

(10) **Deadline for local government decision on whether to develop a self-compliance program or elect to be treated as a private employer extended to July 1, 1974.** Newly created local governments must make the choice within two years of establishment (§ 50-571).

(b) **Regulations.** (1) Regulations on inspections, citations, and proposed penalties paralleling the Federal Regulation 29 CFR Part 1903 were promulgated on July 2, 1973 (effective July 13, 1973) by the Tennessee Commissioner of Labor and on April 3, 1974 (effective May 3, 1974) by the Tennessee Commissioner of Public Health. The regulations are identical to those proposed in the approved State plan (29 CFR 1952.223 (d)).

(2) Further, regulations governing the granting of temporary variances were adopted on October 19, 1973 (effective December 14, 1974) by the Commissioner of Labor and on April 3, 1974 (effective May 3, 1974) by the Commissioner of Public Health. The adopted regulations are identical to those proposed in the approved plan with the addition of a provision for publication of notice in one newspaper of general circulation in Chattanooga, Knoxville, Memphis and Nashville of the grant of final orders, interim orders, and renewal of orders. Further, employers requesting temporary variances must certify that their employees have been advised of their right to request and participate in any hearing on the application. (29 CFR 1952.223 (a).)

(c) **Contract.** As provided in the approved plan, the Tennessee Department of Labor entered into an agreement with the University of Tennessee Center for Government Training for the development and presentation of an "effective, introductory, tuition-free, layman's course on OSHA standards, rules, regulations, etc." at 17 State universities and community colleges and the establishment of basic OSHA reference libraries at these same institutions. The agreement was entered into on August 1, 1973, and its completion date extended to December 31, 1974, on May 20, 1974, and further extended to April 30, 1975, on December, 1974.

(d) **Occupational Health.** The occupational health operational plan contained in the approved plan has been revised to reflect a change in job classification title. The previous State job title of "industrial hygienist" has been redesignated "environmental engineer" throughout.

(e) **Staffing.** The Tennessee Plan has been amended to show the level of hiring achieved as of July 1, 1974. In the Department of Labor, 36 out of an eventual 45 full-time occupational safety and health positions had been filled as of that date, and 44 persons were employed by the Tennessee Department of Public Health, occupational health unit.

(f) **Poster.** A Tennessee Occupational Safety and Health poster has been prepared and printed jointly by the Tennessee Departments of Labor and Public

Health. The poster contains provisions notifying employees of their obligations and protections under the Tennessee Occupational Safety and Health Act, their right to request inspections and their right to remain anonymous as a result, their right to participate in inspections, their protection against discharge or discrimination under both Federal and State laws and their right to file complaints about the administration of the State program with the Occupational Safety and Health Administration. The poster also contains provisions for sanctions and for prompt notice to employers and employees when alleged violations occur. This poster is intended for the information of employers and employees in the private sector and in those local governments choosing to be treated as private employers under Section 19 of the Tennessee Act. Since Section 19 extends coverage to State government employees and employees of local governments choosing to develop their own programs in a manner at least as effective as but with somewhat different enforcement provisions than in the private sector, this poster is not intended to be the vehicle of employer/employee information in these areas.

(3) **Location of the plan and its supplement for inspection and copying.** A copy of these supplements, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Room N3112, 200 Constitution Avenue, NW., Washington, D.C. 20210; Office of the Assistant Regional Director, Occupational Safety and Health Administration, 1375 Peachtree Street, NE., Suite 587, Atlanta, Georgia 30309; and Office of the Tennessee Commissioner of Labor, Room C-1-100 Cordell Hull Bldg., 5th Avenue North, Nashville, Tennessee 37219; Office of the Commissioner of Public Health, Cordell Hull Bldg., 5th Avenue North, Nashville, Tennessee 37219.

4. **Public participation.** Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that the Tennessee plan supplements described above are consistent with commitments contained in the approved plan, which were previously made available for public comment, and substantially similar to parallel Federal procedures and in the case of the State poster incorporates all of the provisions required under 29 CFR 1952.10(a) (5) and 29 CFR 1903.2(a) (3) (39 FR 39036). Accordingly, it is found that further public comment is unnecessary.

5. **Decision.** After careful consideration, the Tennessee plan supplements outlined above are approved under Part 1953. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In accordance with the provisions of 29 CFR 1903.2(a) (2) posting

of the Tennessee poster by employers covered by the State plan shall constitute compliance with the posting requirements of section 8(c) (1) of the Act. In addition, Subpart P of 29 CFR Part 1952 is amended to reflect the completion of certain developmental steps by adding a new § 1952.224, as follows:

§ 1952.224 Completed developmental steps.

(a) In accordance with § 1952.223(b) the Tennessee Occupational Safety and Health Act of 1972 was amended by Chapter 585, Public Acts of 1974, on March 20, 1974, with an effective date of July 1, 1974.

(b) In accordance with § 1952.223(d) regulations governing inspections, citations and proposed penalties were promulgated by the Commissioner of Labor on July 2, 1973 (effective July 13, 1973) and the Commissioner of Public Health on April 3, 1974 (effective May 3, 1974).

(c) In accordance with § 1952.223(e) regulations governing temporary variances were promulgated by the Commissioner of Labor on October 19, 1973 (effective December 14, 1973), and the Commissioner of Public Health on April 3, 1974 (effective May 3, 1974).

(d) In accordance with the requirements of 29 CFR 1952.10, the Tennessee occupational safety and health poster for private employers and local government employers choosing to be treated as private employers was approved by the Assistant Secretary on August 15, 1975.

(e) In accordance with § 1952.223(a) the Tennessee occupational safety and health standards identical to Federal standards (through December 26, 1974) have been promulgated and approved, as revised, by the Assistant Regional Director on March 31, 1975 (40 FR 14383). (Secs. 8(g), 18, Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g), 667))

Signed at Washington, D.C. this 15th day of August 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc. 75-22059 Filed 8-20-75; 8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

PART 33—SPORT FISHING

Hunting and Sport Fishing on Cape Newenham National Wildlife Refuge, Alaska

On July 18, 1972, there was published in the FEDERAL REGISTER (37 FR 14235) a notice of proposed rulemaking to amend 50 CFR Parts 32 and 33 by the addition of Cape Newenham National Wildlife Refuge, Alaska, to the list of areas open to the hunting of migratory birds, upland game, and big game, and to the list of areas open to sport fishing.

Interested parties were given an opportunity to submit written comments, suggestions or objections regarding the proposed amendments. The closing date for receipt of comments was August 17, 1972.

No unfavorable comments were received and the amendments are adopted without change in accordance with 16 U.S.C. 668(dd). It has been determined that the opening will be compatible with the principles of sound wildlife management, will otherwise be in the public interest, and will be compatible with the major purposes for which the area was established.

The United States Fish and Wildlife Service has determined that a finding of "good cause" is warranted within the terms of 5 U.S.C. § 553(d) (3) to expedite the implementation of this rulemaking so that the final regulations may be published prior to beginning of the hunting season.

Accordingly, § 32.11, List of open areas; migratory game birds; § 32.21, List of open areas; upland game; § 32.31, List of open areas; big game; and § 33.4, List of open areas; sport fishing, are amended by the following addition:

ALASKA

CAPE NEWENHAM NATIONAL WILDLIFE REFUGE

Effective date: These amendments become effective August 21, 1975.

LYNN A. GREENWALT,
Director,

U.S. Fish and Wildlife Service.

AUGUST 18, 1975.

[FR Doc. 75-22006 Filed 8-20-75; 8:45 am]

PART 32—HUNTING

Wildlife Refuges in Certain States

The following special regulations are issued and are effective on August 21, 1975. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

NEW MEXICO

BITTER LAKE NATIONAL WILDLIFE REFUGE

The public hunting of mourning and white-winged doves on the Bitter Lake National Wildlife Refuge, New Mexico, is permitted from September 1 through September 30, 1975, inclusive, but only on the areas designated by signs as open to hunting. These open areas, consisting of 1,600 acres on the North Refuge Unit (Area B) and 1,800 acres on the South Refuge Unit (Area C), are delineated on maps available at refuge headquarters, 13 miles northeast of Roswell, New Mexico, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306,

Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves subject to the following special conditions:

(1) Steel (iron) shot shotgun ammunition only may be used for the taking of doves on the South Refuge Unit (Area C) during the special teal season, from September 20 through September 28, 1975, inclusive. Steel (iron) shot shotgun ammunition is available from two commercial outlets in Roswell, New Mexico.

(2) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1975.

The public hunting of teal ducks on the Bitter Lake National Wildlife Refuge, New Mexico, is permitted from September 20 through September 28, 1975, inclusive, but only on the areas designated by signs as open to hunting. These open areas, consisting of 1,600 acres on the North Refuge Unit (Area B) and 1,800 acres on the South Refuge Unit (Area C), are delineated on maps available at refuge headquarters, 13 miles northeast of Roswell, New Mexico, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks subject to the following special conditions:

(1) Steel (iron) shot shotgun ammunition only may be used for the taking of teal ducks on the South Refuge Unit (Area C) from September 20 through September 28, 1975, inclusive. Steel (iron) shot shotgun ammunition is available from two commercial outlets in Roswell, New Mexico.

(2) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 28, 1975.

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

The public hunting of mourning and white-winged doves on the Bosque del Apache National Wildlife Refuge, New Mexico, is permitted from September 1 through September 30, 1975, inclusive, and from November 27 through December 26, 1975, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 19,020 acres, is delineated on maps available at refuge headquarters, 7 miles

south of San Antonio, New Mexico, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of doves subject to the following special conditions:

(1) Vehicles are permitted only on established roads.

(2) Hunters shall leave the refuge by one-half hour after sunset.

(3) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 26, 1975.

OKLAHOMA

SEQUOYAH NATIONAL WILDLIFE REFUGE

The public hunting of mourning doves and teal ducks on the Sequoyah National Wildlife Refuge, Oklahoma, is permitted on three areas designated by signs as open to hunting. These open areas, comprising 10,500 acres, are delineated on maps available at refuge headquarters, Sallisaw, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: mourning doves, from September 1 through October 30, 1975, inclusive; teal ducks, from September 13 through September 21, 1975, inclusive. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves and teal ducks subject to the following special conditions:

(1) Hunting weapons of any kind are prohibited in areas not posted as open to public hunting, except the Kerr-McClellan Navigation Channel where weapons must be cased or broken down.

(2) Only longbow and arrow or shotguns without slug ammunition are permitted.

(3) Camping or possession of firearms on the refuge at night is prohibited.

(4) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(5) All vehicles must be parked in designated parking areas as shown on maps available at refuge headquarters and at leaflet boxes throughout the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through the last day of the regular 1975-76 duck season.

TISHOMINGO NATIONAL WILDLIFE REFUGE

The public hunting of mourning doves on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted only on the area designated by signs as open to

hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves subject to the following special regulations:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1975, inclusive.

(2) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(3) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1975.

The public hunting of teal ducks on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted from September 13 through September 21, 1975, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks subject to the following special conditions:

(1) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(2) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 21, 1975.

TEXAS

BRAZORIA NATIONAL WILDLIFE REFUGE

The public hunting of teal ducks on the Brazoria National Wildlife Refuge, Texas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,300 acres of Rattlesnake Island on the southeast side of the Intercoastal Waterway and adjacent to Bastrop, Christmas and

Drum Bays, is delineated on maps available at refuge headquarters, Angleton, Texas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of teal ducks subject to the following special conditions:

(1) The open season for hunting of teal ducks on the refuge extends from September 20 through September 28, 1975, inclusive.

(2) Access to the hunting area is entirely over public water routes. Travel across the refuge mainland to and from the area open to hunting is not permitted.

(3) Only temporary blinds may be constructed or used on the hunting area. Natural materials may be used for blind construction.

(4) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 28, 1975.

HAGERMAN NATIONAL WILDLIFE REFUGE

The public hunting of mourning doves on the Hagerman National Wildlife Refuge, Texas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,754 acres, is delineated on maps available at refuge headquarters, 15 miles northwest of Sherman, Texas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of mourning doves subject to the following special condition:

(1) The open season for hunting mourning doves on the refuge extends from September 1 through September 30, 1975, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1975.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

OKLAHOMA

SEQUOYAH NATIONAL WILDLIFE REFUGE

The public hunting of quail, rabbit and squirrel on the Sequoyah National Wildlife Refuge, Oklahoma, is permitted on three areas designated by signs as open to hunting. These open areas, comprising a total of 10,500 acres, are delineated on maps available at refuge headquarters, Sallisaw, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting seasons are as follows: quail, from November 20, 1975

through the last day of the regular 1975-76 duck season, inclusive; rabbits, from October 4, 1975 through the last day of the regular 1975-76 duck season, inclusive; squirrel, from September 1, 1975 through January 1, 1976, inclusive. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail, squirrel and rabbits subject to the following special conditions:

(1) Only shotguns without slug ammunition or longbow and arrow are permitted.

(2) Hunting weapons of any kind are prohibited in areas not posted as open to public hunting, except the Kerr-McClellan Navigation Channel where weapons must be cased or broken down.

(3) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(4) Camping or possession of firearms on the refuge at night is prohibited.

(5) All vehicles must be parked in designated parking areas, as shown on maps available at refuge headquarters and at leaflet boxes throughout the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through the last day of the regular 1975-76 duck season.

TISHOMINGO NATIONAL WILDLIFE REFUGE

The public hunting of quail on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,170 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of quail subject to the following special conditions:

(1) The open season for hunting quail on the Management Unit (Zones 1 and 2) extends from sunrise to 11:45 a.m. December 2, 1975 through February 1, 1976, inclusive, on Tuesdays, Thursdays, Saturdays, Sundays and all national holidays.

(2) Up to two (2) dogs per hunter may be used for the purpose of hunting and retrieving.

(3) A Federal permit is not required to enter the public hunting area, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 1, 1976.

§ 32.32 Special regulations; big game;
for individual wildlife refuge areas.

OKLAHOMA

TISHOMINGO NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Tishomingo National Wildlife Refuge, Oklahoma, is permitted throughout the entire area except all of Section 23 (headquarters area), and farming Unit C (East Flat). This open area, comprising 15,494 acres, is delineated on maps available at refuge headquarters, Tishomingo, Oklahoma, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Applications for all deer hunting permits will be available from the Oklahoma Department of Wildlife Conservation, P.O. Box 53465, Oklahoma City, Oklahoma 73105.

(2) The archery deer hunting season on the Tishomingo Wildlife Management Unit (all Zones) is open October 18 and 19, 1975 to either sex deer hunting. Hunting will be by permit only. A total of 60 permits will be issued and will be valid for the two-day period, October 18 and 19, 1975. The Management Unit will be closed to all other public use during the archery hunt.

(3) The primitive firearms hunting season on the Tishomingo Wildlife Management Unit (Zones 1 and 2) is open November 8 and 9, 1975 to either sex deer hunting. Hunting will be by permit only. A total of 25 permits will be issued and will be valid for the two-day period, November 8 and 9, 1975.

(4) The gun deer hunting season on the Tishomingo Wildlife Management Unit (all Zones) is open November 28, 29 and 30, 1975 to either sex deer hunting. Hunting will be by permit only, with 40 permits issued for each day's hunt. The Management Unit will be closed to all other public use during the gun hunt.

(5) The gun deer hunting season on Tishomingo National Wildlife Refuge is open November 28, 29 and 30, 1975 to either sex deer hunting. Hunting will be by permit only, with 60 permits issued for each day's hunt. Hunters will be assigned hunt areas within the area open to deer hunting. In addition, 50 permits per day will be issued to 25 hunter pairs to hunt an area accessible only by boat. Hunters will furnish their own boat transportation and will depart from Nida Point boat ramp on the morning of each hunt day. The Tishomingo National Wildlife Refuge will be closed to all other public use on November 28, 29 and 30, 1975.

(6) A Federal permit is not required to enter the public hunting area for the hunting of deer, but hunters, upon entering and leaving, shall report at designated checking stations as may be established for the regulation of the hunting activity and shall furnish information pertaining to their hunting, as requested.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 30, 1975.

W. O. NELSON, Jr.,
Regional Director,
Albuquerque, New Mexico.

AUGUST 15, 1975.

[FR Doc.75-22037 Filed 8-20-75; 8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE
SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY
BY THE SECRETARY OF AGRICULTURE
AND GENERAL OFFICERS OF THE DEPARTMENT

Order of Succession To Act as Secretary

Section 2.5 of Title 7, Code of Federal Regulations is revised to show the order in which Assistant Secretaries and the General Counsel shall act as Secretary of Agriculture, as follows:

§ 2.5 Order in which Assistant Secretaries and the General Counsel shall act as Secretary.

(a) Pursuant to Executive Order 11793, dated July 10, 1974 (39 FR 25631), in the case of the absence, sickness, resignation, or death of both the Secretary and the Under Secretary, the Assistant Secretary for Conservation, Research and Education; the Assistant Secretary for International Affairs and Commodity Programs; the Assistant Secretary for Marketing and Consumer Services; and the Assistant Secretary for Rural Development shall act as Secretary in the order in which they have taken office as an Assistant Secretary.

(b) In the case of the absence, sickness, resignation, or death of the Secretary, the Under Secretary, and the Assistant Secretaries referred to in paragraph (a) of this section, the General Counsel shall act as Secretary.

Effective date: August 21, 1975.

Dated: August 18, 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-22140 Filed 8-20-75; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKET-
ING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Valencia Orange Reg. 512]

PART 908—VALENCIA ORANGES GROWN
IN ARIZONA AND DESIGNATED PART
OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period August 22-28, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Mar-

keting Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.312 Valencia Orange Regulation
512.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges was much stronger last week than the preceding week. Prices f.o.b. averaged \$3.38 per carton on a reported sales volume of 584,000 cartons last week, compared with an average f.o.b. price of \$3.26 per carton and sales of 564,000 cartons a week earlier. Track and rolling supplies at 189 cars were down 26 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the

act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with

this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 19, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period August 22, 1975 through August 28, 1975, are hereby fixed as follows:

- (i) District 1: 202,000 cartons;
- (ii) District 2: 448,000 cartons;
- (iii) District 3: Unlimited movement."

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 20, 1975.

D. S. KURYLOSKI,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-22389 Filed 8-20-75; 11:48 am]

Title 40—Protection of Environment
CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY
SUBCHAPTER E—PESTICIDE PROGRAMS
[FRL 393-4]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Subpart A—Registration, Reregistration and Classification Procedures

Correction

In FR Doc. 75-17018 appearing at page 28242 in the issue for Thursday, July 3, 1975, on page 28279, the right column, the table should appear as set forth below:

Size of label front panel in square inches	Required signal word, all capitals	"Keep out of reach of Children"
	Points	Points
5 and under-----	4	6
Above 5 to 10-----	10	8
Above 10 to 15-----	12	8
Above 15 to 30-----	14	10
Over 30-----	18	12

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

United States Fish and Wildlife Service

[50 CFR Part 20]

MIGRATORY BIRDS

Proposed Rulemaking; Amendment

There was published in the FEDERAL REGISTER of August 15, 1975 (40 FR 34361) a notice of proposed rulemaking to amend Part 20 of Title 50, Code of Federal Regulations. Included in that notice were *Proposed Regulations Frameworks for 1975-76 Hunting Seasons on Waterfowl, Coots, and Gallinules; Cranes in Parts of North Dakota, South Dakota, New Mexico, Texas, Colorado, Oklahoma, Montana, and Wyoming; and for Common Snipe in the Pacific Flyway*. Although the proposed frameworks included outside season dates, bag and possession limits, and area delineations within States where lesser sandhill cranes may be hunted, mention of the proposed Federal permit requirement for hunting cranes was inadvertently omitted. Therefore, the U.S. Fish and Wildlife Service amends the proposed rule making published in the FEDERAL REGISTER on August 15, 1975 (40 FR 34361).

In the second column on page 34363 (40 FR 34361; August 15, 1975), following the summarized information on the Atlantic Brant in the Atlantic Flyway, the Service adds:

Lesser Sandhill (little brown) Crane Status.

The hunting of lesser sandhill (little brown) cranes in portions of the United States was allowed in 1961 following a closed hunting period dating back to 1916. During the 1974-75 hunting season, crane hunting was allowed in designated portions of Colorado, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming, plus all of Alaska. Since 1961, the times and places for sandhill crane seasons have been designated to lessen risk to the whooping crane, an endangered species, and other subspecies of sandhill cranes having lower population levels. The interest in sandhill crane hunting has been relatively light. However, a Federal crane hunting permit is proposed as a requirement in the Central Flyway this year. Proposed framework times and locations for sandhill crane hunting are described under the Central Flyway portion of the proposed regulations frameworks referred to above (40 FR 34361; August 15, 1975).

Each hunter desiring to hunt sandhill cranes must obtain a free Federal permit available from any of the State con-

servation agencies of the eight States in the Central Flyway allowing crane hunting. This permit will show each hunter's name and address, and a copy of the permit will serve as the sampling frame for conducting a Federal sandhill crane harvest survey at the close of the season. Information from this survey will be used to determine the number of participating hunters, the number of times hunted, geographic areas hunted, the number of cranes unretrieved by hunters and the number of cranes harvested. This information is needed to provide better understanding of the sandhill crane harvest and its relationship to the lesser sandhill crane population. The permit requirement is endorsed by the Central Flyway Waterfowl Council.

In the second column, page 34367, under the proposed frameworks for lesser sandhill (little brown) cranes in the Central Flyway, the specific frameworks for the States of North Dakota and South Dakota are revised to read:

The States of North and South Dakota may select a season of 30 consecutive days within a November 8-December 7, 1975, framework, with a daily bag limit of 3 and a possession limit of 6, in the following areas: in the North Dakota Counties of Kidder, Stutsman, Benson, Emmons, Pierce, McLean, Sheridan, and Burleigh; and in part of South Dakota described as follows: from the North Dakota border, south on U.S. Highway 83 to U.S. Highway 212, west on U.S. Highway 212 to the Promise Road, north on the Promise Road to State Highway 20, north on State Highway 20 to U.S. Highway 12, northwest on U.S. Highway 12 to State Highway 63, north on State Highway 63 to the North Dakota border.

Every hunter participating in the lesser sandhill (little brown) crane hunting season in 1975-76 must obtain a free Federal crane hunting permit obtainable from the State conservation agencies of the States of Colorado, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Accordingly, it is proposed to amend Subchapter B, Chapter I to Title 50, Code of Federal Regulations, by adding paragraph (g) to § 20.106 to read as follows:

§ 20.106 Seasons, limits and shooting hours for lesser sandhill (little brown) cranes.

(g) Every hunter participating in lesser sandhill (little brown) crane hunting during the 1975-76 season must obtain a free Federal crane hunting permit obtainable from the State conservation agencies of the States of Colorado, Montana, New Mexico, North Dakota, Okla-

homa, South Dakota, Texas, and Wyoming.

Comment Period. Special circumstances are involved in the establishment of these regulations which limit the amount of time which the Service can allow for public comment. Specifically, two considerations compress the time in which the rulemaking process must operate: the need, on the one hand, to establish final rules at a point early enough in the summer to allow affected State agencies to appropriately adjust their licensing and regulatory mechanisms, and, on the other hand, the lack, before late July, of specific, reliable data on this year's status of waterfowl, coots, and gallinules. However, it is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments relating only to the lesser sandhill (little brown) crane to the Director (FWS/MBM), U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. All relevant comments received no later than August 31, 1975, will be considered. Except for that portion of the document relating to lesser sandhill (little brown) cranes, the 10-day public comment period allowed on the proposed regulations frameworks published in the FEDERAL REGISTER on August 15, 1975 (40 FR 34361) will expire on August 25, 1975, as noted in that publication.

This amendment to proposed rule making is issued under the authority of the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-711).

Dated: August 18, 1975.

LYNN A. GREENWALT,

Director,

U.S. Fish and Wildlife Service.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Retesting of Viral Vaccines

● **Purpose:** To provide a procedure for retesting viral vaccines when the virus titer is found to be less than the required minimum by the initial test and to provide an animal potency test procedure to be used by Veterinary Services to determine the potency of serials of viral vaccines eligible for release on virus titer. ●