Pender County						
C. H. Clark & Son, Inc.	Rocky Point	T-265	II-1.3	Jan. 8, 1971	Immediately	Dec. 31, 1973
Pitt County						
Town of Farmville	Farmville	T-294	II-1.3	Jan. 19, 1971	Immediately	Mar. 31, 1974
Town of Grimesland	Grimesland	T-228	II-1.3	Dec. 28, 1970	do	Do.
Town of Fountain	Fountain	T-133	II-1.3	Nov. 10, 1970	do	Do.
Richmond County						
Standard Foundry & Manufacturing Co.	Rockingham	T-1841	II-2.2 II-5.2 IV-2.20 IV-2.30 IV-2.40	July 19, 1972	Immediately	Feb. 28, 1974
Rutherford County						
N. C. Display Fixture Co.	Forest City	T-2168	II-2.2 II-5.2 IV-2.60	Mar. 2, 1973	Immediately	May 31, 1974
Wright Veneer Co., Inc.	Spindale	T-1878	II-2.2 IV-1.10 IV-2.40	Apr. 11, 1972	do	Apr. 1, 1974
Wilkes County						
W. E. Sale & Sons, Inc.	Ronda	T-2031	II-2.2 IV-1.10 IV-2.40	Jan. 5, 1973	Immediately	Apr. 1, 1974

[FR Doc.75-7894 Filed 3-27-75;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 353-6; OPP-262819]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Methazole

On June 6, 1973, notice was given (38 FR 15103) that Velsicol Chemical Corp., 341 East Ohio St., Chicago IL 60611 had filed a petition (PP 3F1392) for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed establishment of a tolerance for combined negligible residues of the herbicide methazole (2-(3,4-dichlorophenyl)-4-methyl-1,2,4-oxadiazolidine-3,5-dione) and its metabolites 1-(3,4-dichlorophenyl)-3-methylurea and 3,4-dichlorophenylurea in or on the raw agricultural commodity cottonseed at 0.1 part per million.

The data submitted in the petition and other relevant material have been evaluated. The herbicide is considered useful for the purpose for which the tolerance is sought. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies. It has been determined that a tolerance should also be established to cover the residues of the metabolites and § 180.3 is being amended accordingly. Tolerances established by this regulation and the amendment to Section 180.3 will protect the public health.

Any person adversely affected by this regulation may, on or before April 28, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW, East Tower, Room 1019, Washington DC 20460. Such objections should be submitted in quintuplicate and specify the provision for the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 28, 1975, Part 180, Subpart A, is amended by revising § 180.3(d) and Subpart C is amended by adding § 180.357.

(Sec. 408(d)(2), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2))).

Dated: March 26, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180 is amended by adding the new subparagraph (9) to § 180.3(d), Subpart A, to read as follows.

§ 180.3 Tolerances for related pesticide chemicals.

* * * * *

(d) * * *

(9) Where a tolerance is established for more than one pesticide having the metabolites 1-(3,4-dichlorophenyl)-3-methylurea (DCPMU) and 3,4-dichlorophenylurea (DCPU) found in or on a raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for a pesticide having these metabolites.

* * * * *

Part 180 is further amended by adding § 180.357 to Subpart C to read as follows.

§ 180.357 Methazole, tolerances for residues.

A tolerance is established for combined negligible residues of the herbicide methazole (2-(3,4-dichlorophenyl)-4-methyl-1,2,4 - oxadiazolidine-3,5-dione) and its metabolites 1-(3,4-dichlorophenyl)-4-methyl-1,2,4 - oxadiazolidine-3,5-dione) and its metabolites 1-(3,4-dichlorophenyl) - 3 - methylurea (DCPMU) and 3,4-dichlorophenylurea (DCPU) in or on cottonseed at 0.1 part per million.

[FR Doc.75-8304 Filed 3-27-75;11:24 am]

Title 41—Public Contracts and Property Management

CHAPTER 60—OFFICE OF FEDERAL CONTRACT COMPLIANCE, EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR

PART 60-1—OBLIGATIONS OF CONTRACTORS AND SUBCONTRACTORS

State and Local Government Equal Employment Opportunity Requirements for Federally Assisted Construction Contracts; Rescission

The Secretary of Labor has been ordered to rescind 41 CFR 60-1.4(b)(2), published in the FEDERAL REGISTER on January 21, 1974 (39 FR 2365) because it was promulgated without proper notice, opportunity for public participation and delay in the effective date as required by the Administrative Procedure Act (5 U.S.C. 553). Therefore, he has found that notice and public procedure for the rescission of this subparagraph are unnecessary and are not in the public interest. The rescission will accordingly become effective on March 28, 1975.

Subparagraph (b)(2) of § 60-1.4, Chapter 6, Title 41 of the Code of Federal Regulations of the United States of America is hereby rescinded.

Dated: March 17, 1975.

RICHARD F. SHUBERT,
Acting Secretary of Labor.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal Contract Compliance.

[FR Doc.75-8117 Filed 3-27-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PACKAGING, LABELING AND PRODUCTION REQUIREMENTS

Miscellaneous Amendments

On January 3, 1975, a notice of proposed amendments to Parts 112, 113, and

114, was published in the FEDERAL REGISTER at 40 FR 788.

On January 27, 1975 a notice of proposed amendments to Part 113 was published at 40 FR 4017.

These amendments add a new paragraph to Part 112 in which special label requirements for wart vaccine are codified. They include the recommended dosage and route of administration.

These amendments also add a new section in Part 113 which contains an administrative policy pertaining to serial to serial potency tests developed by a license applicant to support a license application. These amendments establish the degree of confidentiality of the details of the test submitted.

These amendments provide a new two stage potency test to simultaneously evaluate the Eastern and the Western fractions of Encephalomyelitis Vaccine. This new test replaces the two tests currently being used for this product.

These amendments clarify the test procedure to be followed in conducting tests for bacteria and fungi except in live vaccine. These amendments increase the consistency of results by specifying uniform procedures to be used.

These amendments clarify the regulation pertaining to the determination of expiration dates. § 114.13 is revised to specifically provide for the expiration date determination for live virus vaccines, live bacterial vaccines, inactivated biological products and antiserums. Storage of harvested material to be used in the preparation of a biological product is authorized.

Comments were received from four people on the proposal published January 3, 1975. All were generally favorable although changes were suggested by three, one of which was accepted.

One requested an exemption which was rejected as being unjustified. One suggested the inclusion of more details. This suggestion was rejected as being unnecessarily restrictive.

Comments were received from four people on the proposal published January 27, 1975. Three were very favorable but one suggested change which could not be scientifically justified and the suggestion was rejected. Another suggested change was accepted for clarification.

After due consideration of all relevant matters, including the proposals set forth in the aforesaid notice of rulemaking, and the constructive and helpful suggestions received from representatives of the biologics industry, revisions of the material proposed were made for clarification of the procedures to be followed and for scientific accuracy.

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (U.S.C. 151–158), the amendments of Part 113, Subchapter E, Chapter 1, 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:

The words "in two or more sites" have been deleted from the label requirement in § 112.7(i) for wart vaccine. In § 113.126, "virus-bearing" has been hyphenated.

§ 113.127(b) (3) and (4) were corrected by deleting "Provided, That," and substituting "except, that,."

PART 112—PACKAGING AND LABELING

1. Section 112.7 is amended by adding a new paragraph (i) to read:

§ 112.7 Special additional requirements.

* * * * *

(i) In the case of wart vaccine, recommendations shall be limited to use in bovines. All labels shall include a dosage recommendation of at least 10 ml to be given subcutaneously and the dose repeated in 3 to 5 weeks.

PART 113—STANDARD REQUIREMENT

2. Part 113 is amended by adding a new § 113.9 to read:

§ 113.9 New potency test.

A potency test written into the filed Outline of Production for a product shall be considered confidential information by Veterinary Services until at least two additional product licenses are issued for the product or unless use of the test is authorized by the licensee, in which case, such potency test may be published as part of the Standard Requirement for the product.

(a) Until a potency test is published as part of the Standard Requirement for the product, reference to such a test shall be made in the filed Outline of Production and the test shall be conducted.

(b) When a potency test has been published as part of the Standard Requirement, such test shall be conducted unless the product is specifically exempted as provided in § 113.4.

3. Sections 113.26(b) (1) and (2) are revised to read:

§ 113.26 Detection of viable bacteria and fungi except in live vaccine.

* * * * *

(b) Test procedure:

(1) Ten test vessels shall be used for each of two media selected in accordance with paragraphs (a)(1), (a)(2), or (a)(3) of this section. Each test vessel shall contain sufficient medium to negate the bacteriostatic or fungistatic activity in the inoculum as determined in § 113.25(d).

(2) Inoculum:

(i) When completed product is tested, 10 final container samples from each serial and each subserial shall be tested. One ml from each sample shall be inoculated into a corresponding individual test vessel of culture medium; Provided, That, if each final container sample contains less than 2 ml, one-half of the contents shall be used as inoculum for each test vessel.

(ii) When cell lines, primary cells, or ingredients of animal origin are tested, at least a 20 ml test sample from each lot shall be tested. One ml shall be inoculated into each test vessel of medium.

* * * * *

4. Section 113.126 is revised to read:

§ 113.126 Wart Vaccine, Killed Virus.

Wart Vaccine, Killed Virus, shall be prepared from virus-bearing epidermal toumors (warts) obtained from a bovine. Each serial shall meet the requirements prescribed in this section and any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity.* Final container samples of completed product shall meet the requirements for purity as prescribed in § 113.120(c) (1) and (3).

(b) *Safety.* Bulk or final container samples of completed product shall meet the requirements for safety as prescribed in § 113.33(b) and § 113.38.

(c) *Formaldehyde content.* Bulk or final container samples of completed product shall meet the requirements for formaldehyde content as prescribed in § 113.120(f).

(d) *Potency and efficacy.* The efficacy of wart vaccine has been demonstrated to the satisfaction of Veterinary Services as being a valuable biological product. The inherent nature of the product precludes the possible development of serial to serial potency tests and none is required; Provided, That,

(1) The vaccine shall be a tissue extract representing at least 10 percent weight to volume suspension of wart tissue; and

(2) The vaccine shall be limited to use in the prevention of warts in bovines. Dosage recommendations shall be in accordance with § 112.7(i).

5. Section 113.127 is amended by revising paragraph (b) to read:

§ 113.127 Encephalomyelitis Vaccine, Eastern and Western, Killed Virus.

* * * * *

(b) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency in accordance with the two stage test provided in this paragraph. The serological interpretations required in this test shall be made for the Eastern Type fraction and the Western Type fraction independent of each other except that a serial or subserial found unsatisfactory for either fraction shall not be released.

(1) For this test, a guinea pig dose shall be one-half the amount recommended on the label for a horse and shall be administered as recommended for a horse. Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 14 to 21 days between doses. Two additional guinea pigs from the same source shall be held as controls.

(2) Fourteen to 21 days after the second injection, serum samples from each vacinate and each control shall be tested by the plaque reduction serum neutralization test.

(3) If the control serum samples show a titer greater than 1:2 for either or both fractions, the test is inconclusive for that fraction or fractions, as the case may be, and may be repeated; except that, if 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than

1:32 for the Western type fraction, the serial or subserial is unsatisfactory without further testing.

(4) If 2 or 3 of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction or both, the second stage may be used; except that, if 1 or less such samples meet the titer requirements for one fraction in the first stage, such fraction need not be retested. Otherwise, the second stage shall be conducted in a manner identical to the first stage.

(5) If the second stage is used and 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction, the serial or subserial is unsatisfactory.

(6) The results shall be evaluated according to the following table:

Cumulative totals

Stage	Vaccinates	Failures for acceptance	Failures for rejection
1	10	1 or less	4 or more.
2	20	3 or less	Do.

PART 114—PRODUCTION REQUIREMENTS FOR BIOLOGICAL PRODUCTS

6. The introductory portion of § 114.13 (b) and paragraphs (b) (1) and (2), and the introductory portion of § 114.13(c) are revised; paragraphs (c)(1), (2), and (3) are deleted; and new paragraphs (d), (e)(1), and (2) and paragraph (f) are added to read:

§ 114.13 Expiration date determination.

* * * * *

(b) *Storage.* A licensee may store partially completed biological products or harvested material to be used in the preparation of a biological product for a period specified in the Outline of Production and the expiration date shall be determined from the date the material is removed from storage for preparation of final product; Provided, That,

(1) Data acceptable to Veterinary Services can be furnished to establish that the time or storage conditions shall not adversely affect the quality of the final product; and

(2) Each serial shall be tested for potency at the time of release by a suitable test such as, but not limited to, virus titrations, bacteria counts and antitoxin unit determinations.

(c) *Live Virus Vaccine.* To determine the expiration date of a live virus vaccine, each serial of vaccine shall be tested for virus content at release and at the approximate expiration date until a statistically acceptable stability record has been established. All estimations of virus content shall be based on valid 50 percent end-point titrations.

(d) *Live bacterial vaccines.* To determine the expiration dates for live bacterial vaccines, each serial of vaccine shall be tested for potency at release and at its approximate expiration date until a statistically acceptable stability record has been established.

(e) *Inactivated biological products.* The expiration dates for inactivated biological products shall be determined in accordance with the conditions prescribed in a Standard Requirement, a filed Outline of Production for the product and paragraphs (e) (1) and (2) of this section,

(1) The expiration date shall be based upon stability data designed to show adequate potency of the biological product on or after the dating requested and subsequently confirmed by potency tests on all prelicensing serials.

(2) Subsequent changes in the expiration date may be granted, based upon stability data confirmed by potency tests on five consecutive serials at least 6 months beyond the date requested by the licensee.

(f) *Antitoxins, antiserums, normal serums.* The expiration dates shall be calculated from the date of the latest satisfactory tests conducted in accordance with § 113.250 and prescribed in a Standard Requirement for the product or in a filed Outline of Production or both.

(37 Stat. 832–833; 21 U.S.C. 151–158)

Effective date: These amendments take effect April 28, 1975.

Done at Washington, D.C., this 24th day of March 1975.

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

[FR Doc.75-8078 Filed 3-27-75;8:45 am]

PART 112—PACKAGING AND LABELING

Permits for Biological Products

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), Subchapter E, Chapter 1 of Title 9 of the Code of Federal Regulations is amended by making a reference change in the lead paragraph in § 112.9 to conform to the codification of regulations pertaining to permits for biological products in a new Part 104 (38 FR 32916, November 29, 1973).

The introductory paragraph of § 112.9 is revised to read:

§ 112.9 Biological products to be imported for research and evaluation.

A biological product imported into the United States for research and evaluation under a permit issued in accordance with Part 104 of this subchapter shall be labeled as provided in this section.

* * * * *

This amendment is administrative and the change is conformative in nature and makes no substantive changes in the affected regulations.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning the amendments are impracticable and unnecessary, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The foregoing amendments shall become effective upon issuance.

Done at Washington, D.C., this 24th day of March 1975.

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

[FR Doc.75-8077 Filed 3-27-75;8:45 am]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 31—GENERAL LICENSES FOR BYPRODUCT MATERIAL

PART 70—SPECIAL NUCLEAR MATERIAL

Organization and Procedural Changes; Correction

In FR Doc. 75–5205, appearing at page 8774, in the issue for March 3, 1975, the following changes should be made:

1. Paragraph 131, Part 31, on page 8785, second column, is corrected to read as follows:

§ 31.5 [Amended]

131. In § 31.5, paragraph (b) is amended by deleting the words "by the Commission", paragraphs (c)(3) and (c)(5) are amended by changing the words "from the Commission or" to "pursuant to Parts 30 and 32 of this chapter or from", paragraph (c)(7) is amended by changing the words "from the Commission" to "pursuant to Parts 30 and 36 of this chapter", and paragraph (c)(8) is amended by changing the words "specific licensee of the Commission or of an Agreement State whose specific license authorizes him" to "persons holding a specific license pursuant to Parts 30 and 32 of this chapter or from an Agreement State".

2. Paragraph 218, Part 70, on page 8791, second column, is corrected to read as follows:

218. Section 70.11 is revised to read as follows:

§ 70.11 Persons using special nuclear material under certain Energy Research and Development Administration and Nuclear Regulatory Commission contracts.

Except to the extent that Administration facilities or activities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of 1974 are involved,[*] any prime contractor of the Administration is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Administration receives title to, owns, acquires, delivers, receives,

[*] The Administration facilities identified in section 202 are:

possesses, uses, transfers, imports or exports special nuclear material for:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

(a) The performance of work for the Administration at a United States Government-owned or controlled site, including the transportation of special nuclear material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, and subject to the requirement for licensing of Administration facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974, any prime contractor or subcontractor of the Administration or the Commission is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives title to, owns, acquires, delivers, receives, possesses, uses, transfers, imports or exports special nuclear material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

3. Paragraph 219, Part 70, on page 8791, third column, is corrected to read as follows:

219. In § 70.14, the footnote to paragraph (a) is deleted and paragraph (b) is revised to read as follows:

§ 70.14 Specific exemptions.

* * * * *

(b) Any person subject to the provisions of §§ 70.21(f) and 70.23(a)(7) may request an exemption from the requirements of those provisions. The Commission may grant an exemption from the provisions of §§ 70.21(f) and 70.23(a)(7), upon considering and balancing the following factors:

(1) Whether conduct of the proposed activities will give rise to a significant adverse impact on the environment and the nature and extent of such impact, if any;

(2) Whether redress of any adverse environmental impact from conduct of the proposed activities can reasonably be effected should such redress be necessary;

(3) Whether conduct of the proposed activities would foreclose subsequent adoption of alternatives; and

(4) The effect of delay in conducting such activities on the public interest. During the period of any exemption granted pursuant to this paragraph (b), any activities conducted shall be carried out in such a manner as will minimize or reduce their environmental impact.

Dated at Washington, D.C. this 25th day of March 1975.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.75-8104 Filed 3-27-75;8:45 am]

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 213—OIL IMPORT REGULATIONS

Adjustment of Oil Import License Fee Payments

On March 13, 1975, the Federal Energy Administration (FEA) published proposed amendments to § 213.35 in order to implement Proclamation No. 4355, amending Proclamation No. 3279, as amended, pursuant to which FEA administers the Mandatory Oil Import Program (40 FR 12287, March 18, 1975). Section 2 of Proclamation No. 4355 authorizes the Administrator to determine at what point crude oil, unfinished oils, and finished products shipped into United States territories and foreign trade zones shall become subject to import license fees and supplemental fees. Section 3 of the Proclamation provides that the fees and supplemental license fees imposed with respect to imports into Puerto Rico, or imports into Districts I–V which are shipped to Puerto Rico, with or without further processing, shall be reduced by the amount of any excise tax or other levy imposed by the Government of Puerto Rico on such imports as are not shipped to Districts I–V.

In its notice of proposed rulemaking, FEA stated, with respect to the proposed amendments implementing sections 2 and 3:

> Since FEA's proposed amendments may result in recomputation of fee payments due March 31 for crude oil, unfinished oils, and finished products shipped from U.S. territories and foreign trade zones to U.S. customs territory, and imported into Puerto Rico, FEA will shortly issue a regulation postponing the due date of these payments until April 30.

Upon further study, however, FEA became aware that it was not authorized to issue such a deferral, in light of the requirement in section 3(a)(1)(vi) of Proclamation No. 3279, as amended, that "payment of the fees prescribed in paragraph 3(a)(1)(iii) (the supplemental fees) shall be made no later than the last day of the month following the month in which such imports were released from customs custody or entered or withdrawn from warehouse for consumption, whichever occurs first."

FEA recognizes that its inability to defer payments until final regulations implementing the Proclamation are issued and recomputations on the basis thereof are made, will cause some importers to incur fees that the Proclamation intends to remit. In view of these circumstances, FEA shall make every effort to alleviate any resulting difficulties to importers by refunding, on an expedited basis as soon as the implementing regulations are issued, any overpayments.

Issued in Washington, D.C. March 26, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

[FR Doc.75-8298 Filed 3-27-75;9:13 am]