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2511 is amended in paragraph (b) by alphabetically adding a new item to the list of substances, as follows:

§ 121.2511 Plasticizers in polymeric substances.

* * * * *

(b) List of substances:

	Limitations
* * * * *	
Diisononyl phthalate.	For use only at levels not exceeding 43 percent by weight of permitted vinyl chloride homo- and/or copolymers used in contact with food only of the types identified in § 121.2526(c), Table 1, under categories I, II, IV-B, and VIII, at temperatures not exceeding room temperature. The average thickness of such polymers in the form in which they contact food shall not exceed 0.005 inch.
* * * * *	

Any person who will be adversely affected by the foregoing order may at any time on or before October 10, 1973, file with the Hearing Clerk, Food and Drug Administration, Department of Health, Education, and Welfare, Rm. 6-88, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—This order shall become effective on September 10, 1973.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)).)

Dated August 31, 1973.

SAM D. FINE, *Associate Commissioner for Compliance.*

[FR Doc.73-19087 Filed 9-7-73;8:45 am]

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

Prednisolone Tertiary Butylacetate

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (11-080V) filed by Merck Sharp & Dohme Research Laboratories, Div. of Merck & Co., Inc., Rahway, NJ 07065, proposing revised labeling for the safe and effective use of prednisolone *tertiary* butylacetate as an anti-inflammatory agent for the treatment of horses, dogs, and cats. 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), the following new section is added to Part 135b:

§ 135b.89 Prednisolone tertiary butylacetate suspension, veterinary.

(a) *Specifications.*—Prednisolone *tertiary* butylacetate (Pregna-1,4-diene-3, 20-dione-11B, 17α 21-triol 21-(3,3, dimethyl butyrate) suspension, veterinary contains 20 milligrams of prednisolone tertiary butylacetate per milliliter. It is sterile.

(b) *Sponsor.*—See code No. 023 in § 135.501(c) of this chapter.

(c) *Conditions of use.*—(1) It is used as an anti-inflammatory agent in horses, dogs, and cats.

(2) It is administered to horses intramuscularly at a dosage level of 100 to 300 milligrams and intrasynovially at a dosage level of 50 to 100 milligrams. It is administered intramuscularly to dogs and cats at a dosage level of 1 milligram per 5 pounds of body weight and intrasynovially at a dosage level of 10 to 20 milligrams. Intramuscular retreatment of horses in 24 to 48 hours may be necessary, depending on the general condition of the animal and the severity and duration of the disease.

(3) Clinical and experimental data have demonstrated that corticosteroids administered orally or parenterally to animals may induce the first stage of parturition when administered late in pregnancy and may precipitate premature parturition followed by dystocia, fetal death, retained placenta, and metritis.

(4) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date.—This order shall be effective on September 10, 1973.

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

Dated August 31, 1973.

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

[FR Doc.73-19086 Filed 9-7-73;8:45 am]

SUBCHAPTER C—DRUGS

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Tetracycline Oral Veterinary

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (65-004V) filed by the Upjohn Co., Kalamazoo, MI 49001, proposing revised indications for use of tetracycline boluses in calves. 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), § 135c.34 is amended by revising paragraph (b)(1) and (4), and by adding a new item 3 to table 2 in paragraph (e), as follows:

§ 135c.34 Tetracycline oral veterinary.

* * * * *

(b) *Sponsor.*—(1) See code No. 030 in § 135.501(c) of this chapter for conditions of use provided for in items 1 and 2 of tables 1 and 2 in paragraph (e) of this section.

* * * * *

(4) See code No. 037 in § 135.501(c) of this chapter for conditions of use provided for in table 1 and in table 2, items 1 and 2 in paragraph (e) of this section.

* * * * *

(e) *Conditions of use.* * * *

TABLE 2—IN BOLUSES

Ingredient	Milligrams per bolus	Limitations	Indications for use
* * *	*	* * *	* * *
3. Tetracycline.....	500	For calves; as tetracycline hydrochloride; administer orally 10 mg per lb of body weight per day divided into two daily doses for not more than 5 days; do not slaughter animals for food within 12 days of treatment; as sole source of tetracycline. Federal law restricts this drug to use by or on the order of a licensed veterinarian.	For treatment of bacterial pneumonia caused by organisms susceptible to tetracycline and bacterial enteritis caused by *E. coli* and Salmonella organisms susceptible to tetracycline.

Effective date.—This order shall be effective September 10, 1973.

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

Dated August 29, 1973.

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

[FR Doc.73-19009 Filed 9-7-73;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 3—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 3-16—PROCUREMENT FORMS

Solicitation Documents; Standardized Request for Proposed Format and Checklist

On April 19, 1973, a notice of proposed rule making was published in the FEDERAL REGISTER (38 FR 9671-9676) stating that the Department of Health, Education, and Welfare is considering an amendment to 41 CFR, Chapter 3, by adding a new § 3-16.5001, Standardized Request for Proposal (RFP) Format and Checklist for Solicitation Documents, to Subpart 3-16.50, Forms for Negotiated Procurements. The purpose of the amendment is to illustrate the acceptable minimum requirements for the format and content of requests for proposals.

Interested persons were invited to submit written data, views, or comments within 30 days after publication. Written comments were received, and after consideration of the views presented, the regulation is revised and adopted as set forth below.

(5 U.S.C. 301 (40 U.S.C. 486(c).)

Effective date.—These amendments shall become effective on September 10, 1973.

Dated August 31, 1973.

S. H. CLARKE,
Deputy Assistant Secretary for Administration and Management.

1. The table of contents for Part 3-16 is amended by adding the following entries:

Subpart 3-16.50—Forms for Negotiated Procurement

Sec.
3-16.5001 Standardized request for proposal (RFP) format and checklist for solicitation documents.

2. The new § 3-16.5001 is added as follows:

§ 3-16.5001 Standardized request for proposal (RFP) format and checklist for solicitation documents.

(a) Forms used for requesting proposals on negotiated procurements shall be in accordance with this subpart and FPR subpart 1-16.9.

(b) The purpose of these instructions is to establish the acceptable minimum requirements for the format and content of requests for proposals in order: (1) To assure that proposals are complete and contain all the essential information required by the Government, and (2) to assure a degree of uniformity in presentation which will facilitate appraisal of proposals by the Government.

(c) Generally, requests for proposals shall be in writing. Solicitations shall contain the information necessary to enable a prospective offeror to prepare a proposal, and shall contain the following information, if applicable to the procurement involved.

(d) The request for proposal shall consist of the following documents:

(1) Transmittal letter.

(2) Proposed contract provisions (including work statement).

(3) Instructions to offerors.

(i) General instructions.

(ii) Technical proposal instructions.

(iii) Business proposal instructions.

(e) Standard forms 33 and 33A will normally be used for fixed-price type contracts (procurement of hardware and administrative type supplies/services). If the forms 33 and 33A are not utilized, the business proposal instructions must include all required representations and certifications.

(f) The following format shall be utilized in preparing the transmittal letter for requests for proposals:

Date _____

Refer to RFP No._____

Gentlemen: You are invited to submit a proposal in accordance with the requirements of request for proposal No. _____ for (insert name of the procurement.

Your proposal must be received by the Contracting Officer no later than (insert date) and (time—local prevailing time) at (address to which proposals are to be sent).

Special attention is directed to the "Certification of Nonsegregated Facilities" of this solicitation. You are cautioned that failure to agree to the certification shall render your proposal nonresponsive to solicitations involving awards of contracts exceeding $10,000 which are not exempt from the provisions of the equal opportunity clause.

Your proposal must be prepared in accordance with the attached "Contract Provisions," and "Instructions to Offerors."

The RFP does not commit the Government to pay any cost for the preparation and submission of a proposal. It is also brought to your attention that the Contracting Officer is the only individual who can legally commit the Government to the expenditure of public funds in connection with this proposed procurement.

Requests for any information concerning this RFP should be referred only to (name and title of individual) who may be called on (area code and telephone number).

Sincerely,

_____

Include any of the following statements in the transmittal letter if they are applicable:

(1) If the contract is to be conditioned on the availability of funds, a clear statement of such condition must be added (see HEWPR 3-1.354).

(2) Conference of prospective offerors. The following is to be used when a preproposal conference is required. The language may be modified to adapt to the particular situation.