rules and regulations

Title 7—Agriculture

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

[Lemon Reg. 61]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period October 10–16, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.361 Lemon Regulation 61.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is improved this week. Average f.o.b. price was $5.90 per carton the week ended October 2, 1976, compared to $6.16 per carton the previous week. Track and rolling supplies at 75 cars were down 5 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons 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 regeffectuate the declared policy of the act effecuate 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 lemons 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 lemons; 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 October 5, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period October 10, 1976, through October 16, 1976, is hereby fixed at 200,000 cartons.

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

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

Dated: October 8, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76–29934 Filed 10–7–76;11:27 am]

PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON

Expenses, Rate of Assessment and Carryover of Unexpended Funds

This document authorizes expenses of $25,930 by the Northwest Fresh Bartlett Pear Marketing Committee, under Marketing Order No. 931, for the 1976–77 fiscal period and fixes a rate of assessment of $0.01 per standard western pear box of Bartlett pears handled in such period to be paid to the committee by each first handler as his pro rata share of such expenses. It also authorizes the carryover, as a committee reserve, of unexpended assessment income from fiscal 1975–76.

On September 14, 1976, notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 39043) regarding proposed expenses and the related rate of assessment for the fiscal period July 1, 1976, through June 30, 1977, and carryover of unexpended 1975–76 assessment income, pursuant to the marketing agreement and Order No. 931 (7 CFR Part 931) regulating the handling of fresh Bartlett pears grown in Oregon and Washington. This notice allowed interested persons until September 30, 1976, to submit written data, views, or arguments pertaining to these proposals. No such material was submitted. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Northwest Fresh Bartlett Pear Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 931.211 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Northwest Fresh Bartlett Pear Marketing Committee during the fiscal period July 1, 1976, through June 30, 1977, will amount to $25,930.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 931.41, is fixed at $0.01 per standard western pear box of pears, or an equivalent quantity of pears in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds in excess of expenses incurred during the fiscal period ended June 30, 1976, be carried over as a reserve in accordance with the applicable provisions of § 931.42.

(d) *Terms.* Terms used in the marketing agreement and order shall, when

used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of Bartlett pears grown in Oregon and Washington are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable pears handled during the aforesaid period; and (3) such period began on July 1, 1976, and said rate of assessment will automatically apply to all such pears beginning with such date.

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

Dated: October 5, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.76-29673 Filed 10-7-76;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3305 is amended to show that one position of Special Assistant to the Special Assistant to the Secretary (Public Affairs) is excepted under Schedule C.

Effective October 8, 1976, § 213.3305 (a) (69) is added as set forth below:

§ 213.3305 Department of the Treasury.

(a) *Office of the Secretary.* * * *

(69) One Special Assistant to the Special Assistant to the Secretary (Public Affairs).

* * * * *

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-29255 Filed 10-7-76;8:45 am]

PART 213—EXCEPTED SERVICE

Federal Energy Administration

Section 213.3388 is amended to show that one position of Director of Intergovernmental Relations is excepted under Schedule C.

Effective on October 8, 1976, § 213.3388 (n) (1) is added as set out below:

§ 213.3388 Federal Energy Administration.

* * * * *

(n) *Office of Intergovernmental Relations and Special Programs.* (1) Director of Intergovernmental Relations.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.76-29668 Filed 10-7-76;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

VETERINARY BIOLOGICS CONTROL PROGRAM

Deletion of Use of Special Licenses

• *Purpose.* To simplify the licensing procedures used in the veterinary biologics control program by deleting the use of special licenses. •

Statement of considerations. The term "special" license is presently used to designate a product about which the Deputy Administrator desires additional information, and over which the Deputy Administrator desires to exert periodic review until a regular license can be issued or the product is removed from the market.

The term "special" is deleted from the regulations because it has been found that it has led to confusion and misunderstandings among persons licensed under the regulations, as well as other affected members of the public. The use of the term has, among other things, created the mistaken belief that the term "special" refers to the quality of the product involved, rather than merely being an administrative term.

The deletion of this term from the regulations is administrative only and does not make any substantive changes in the requirements presently imposed by these regulations. Therefore, these amendments remove references to a special license by deletion or revision from § 101.2(m), § 101.2(u), § 102.1, § 102.2, § 102.4 (c), § 102.4(f), § 102.6, § 105.1(a), § 105.1 (b), § 105.4, § 112.2(a)(3), § 113.163(d) (2), and § 123.1(i). Section 102.2 is further revised for the purpose of clarifying its provisions.

All words in the heading for § 113.163 are to be capitalized.

Section 102.5 is amended by revising paragraph (b) to include items which are to appear on all product licenses.

Section 102.5 is further amended by adding a new paragraph (e) with subparagraphs (1), (2), (2)(i), and (2)(ii). The authority now given to the Deputy Administrator under § 102.5(b) to prescribe restrictive conditions on some product licenses at the time they are issued is restated in the new paragraph (e) of § 102.5. Some restrictions which have been imposed on products prepared under special licenses and will be imposed on some products under a regular product license are restated in the new paragraph (e) of § 102.5.

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), Parts 101, 102, 105, 112, 113, and 123, Subchapter E, Chapter I of Title 9 of the Code of Federal Regulations are amended by making the following administrative changes:

PART 101—DEFINITIONS

1. Part 101 is amended by revising § 101.2(m) and (u) to read:

§ 101.2 Administrative terminology.

* * * * *

(m) *Licensee.* A person to whom an establishment license and at least one product license has been issued.

* * * * *

(u) [Reserved]

* * * * *

PART 102—LICENSES FOR BIOLOGICAL PRODUCTS

2. Part 102 is amended as follows:

a. The Table of Contents is amended to read:

Sec.
102.1 Licenses issued by the Deputy Administrator.
102.2 Licenses required.
102.3 License applications.
102.4 U.S. Veterinary Biologics Establishment License.
102.5 U.S. Veterinary Biological Product License.
102.6 [Reserved]

AUTHORITY: 37 Stat. 832–833; (21 U.S.C. 151–158).

b. Section 102.1 is revised to read:

§ 102.1 Licenses issued by the Deputy Administrator.

The Deputy Administrator shall issue a U.S. Veterinary Biologics Establishment License for each qualified establishment maintained to produce biological products, and a U.S. Veterinary Biological Product License for each biological product authorized to be produced in a licensed establishment.

c. Section 102.2 is revised to read:

§ 102.2 Licenses required.

Every person who prepares biological products subject to the Virus-Serum-Toxin Act shall hold an unexpired, unsuspended, and unrevoked U.S. Veterinary Biologics Establishment License and at least one unexpired, unsuspended, and unrevoked U.S. Veterinary Biological Product License issued by the Deputy Administrator to prepare a biological product other than an autogenous biologic in such establishment: *Provided*, That, if the applicant for an establishment license wishes to prepare an autogenous biologic, then a nonautogenous biological product must be licensed for production in such establishment in order to meet the requirements of this section.

d. Paragraphs (c) and (f) of § 102.4 are revised to read:

§ 102.4 U.S. Veterinary Biologics Establishment License.

* * * * *

(c) U.S. Veterinary Biologics Establishment Licenses shall be numbered and shall be in the following form:

U.S. VETERINARY BIOLOGICS ESTABLISHMENT LICENSE

No. ------,

Washington, D.C., ----------.

This is to certify that, pursuant to the terms of the Act of Congress approved March 4, 1913 (37 Stat. 832) governing the preparation, sale, barter, exchange, shipment, and importation of viruses, serums, toxins, and analogous products intended for use in the treatment of domestic animals --------

---------- is hereby authorized to maintain at ---------- an establishment for the preparation of biological products specified in one or more unexpired, unsuspended, and unrevoked product licenses and designated to be produced in this establishment. This license is subject to termination as provided in the regulations made under the authority contained in said Act, and to suspension of revocation if the licensee violates or fails to comply with said Act or the regulations made thereunder.

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

* * * * *

(f) When a licensee no longer holds an unexpired, unsuspended, or unrevoked product license authorizing the preparation of a biological product other than an autogenous biologic, any establishment license and any product licenses for autogenous biologics shall be submitted to the Deputy Administrator for termination.

* * * * *

e. Section 102.5 is amended by revising paragraph (b) and by adding a new paragraph (e) to read:

§ 102.5 U.S. Veterinary Biological Product License.

* * * * *

(b) The U.S. Veterinary Biologics Establishment License Number for the establishment in which the product is packaged and labeled as required by the regulations and from which the product is released for marketing shall appear on the U.S. Veterinary Biological Product License with the true name of the product, the product code number, the date of issuance, and any restrictions designated by the Deputy Administrator under paragraph (e) of this section. When necessary to comply with paragraph (e) (2) of this section, the termination date shall also appear on the product license.

* * * * *

(e) When the Deputy Administrator determines that the nature of a product necessitates the restriction of its use for the protection of domestic animals, or the public health, interest, or safety, or both, the product shall be subject to such additional restrictions as are prescribed on the license. Such restrictions may include, but not be limited to, those provided in this paragraph.

(1) The biological product may be restricted for use by veterinarians, or under the supervision of veterinarians, or both.

(2) Subject to the conditions in subparagraphs (2) (i) and (ii) of this paragraph, production of a licensed biological product may be restricted to a predetermined time period, in which case, the termination date for the license shall be established at the time of issuance.

(i) Immediately prior to the termination date, the licensee may request reissuance of the license. At that time, the licensee shall be given an opportunity to substantiate such request with all available data and information obtained since the license was issued.

(ii) After reviewing the matter with the licensee and considering all data and information obtained from any source, the Deputy Administrator shall either reissue the product license or allow it to terminate.

f. Section 102.6 is reserved as follows:

§ 102.6 [Reserved]

PART 105—SUSPENSION OF BIOLOGICS LICENSES OR PERMITS

3. Part 105 is amended by revising the introductory portion of § 105.1(a), and by revising paragraph 105.1(b) and § 105.4 to read:

§ 105.1 Suspension or revocation.

(a) An establishment license, product license, or permit issued under the Virus-Serum-Toxin Act may be formally suspended or revoked after opportunity for hearing has been accorded the licensee or permittee as provided in Part 123 of this subchapter if the Secretary is satisfied that the license or permit is being used to facilitate or effect the preparation, sale, barter, exchange, shipment, or importation contrary to said Act of any worthless, contaminated, dangerous, or harmful biological product. Such use may be found to exist if:

* * * * *

(b) In case of willfulness or where the public health, interest, or safety so required the Secretary may, without hearing, informally suspend such establishment license, product license, or permit upon the grounds set forth in paragraph (a) of this section pending determination of formal proceedings under Part 123 of this subchapter for suspension or revocation of the license or permit.

* * * * *

§ 105.4 Termination of licenses for inactivity.

If a licensed biological product has not been prepared by the licensee for a period of 5 years, the Deputy Administrator may require that the licensee show intent to resume production within 6 months or the product license be terminated.

PART 112—PACKAGING AND LABELING

4. Section 112.2 is amended by revising paragraph (a) (3) to read:

§ 112.2 Final container label, carton label, and enclosure.

(a) * * *

(3) The license or permit number assigned by the Department which shall be shown only in one of the following forms respectively: "U.S. Veterinary License No. ----," or "U.S. Vet. License No. ----," or "U.S. Vet Lic. No. ----," or "U.S. Veterinary Permit No. ----," or "U.S. Permit No. ----."

* * * * *

PART 113—STANDARD REQUIREMENTS

5. Section 113.163 is amended by revising paragraph (d) (2) to read:

§ 113.163 Fowl Laryngotracheitis Vaccine.

* * * * *

(d) * * *

(2) *Safety test.* Final container samples of completed product from each serial of modified live virus vaccine shall be tested for safety as provided in this paragraph. Live virus vaccine not prepared with modified live virus shall be tested for safety as provided in the filed Outline of Production.

* * * * *

PART 123—RULES CF PRACTICE

6. Part 123 is amended by revising § 123.1(i) to read:

§ 123.1 Definitions.

* * * * *

(i) *Licensee.* A person to whom an establishment license and at least one product license has been issued.

* * * * *

(21 U.S.C. 151 and 154, FR 28477; 38 FR 19141)

These amendments provide administrative changes in the licensing procedures used in the veterinary biologics control program administered in accordance with the Virus-Serum-Toxin Act. In order to be of maximum benefit, they must be made effective immediately; except that label changes necessitated by these amendments shall be made by all licensees at their next printing of labels to which these changes apply following the effective date of these amendments, but in all cases not later than April 8th, 1977.

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 these amendments are impracticable and unnecessary, and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The foregoing amendments shall become effective October 8th, 1976.

Done at Washington, DC, this 4th day of October 1976.

J. M. HEJL,
Deputy Administrator,
Veterinary Services.

[FR Doc.76-29686 Filed 10-7-76;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Emergency Amendment Increasing Permissible Inventory Accumulation of Propane and Butane by Industrial Users

The Federal Energy Administration (FEA) hereby amends, effective immediately, the Mandatory Petroleum Allocation Regulations concerning permissible inventory accumulation of propane and butane by industrial users.

On August 29, 1975, FEA issued amendments to the Mandatory Petroleum Allocation and Price Regulations concerning propane and butane imports other than from Canada (40 FR 40821; September 4, 1975). Two of the amendments changed §§ 211.86(g) and 211.96 (e) regarding inventory accumulation by industrial users of propane and butane, respectively. The changes adopted were designed primarily to permit industrial users to acquire non-Canadian imported propane and butane free of the inventory limitations imposed by those sections.

In adopting these amendments, FEA did not intend to modify the limitation on inventory accumulation of Canadian and domestic propane and butane, which was 120 percent of the volumes used for all industrial uses during the period April 1, 1972 through March 31, 1973. However, the language adopted altered the limitation to 120 percent of the volumes used for all industrial uses during the base period. Since the base period for propane and butane is a calendar quarter (10 CFR 211.82 and 211.92), these changes inadvertently resulted in a substantial lessening of the volumes of propane and butane industrial users could accumulate in inventory. The effect of these amendments was not appreciated at the time of their issuance because most industrial users had already filled their propane and butane inventories for use in the 1975–1976 heating season. The impact of these provisions, however, became apparent in mid-August of 1976.

The problems for industrial users presented by the changes in §§ 211.86 and 211.96 have been aggravated by increasing difficulties for some propane and butane suppliers to make deliveries during the winter months. In 1972, suppliers had relatively little problem in making deliveries during the winter. However, the growing number of natural gas curtailments has resulted in an increased demand for propane and butane during the heating season. This development makes it difficult and costly for suppliers to make deliveries throughout the winter heating season, especially in the southeastern United States. Suppliers have the ability to make large volume deliveries of propane and butane to industrial users during the summer and early fall, because there is relatively small demand placed on the distribution system at that time of year. Hence, it is desirable to allow industrial users to fill their inventories during this period. However, under the limitations imposed by the previous amendments to §§ 211.86 and 211.96, many industrial users could not purchase the large volumes of propane and butane when they were readily available for placement into inventory without exceeding the inventory accumulation limitations. By changing the reference period for inventory accumulation from the quarterly base period to the 12-month period April 1, 1972–March 31, 1973, most industrial users will be able to place sufficient volumes of propane and butane into inventory, without exceeding the inventory accumulation limitations, during the summer and early fall, when there is relatively little problem in suppliers' making deliveries.

In view of these considerations, FEA is amending 10 CFR 211.86 and 211.96, effective October 1, 1976, to correct its prior inadvertent change in those regulations as they affect inventory accumulations by industrial users of propane and butane. The amendments issued today limit inventory accumulation to 120 percent of the volumes used during the period April 1, 1972 through March 31, 1973.

It should be noted that the amendments adopted today only affect the permissible inventory accumulation of propane and butane by industrial users. Such users remain limited in the volume of propane and butane they may use during a base period. That limitation is 100 percent of base period use pursuant to 10 CFR 211.10(g)(8).

FEA has concluded that these amendments must be made effective immediately and prior to opportunity for comment, because under the previous limitations industrial users could not acquire sufficient inventories of propane and butane before the start of the 1976–1977 heating season (approximately November 1, 1976). Accordingly, the provisions of section 7(i)(B) of the Federal Energy Administration Act of 1974 (FEAA), as amended (Pub. L. 93–275), with respect to notice and opportunity for comment, are hereby waived upon a finding that strict compliance therewith would cause serious harm and injury to the public welfare.

As required by section 7(c)(2) of the FEAA, a copy of this notice was submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

The amendments adopted today have been reviewed in accordance with Executive Order 11821 and Office of Management and Budget Circular No. A–107 and have been determined not to require evaluation of their inflationary impact as provided for therein.

Because these amendments are being issued on an emergency basis, an opportunity for oral presentation of views is not possible prior to the implementation of these amendments. A public hearing, however, will be held beginning at 9:30 a.m., on October 28, 1976, in Room 2105, 2000 M Street, N.W., Washington, D.C., to receive comments from interested persons. Any person who has an interest in the subject of the hearing, or who is a representative of a group or class of persons which has an interest in the subject of the hearing, may make a written request for an opportunity to make an oral presentation. Such a request should be directed to Executive Communications, FEA, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461, and must be received before 4:30 p.m., e.s.t., October 22, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW, Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., e.s.t., Monday through Friday, except Federal holidays. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through October 27, 1976. Each person selected to be heard will be so notified by the FEA before 5:30 p.m., e.s.t., October 26, 1976, and must submit 50 copies of his or her statement to Office of Allocation Regulation Development, FEA, Room 2214, 2000 M Street, N.W., Washington, D.C. 20461, before 9:00 a.m., e.s.t., October 26, 1976.

The FEA reserves the right to select the persons to be heard at the hearing, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. It will not be a judicial or evidentiary-type hearing. Questions may be asked only by those conducting the hearing, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearing will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions, to be asked of any person making a statement at the hearing, to Executive Communications, FEA, before 4:30 p.m., e.s.t., October 21, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answers.

Any further procedural rules needed for the proper conduct of the hearing

will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearing, including the transcript, will be retained by the FEA and made available for inspection at the FEA Freedom of Information Office, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Anyone may buy a copy of the transcript from the reporter.

Interested persons are invited to submit data, views, or arguments with respect to these emergency amendments to Executive Communications, Federal Energy Administration, Box JC, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to Executive Communications, FEA, with the designation "Limitation on Inventory Accumulation of Propane and Butane." Fifteen copies should be submitted. All comments received by October 21, 1976, and all relevant information, will be considered by the Federal Energy Administration.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-332, Pub. L. 94-385; E.O. 11790 (39 FR 23185).)

In consideration of the foregoing, Part 211 of Chapter II, Title 10 of the Code of Federal Regulations, is amended as set forth below, effective October 1, 1976.

Issued in Washington, D.C., October 5, 1976.

MICHAEL F. BUTLER,
General Counsel.

1. Section 211.86 is amended by revising subparagraph (3) of paragraph (g) to read as follows:

§ 211.86 Method of allocation.

* * * * *

(g) *Inventory accumulation.* * * *

(3) Industrial users (including petrochemical feedstock users and refinery fuel users) may accumulate propane in inventory pursuant to paragraph (g)(1) of this section but only up to an amount equal to one hundred twenty (120) percent of the volumes used for all industrial uses (including standby volumes) during the period April 1, 1972 through March 31, 1973, except that propane imported other than from Canada pursuant to § 211.12(g) shall not be subject to this limitation.

* * * * *

2. Section 211.96 is amended by revising subparagraph (3) of paragraph (e) to read as follows:

§ 211.96 Method of allocation.

* * * * *

(e) *Inventory accumulation.* * * *

(3) Industrial users (including petrochemical feedstock users and refinery fuel users) may accumulate butane in inventory pursuant to paragraph (e)(1) of this section but only up to an amount equal to one hundred twenty (120) percent of the volumes used for all industrial uses (including standby volumes) during the period April 1, 1972 through March 31, 1973, except that butane imported other than from Canada pursuant to § 211.12(g) shall not be subject to this limitation.

* * * * *

[FR Doc.76-29767 Filed 10-6-76;10.03 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. AA; Docket No. R-0056]

PART 227—UNFAIR OR DECEPTIVE ACTS OR PRACTICES

Consumer Complaint Procedure; State Member Banks

The Federal Trade Commission Act as amended (Pub. L. 93-637) requires each of the Federal bank supervisory agencies to establish a separate division of consumer affairs and to institute a procedure for handling consumer complaints regarding unfair or deceptive acts or practices of banks under their jurisdiction. Pursuant to section 18(f) of that Act, the Board of Governors has instituted a procedure for receiving and handling consumer complaints regarding State-chartered banks that are members of the Federal Reserve System.

In August 1974, in anticipation of the passage of Pub. L. 93-637, the Board established a separate Office of Saver and Consumer Affairs which administers the consumer legislation for which the Board has been given responsibility. Among these statutes are the Truth in Lending Act, the Fair Credit Reporting Act, the Fair Credit Billing Act, the Equal Credit Opportunity Act, the Federal Trade Commission Act as amended, and the Home Mortgage Disclosure Act.

The Board instituted a formal System-wide procedure for handling consumer complaints regarding State member banks in January 1976. The procedure is designed to serve two purposes. First, it assures consumers of prompt and responsive action on their complaints involving State member banks. Second, it provides a mechanism for identifying those acts or practices of commercial banks that may require further investigation and possible regulatory action by the Board. In order to provide the Board with comprehensive current information on complaints against commercial banks not under its direct supervision, the other two Federal bank supervisory agencies (the Comptroller of the Currency and the Federal Deposit Insurance Corporation) have established ongoing procedures by which the Board receives quarterly reports on the number and substance of complaints against national and insured nonmember State banks.

The Board's complaint procedure is not limited to those persons who are customers of the State member bank in question or to those acts or practices that are already the subject of Federal regulation. Any person with knowledge of an act or practice of a State member bank that the person considers unfair or deceptive may utilize the complaint procedure. Similiarly, while a consumer complaint may arise under an existing Federal statute or Board regulation, a complaint may also be directed at an act or practice that is either expressly authorized or not prohibited by current Federal or State laws or regulations. However, the complaint procedure does not apply to requests for general information or publications such as statistical data. Nor does it apply to complaints regarding such matters as monetary policy, fiscal agency functions, or Treasury issues.

Complaints regarding State member banks should be addressed to the Director, Office of Saver and Consumer Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Such complaints may also be addressed to the Federal Reserve Bank serving the district in which the State member bank is located. The locations of these Federal Reserve Banks and names and addresses to whom complaints may be addressed follow:

Mr. Luther M. Hoyle, Jr., Vice President, Federal Reserve Bank of Boston, 30 Pearl Street, Boston, Massachusetts 02106.

Mr. Edward F. Kipfstuhl, Manager, Bank Regulations Department, Federal Reserve Bank of New York, 33 Liberty Street, New York, New York 10045.

Mr. Lawrence C. Murdoch, Jr., Vice President and Secretary, Federal Reserve Bank of Philadelphia, 100 North 6th Street, Philadelphia, Pennsylvania 19105.

Mr. Harry Huning, Vice President, Federal Reserve Bank of Cleveland, 1455 East Sixth Street, Cleveland, Ohio 44101.

Mr. James Slate, Assistant Counsel, Federal Reserve Bank of Richmond, 100 North Ninth Street, Richmond, Virginia 23261.

Mr. Harris C. Buell, Jr., Assistant Vice President, Federal Reserve Bank of Chicago, 230 South La Salle Street, Chicago, Illinois 60690.

Mr. Harold E. Uthoff, Vice President, Federal Reserve Bank of St. Louis, 411 Locust Street, St. Louis, Missouri 63166.

Mr. Sheldon Azine, Assistant Counsel and Assistant Secretary, Federal Reserve Bank of Minneapolis, 250 Marquette Street, Minneapolis, Minnesota 55480.

Mr. Robert Scott, Chief Examiner, Federal Reserve Bank of Kansas City, 925 Grand Avenue, Kansas City, Missouri 64198.

Mr. George C. Cochran III, Vice President, Federal Reserve Bank of Dallas, 400 South Akard Street, Dallas, Texas 75222.

Mr. Jack Sicard, Assistant Vice President, Federal Reserve Bank of Atlanta, 104 Marietta Street, NW., Atlanta, Georgia 30303.

Mr. Oscar Celli, Credit and Consumer Affairs Officer, Federal Reserve Bank of San Francisco, 400 Sansome Street, San Francisco, California 94120.

Complaints regarding banks other than State member banks are not sub-