The Commissioner proposed in the FEDERAL REGISTER of June 25, 1975 (40 FR 26683), to revoke § 121.1261, and he stayed the effective date of the regulation pending the revocation. One comment was received in response to the proposal. That comment supported the proposed revocation without additional data or information.

Previously, the Commissioner had issued, in the FEDERAL REGISTER of September 23, 1974 (39 FR 34192), § 121.1261 to provide for the production of by-product food grade salt (sodium chloride) from the electrolytic diaphragm process. In addition to requiring that this salt meet the specifications of the Food Chemicals Codex 2d Ed. (1972), the regulation required that the salt contain not more than 0.06 percent alkalinity (calculated as sodium hydroxide) and that the electrodes used in the process not produce impurities that are not present in salt produced by other means.

In response to objections to that regulation, which alleged possible contamination of the salt by asbestos fibers, a sample of the regulated salt was obtained by the Food and Drug Administration. Three independent analyses demonstrated the presence of very high levels of chrysotile asbestos fibers in the electrolytic salt sample.

In the performed analyses, unidentified samples of chemical reagent grade salt, food grade table salt (purchased from a local Washington, DC, supermarket), and the subject salt (a "pilot scale" sample) were analyzed by a single optical microscopic method and two electron microscopic techniques. Although one of the electron microscopic techniques and the optical method did not identify asbestos fibers in either the reagent or the food grade salt, the equivalent of 221 chrysotile asbestos fibers (up to 0.8 millimeter long) was found in 25 grams of the subject salt by optical microscopy, and the equivalent of approximately 16 million chrysotile asbestos fibers (averaging 3.7 microns long, 0.06 micron in diameter, and equivalent to 0.44 part per million asbestos by weight) was found per gram of this same salt by electron microscopy. The third analysis, with higher resolution electron microscopy, found chrysotile asbestos fibers in all three samples. These levels were equivalent to 200,000 fibers (1.0 micron average length) per gram of the chemical reagent grade salt, 80,000 fibers (1.0 micron average length) per gram of the food grade table salt, and 84 million fibers (1.7 microns average length) per gram of the subject salt. Details of the results of these analyses have been on display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852.

The Commissioner finds that the amount of asbestos impurity in the sample of salt produced by the electrolytic diaphragm process is greater by several orders of magnitude than that in the sample of salt produced by conventional means. He further finds that the electrolytic diaphragm process is not capable of producing food grade salt, under the conditions specified in the regulation, which does not contain much higher levels of asbestos impurity than conventionally produced salt. Consequently, the Commissioner concludes, after a fair evaluation of the data before him, that the electrolytic diaphragm process has not been established as safe under the conditions specified in the regulation. The Commissioner thus concludes that revocation of § 121.1261 is fully justified.

The Commissioner has considered the potential for inflationary and environmental impact and concludes that there is no significant impact on either the environment or on inflation. The environmental and inflation impact assessments are on display in the office of the Hearing Clerk, Food and Drug Administration (address noted above).

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348, 371(a))) and under authority delegated to him (21 CFR 2.120), the Commissioner amends Part 121, Subpart D—Food Additives Permitted in Food for Human Consumption, by revoking § 121.1261 *Electrolytic diaphragm process for salt.*

Any person who will be adversely affected by the foregoing order may at any time on or before February 23, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 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. Six copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this order. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 22, 1976.

(Secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348, 371(a)))

Dated: January 15, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76-1929 Filed 1-21-76;8:45 am]

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Exempt Chemical Preparations

The Acting Administrator of the Drug Enforcement Administration has received applications pursuant to § 1308.23 of Title 21 of the Code of Federal Regulations requesting that several chemical preparations containing controlled substances be granted the exemptions provided for in § 1308.24 of Title 21 of the Code of Federal Regulations.

The Acting Administrator hereby finds that each of the following chemical preparations and mixtures is intended for laboratory, industrial, education, or special research purposes, is not intended for general administration to a human being or other animal, and either (a) contains no narcotic controlled substances and is packaged in such a form or concentration that the package quantity does not present any significant potential for abuse, (b) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion or concentration, that the preparation or mixture does not present any potential for abuse, or (c) the formulation of such preparation or mixture incorporates methods of denaturing or other means so that the controlled substance cannot in practice be removed, and therefore the preparation or mixture does not present any significant potential for abuse. The Acting Administrator further finds that exemption of the following chemical preparations and mixtures is consistent with the public health and safety as well as the needs of researchers, chemical analysts, and suppliers of these products.

Therefore, pursuant to section 202(d) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812(d)), and under the authority vested in the Attorney General by sections 301 and 501(b) of the Act (21 U.S.C. 821 and 871(b)) and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations (see FR 18380, July 2, 1973), and further, having been duly designated as Acting Administrator by Order No. 607–75 of the Attorney General, dated May 30, 1975, in accordance with the authority stated therein, and pursuant to the authority delegated to the Acting Administrator by § 0.132(d) of Title 28 of the Code of Federal Regulations, the Acting Administrator of the Drug Enforcement Administration hereby orders that Part 1308 of Title 21 of the Code of Federal Regulations be amended as follows:

a. By amending § 1308.24(i) by adding the following chemical preparations:

§ 1308.24 Exempt chemical preparations.

* * * * *

(i) * * *

Manufacturer or supplier	Product name and supplier's catalog No.	Form of product	Date of application
American Monitor Corp.	Qualify I	Glass vial: 10 ml	Oct. 9, 1975
Do.	Qualify II	do.	Do.
Amersham/Searle	T-4 RIA Kit, catalog No. IM.80	Kit containing: 50 tests	Nov. 25, 1975
Do.	T-4 RIA Kit, catalog No. IM.801	Kit containing: 100 tests	Do.
Do.	T-4 RIA Kit, catalog No. IM.801A	do.	Do.
Behring Diagnostic American Hoechst Corp.	IEP Buffer pH 8.2	Foil pouch: 5.35 by 5.25 in, 6.5 g.	Sept. 24, 1975
Do.	Immuno-tec[R] II, Agarose Plates	Foil pouch: 5.35 by 5.25 in.	Nov. 20, 1975
New England Nuclear	Dihydromorphine (7,8-3H(N)) catalog, No. NET-418.	Combi-vial: 250 μCi, 1 mCi	Aug. 25, 1975
Do.	Lysergic Acid Diethylamide (2-3H(N)), catalog No. NET-447.	do.	Do.
Do.	Mescaline hydrochloride (8-14C), catalog No. NEC-186.	Glass vial: 250 μCi, 50 μCi	Do.
Do.	Morphine (6-3H(N)), catalog No. NET-445.	Combi-vial: 250 μCi, 100 μCi, and 1 mCi.	Do.
Do.	Methadone hydrobromide (1-3H), catalog No. NET-357.	Screw cap vial: 1 mCi	Do.
Do.	d-Amphetamine sulfate (3H(G)), catalog No. NET-140.	Combi-vial: 250 μCi, 5 mCi, and 1 mCi.	Do.
Do.	Acetaldehyde(1,2-14C) as Paraldehyde, catalog No. NEC-158.	Pyrex glass breakseal tube: 250 μCi, 1 mCi.	Do.
Do.	5-Cyclohexenyl-3, 5, -dimethylbarbituric acid (2-14C), catalog No. NEC-653.	Screw cap bottle: 250 μCi, 50 μCi.	Do.
Do.	5-Cyclohexenyl-3, 5, -dimethylbarbituric Acid (3H(G)), catalog No. NET-426.	Combi-vial: 250 μCi, 5 mCi, and 1 mCi.	Do.
Do.	5-Ethyl-5-phenylbarbituric Acid (3H-(G)), catalog No. NET-401.	Combi-vial: 250 μCi, 5 mCi, and 1 mCi.	Do.
Do.	5-Ethyl-5-phenylbarbituric Acid (ring-2-14C), catalog No. NEC-337.	Screw cap bottle: 250 μCi, 50 μCi.	Do.
Do.	5-Ethyl-5-(1-methylbutyl) barbituric Acid (ring-2-14C), catalog No. NEC-389.	Screw cap bottle: 500 μCi, 100 μCi, and 1 mCi.	Do.
Do.	Glutethimide (3H(G)), catalog No. NET-417.	Combi-vial: 250 μCi, 5 mCi, and 1 mCi.	Do.

b. By amending § 1308.24(i) by deleting the following chemical preparations:

Manufacturer or supplier	Product name and supplier's catalog No.	Form of product	Date of application
Behring Diagnostic American Hoechst Corp.	IEP Buffer pH 8.2	Foil pouch: 5.32 by 5.25 in., 6.5 g.	Sept. 24, 1975

Effective date. This order is effective—

Any person interested may file written comments on or objection to the order on or before March 24, 1976. If any such comments or objections raise significant issues regarding any finding of fact or conclusion of law upon which the order is based, the Acting Administrator shall immediately suspend the effectiveness of the order until he may reconsider the application in light of the comments and objections filed. Thereafter, the Acting Administrator shall reinstate, revoke or amend his original order as he determines appropriate.

Dated: January 15, 1976.

HENRY S. DOGIN,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.76-2006 Filed 1-21-76;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 252—BUSINESS PRACTICES ON THE NAVAJO, HOPI AND ZUNI RESERVATIONS

Retail Business and Credit Transactions; Correction

JANUARY 15, 1976.

These corrections are published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

In FR Doc. 75-22997 appearing at page 39835 in the FEDERAL REGISTER of Friday, August 29, 1975, the following changes should be made:

1. On page 39837 the first word of the section heading for § 252.24 should read "Attendance".

2. On page 39838 in the section heading for § 252.59 the word "compliance" should read "complaint".

3. On page 39838 in subparagraph (2) of paragraph (c) of § 252.5 the word "of" after "interest" and before "be" should read "to".

4. On page 39839 in paragraph (a) of § 252.11 the word "reservations" should read "reservation".

5. On page 39840 in paragraph (a) of § 252.19 insert the word "business" after the word "reservation" and before the word "may".

6. On page 39841 in subparagraph (3) of paragraph (b) of § 252.31 the word after "proposed" and before "is" should read "transaction".

7. On page 39841 in paragraphs (a) and (e) of § 252.32 insert the word "by" after the word "due" and before the word "an".

8. On page 39841 in paragraph (e) of § 252.32 the word "data" should read "date".

9. On page 39841 subparagraph (2) of paragraph (a) of § 252.33 is revised to read as follows:

(2) If the license is issued on or after July 1, the licensee shall pay one hundred dollars ($100).

10. On page 39842 in paragraph (a) of § 252.39 the word "sent" appearing after the word "notice" and before the word "as" should be deleted.

11. On page 39842 paragraph (c) of § 252.39 is revised to read as follows:

(c) A pledgor may redeem pawn which has been put up for sale at any time before the day it is to be sold by tendering to the pledgee the face amount of the loan, plus the finance charge assessed on the original loan. The pledgee may also collect an additional charge covering the period between the date due and the date of redemption, provided that the rate of charge does not exceed the finance charge on the original loan.

12. On page 39843 in paragraph (d) of § 252.57 the word "license" after the word "the" and before the word "and" is corrected to read "license".

13. On page 39844 in paragraph (c) of § 252.58 the word "purchase" after the word "and" and before the word "whether" should read "purchases".

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-1914 Filed 1-21-76;8:45 am]

PART 252—BUSINESS PRACTICES ON THE NAVAJO, HOPI AND ZUNI RESERVATIONS

Retail Business and Credit Transactions; Deferral of Effective Date of Certain Provisions

JANUARY 15, 1976.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

This document defers until further notice the effective date for §§ 252.7(b), 252.14 and 252.32(c) of 25 CFR contained in FR Doc. 75-22997 appearing at page 39835 in the FEDERAL REGISTER of Friday, August 29, 1975 (40 FR 39835).

A bonding requirement for a license or renewal of license to be a trader on the Navajo, Hopi or Zuni reservations was contained in § 252.9 of the old regulations. In § 252.7(b) of the new regulations the obligation under the bond was expanded to run to the customers as well as to the U.S. Government. Applicants for a permit to buy livestock are required to furnish a bond by § 252.14 of the new regulations. Pawnbrokers are required to furnish a bond under § 252.32. Paragraph (c) of that section requires the obligation under the bond to run both to the customers and to the U.S. Government.

The United Indian Traders Association stated in a letter to the Commissioner of Indian Affairs dated November 5, 1975, that the companies who currently write bonds for most licensees are not willing to write bonds that run to the customers of a licensee.

The Navajo Area Office of the Bureau of Indian Affairs has expressed concern that requiring a bond for livestock purchasers will make auctions impossible.

The effective date for §§ 252.7(b), 252.14 and 252.32(c) has been deferred to provide more time to resolve these problems.

It is therefore ordered, That the effective date of 25 CFR 252.7(b), 252.14 and 252.32(c) is deferred until further notice.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-1915 Filed 1-21-76;8:45 am]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 636-76]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart Q—Bureau of Prisons

CONFINEMENT OF PERSONS IN DISTRICT OF COLUMBIA CORRECTIONAL INSTITUTIONS; DELEGATION OF AUTHORITY

On July 24, 1975 the Attorney General published in the FEDERAL REGISTER (40 FR 30977) a notice of proposed rulemaking delegating authority to the District of Columbia Department of Corrections to grant furloughs to persons in District of Columbia institutions who had been committed to the custody of the Attorney General. Three comments on the proposed delegation of authority were received from individuals and organizations. These comments, and the changes they propose, have been duly considered, but no change in the proposed delegation of authority will be made at this time.

By virtue of the authority vested in me by the Act of September 1, 1916, 39 Stat. 711 (D.C. Code section 24-402), by section 11 of the Act of July 15, 1932 as added by the Act of June 6, 1940, 54 Stat. 244 (D.C. Code section 24-425) and by the Act of September 10, 1965 (18 U.S.C. 4082) the Appendix to Subpart Q of Part 0, Chapter I of Title 28 of the Code of Federal Regulations as published in the FEDERAL REGISTER of July 24, 1975 (40 FR 30977) is hereby adopted and made final.

Dated: January 15, 1976.

EDWARD H. LEVI,
Attorney General.

[FR Doc.76-1921 Filed 1-21-76;8:45 am]

Title 29—Labor

CHAPTER XXV—OFFICE OF EMPLOYEE BENEFITS SECURITY, DEPARTMENT OF LABOR

PART 2509—INTERPRETIVE BULLETINS RELATING TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Interpretive Bulletins

In order to provide a concise and ready reference to its interpretations of the provisions of Title I of the Employee Retirement Income Security Act of 1974, the Department of Labor is publishing its interpretive bulletins in the Rules and Regulations section of the FEDERAL REGISTER.

Interpretive Bulletin IB-75-10, which is published in this issue of the FEDERAL REGISTER and is now included in Part 2509, was previously issued to the public by the Department of Labor as ERISA IB-MS-75-1. Also published in this issue of the FEDERAL REGISTER is IB-76-1, relating to guidelines on seasonal industries.

Copies of these interpretive bulletins may be obtained from the Labor-Management Services Administration Information Office, Room N-5641, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Sec.

2509.75-10 *Interpretive Bulletin Relating to the ERISA Guidelines and the Special Reliance Procedure.*

2509.76-1 *Interpretive Bulletin Relating to Guidelines on Seasonal Industries.*

AUTHORITY: Sec. 505, secs. 202(a)(3)(B), 203(b)(2)(C) and 204(b)(3)(D), Employee Retirement Income Security Act of 1974.

§ 2509.75-10 Interpretive bulletin relating to the ERISA Guidelines and the Special Reliance Procedure.

On November 5, 1975, the Department of Labor (the "Department") and the Internal Revenue Service (the "Service") announced the publication of a compendium of authoritative rules (hereinafter referred to as the "ERISA Guidelines") relating to ERISA requirements. *See* T.I.R. No. 1415 (November 5, 1975) issued by the Service. These rules were published in recognition of the need to provide an immediate and complete set of interim guidelines to facilitate (1) adoption of new employee pension benefit plans (hereinafter referred to as "plans"), and (2) prompt amendment of existing plans, in conformance with the applicable requirements of the Employee Retirement Income Security Act of 1974 ("ERISA") pending the issuance of final regulations or other rules. These rules govern the application of (1) the qualification requirements of the Internal Revenue Code of 1954 (the "Code") added or amended by ERISA, and (2) the requirements of the provisions of parts 2 and 3 of Title I of ERISA paralleling such qualification requirements (both such sets of requirements hereinafter referred to collectively as the "new qualification requirements").

The ERISA Guidelines incorporate by reference the documents relating to the new qualification requirements heretofore published by the Department and by the Service as temporary or proposed regulations, revenue rulings, revenue procedures, questions and answers, technical information releases, and other issuances. The ERISA Guidelines also incorporate additional documents published on November 5, 1975, or to be published forthwith, which are necessary to complete the interim guidelines relating to the new qualification requirements. See the schedule set forth below for a complete list and brief description of the documents comprising the ERISA Guidelines.

The Department and the Service emphasized that the ERISA Guidelines constitute the entire set of interim rules of the Department and the Service for satisfying the new qualification requirements, and thus provide authoritative guidance in respect of the new statutory requirements bearing on qualification. These rules are applicable to individually designed plans and to multiemployer (or other multiple employer) plans, and may be relied upon until amended or supplemented by final regulations or other rules. Moreover, the Department and the Service announced that any provisions of final regulations or other rules which amend or supplement the rules contained in the ERISA Guidelines will generally be prospective only, from the date of publication. Further, in the case of employee plan provisions adopted or amended before the date of such publication which satisfy the ERISA Guidelines, such final regulations or other rules will generally be made effective for plan years commencing after such date, except in unusual circumstances.

The Service further announced that the ERISA Guidelines incorporate the procedures that will enable employers to obtain determination letters as to the qualification of pension, annuity, profit sharing, stock bonus and bond purchase plans which satisfy the requirements of sections 401(a), 403(a) and 405(a) of the Code, as amended by ERISA. The Service also pointed out that the ERISA Guidelines will enable sponsors of master and prototype plans (whether newly established or amended) to obtain opinion letters as to the acceptability of the form of such plans, and further, that employers who establish plans designed to meet the requirements of section 301(d) of the Tax Reduction Act of 1975 (relating to employee stock ownership plans) will be able to obtain determination letters as to the acceptability of such plans (whether or not such plans are intended to be qualified).

To facilitate further the adoption of new plans and the prompt amendment of existing plans in conformance with the new qualification requirements, the Service announced on November 5, 1975, the adoption of a special procedure (hereinafter referred to as the "Special Reliance Procedure") pursuant to which the adoption, on or before May 30, 1976, of new plans and amendments of existing plans may be effectuated with full reliance upon the rules which comprise the ERISA Guidelines and without regard to any amendment or supplementation of such rules before such date. Therefore, except in unusual circumstances (described in Technical Information Release No. 1416 (November 5, 1975)), plans which comply with the Special Reliance Procedure shall generally be considered by the Service as satisfying the qualification requirements of the Code added or amended by ERISA for plan years commencing on or before December 31, 1976, to which such requirements are applicable, notwithstanding the date when final regulations or