

as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Middle Atlantic marketing area.

Notice of proposed rulemaking was published in the *FEDERAL REGISTER* (42 FR 27016) concerning a proposed suspension of certain provisions of the order. Interested persons were afforded opportunity to file written data, views, and arguments thereon. None were filed in opposition.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the months of May, June, July, and August 1977, the following provisions of the order do not tend to effectuate the declared policy of the Act:

In § 1004.7(a), the language that reads "not less than 50 percent."

STATEMENT OF CONSIDERATION

This action suspends for the months of May through August 1977 the requirement that at least 50 percent of the receipts of milk at a pool distributing plant be disposed of as Class I milk.

Such action is necessary to assure that producers who are regular suppliers of milk for the fluid market will continue to have their milk pooled and priced under the order. Large quantities of milk normally associated with distributing plants for Class I use are having to be diverted to manufacturing plants for Class II use. Because of this, it is probable that less than 50 percent of the milk supplies associated with several distributing plants in the market will be used in Class I. This will preclude the plants from meeting the current pooling requirements and will cause the milk associated with the plants to be excluded from the pool.

The suspension was requested by Maryland Cooperative Milk Producers, Inc. and Lehigh Valley Cooperative Farmers. A major fluid milk dealer supplied by one of the cooperatives went out of business. The closing of the pool distributing plant, which was a major supplier of fluid milk sales in the Baltimore segment of the marketing area, has resulted in a substantial increase in the volume of milk that the cooperative must divert to manufacturing plants.

In addition to the increased need for diversions, the plant closing has limited the cooperative's ability to divert milk. This occurs because diversions must be associated with distributing plants for pooling purposes. The number of other plants from which the cooperative can divert is limited. Additional diversions from such plants would result in their loss of pool plant status since less than 50 percent of receipts would be disposed of as Class I milk.

The cooperative also indicates that the situation is accentuated by increasing milk production by producers supplying the Middle Atlantic market. Deliveries by producers are above year earlier levels and are increasing seasonally. At the same time, fluid milk sales can be expected to decline due to the closing of schools during the summer months. Consequently, the need to divert additional

milk to manufacturing outlets from fluid milk plants will be necessary from May (when production will be at or near its seasonal peak) through August when the supply-demand situation is expected to improve. This view also was expressed by other cooperative associations supporting the suspension. They indicate that without the suspension the milk of dairy farmers, who have regularly supplied the fluid milk needs of the market, and whose milk is expected to be needed when the supply-demand situation improves after the vacation period, will be excluded from the pool. The suspension is thus necessary to insure against the risk of depooling distributing plants and milk of producers normally associated with the fluid market.

It is hereby found and determined that thirty day's notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that substantial quantities of milk of producers who regularly supply the fluid market otherwise would be excluded from the marketwide pool, thereby causing a disruption in the orderly marketing of milk;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension.

Therefore, good cause exists for making this order effective upon publication in the *FEDERAL REGISTER*.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of May, June, July, and August 1977.

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

Effective date: June 10, 1977.

Signed at Washington, D.C., on June 6, 1977.

JERRY C. HILL,
Deputy Assistant Secretary
for Marketing Services.

[FR Doc. 77-16482 Filed 6-9-77; 8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Specifications for Bale Packaging Material Used in Wrapping Cotton]

PART 1427—COTTON

Subpart—Specifications for Bale Packaging Materials

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final Rule.

SUMMARY: This rule provides the specifications governing cotton bale packaging materials used for 1977-crop cot-

ton pledged for price support loans. This rule is needed in order that producers and others will know what materials are acceptable to CCC. Bales of cotton will be acceptable for price support loans only if they conform to these specifications.

DATE: Effective June 10, 1977.

ADDRESS: Grains, Oilseeds and Cotton Division, ASCS, U.S. Department of Agriculture, Room 3752, South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT:

Dalton Ustynik, ASCS, 202-447-9224.

SUPPLEMENTARY INFORMATION:

On December 27, 1976, Commodity Credit Corporation (CCC), published in the *FEDERAL REGISTER* (41 FR 56204) a notice that the detailed operating provisions to carry out the price support program for upland and ELS lint cotton were being reviewed for 1977, including specifications for bale packaging materials used for cotton tendered to CCC under such regulations. The notice stated that consideration was being given to amending the specifications as recommended by the Cotton Industry Bale Packaging Committee. Three responses were received, all favoring retention of the specifications. After consideration of all responses to the notice, and recommendations made by the Cotton Industry Bale Packaging Committee at its meeting on February 7 and 8, it has been determined that: (1) The specifications should be amended to include a keylock fixed length tie for use on flat bales and universal density bales compressed at a warehouse; (2) when wire ties not smaller than 10 gauge or 0.135 inch diameter are used on flat bales, joints may be on side of bales; (3) specifications should be provided for compact center type new jute bagging for use on flat, gin standard, and gin universal density bales containing a blue or green warp yarn in center of the panel to designate tare; (4) new jute bagging manufactured for use on gin standard density and gin universal density bales shall not weigh more than 8½ pounds and that such bagging must contain a dark green yarn in the center of the panel to designate the tare; (5) spiral sewn burlap bags may also be used to wrap bales compressed to standard density and universal density at a warehouse and such bagging shall be sewn with white thread to designate the tare; (6) polypropylene panels must be marked in the web direction with a line or series of lines which must be within plus or minus one inch of the center of the panel length; (7) specifications should be provided for polypropylene half bag panel combinations for use on flat bales, gin universal bales, and gin standard bales; and (8) provisions should be made for other panel construction requirements and additional test methods for compact center type new jute.

Accordingly, the Specifications for Bale Packaging Materials Used in Wrapping Cotton published in 41 FR 7755 on February 20, 1976, as amended, are revised to read as set forth below, effective

with the 1977 crop of cotton. The material previously appearing in these regulations remains in full force and effect as to the crop to which it was applicable.

- Sec.
1427.1901 Purpose.
1427.1902 Specifications for bale ties and buckles.
1427.1903 Specifications for bagging.
1427.1904 Test methods.

AUTHORITY: Secs. 4, 5, 62 Stat. 1076, as amended (15 U.S.C. 714 (b) and (c); secs. 101, 103, 401, 63 Stat. 1051, as amended (7 U.S.C. 1441, 1444, 1421)).

§ 1427.1901 Purpose.

This subpart is for the purpose of announcing the specifications applicable to bale packaging materials for packaging the 1977 and subsequent crops of cotton tendered to CCC for loans, unless otherwise approved by the Executive Vice President, CCC, or his designee: *Provided, however*, That all bales of cotton packaged and identified with the testing programs of the Cotton Industry Bale Packaging Committee sponsored by the National Cotton Council of America will be exempt from the provisions of this subpart, and any bale packaging materials carried over from 1976 which were eligible for packaging 1976 crop loan cotton also may be used to package 1977 crop cotton pledged for loans.

§ 1427.1902 Specifications for bale ties and buckles.

Any fixed length bale ties used on flat bales shall not exceed 10 feet 3 inches in length, excluding overlap. All ties and buckles or fasteners must be coated or finished with a rust inhibitor.

(a) *General requirements*—(1) *Number of ties required*. (i) Flat bales (bales having densities of less than 20 pounds per cubic foot) must have not less than 6 ties.

(ii) *Standard density bales* (bales having densities of at least 20 pounds but less than 28 pounds per cubic foot) must have not less than 8 ties.

(iii) *Universal density bales* (bales having densities of 28 pounds or more per cubic foot) must have not less than 8 ties.

(2) *Flat bales packaged with nonreusable ties*. Except for bales stored only in the States of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia, if the ties on a bale are not suitable for reuse when the bale is compressed, the ties will not be deemed to meet these specifications unless the producer has prepaid any warehouse charge for furnishing new bale ties. If the bale is stored at a warehouse not having compress facilities and bales shipped from the warehouse are normally compressed in transit the warehouse receipt must show that the bale ties are not suitable for reuse when the bale is compressed and the charge assessed by the nearest compress in line of transit for furnishing new bale ties will be deducted from the loan proceeds.

(b) *Conventional hot rolled steel ties and buckles*. The total weight of bale ties and buckles to tie each bale of cotton shall not be less than 8½ pounds.

(c) *Cold rolled high tensile steel strapping*. The supplier's name or trademark must be printed or embossed on every 36 inches of strapping.

(1) *For use on flat bales and standard density and universal density bales compressed at a warehouse*. The strapping shall have a minimum width of three-fourths of an inch and minimum thickness of 0.025 inch with zero tolerance, minimum weight of 1 pound per 15.7 linear feet of strapping or 4 pounds per bale of cotton, minimum breaking strength of 2,400 pounds with a joint strength of not less than 2,040 pounds.

(2) *For use on gin standard density and gin universal density bales*. The strapping shall have a minimum width of three-fourths of an inch and minimum thickness of 0.031 inch with zero tolerance, minimum weight of 1 pound per 12.7 linear feet of strapping or 5 pounds per bale of cotton, and minimum breaking strength of 3,200 pounds with a joint strength of not less than 2,720 pounds for gin standard density bales or 4,000 pounds with a joint strength of not less than 3,400 pounds for gin universal density bales.

(3) *Keylock type fixed length tie for use on flat bales and universal density bales compressed at a warehouse*. The bale tie must have a minimum width of 0.74 inches and a minimum thickness of 0.025 inches, minimum weight of 4 pounds per bale of cotton, minimum breaking strength of 3,200 pounds with a joint strength of not less than 2,700 pounds. The tie shall be constructed so as not to disengage at the joint while tucking or while being handled with clamp trucks.

(d) *Wire ties*—(1) *For use on flat bales and bales compressed to standard density and universal density at a warehouse*. The ties shall not be smaller than 10-gauge or 0.135 inch diameter wire with a plus or minus tolerance of 1 percent. When used on flat bales and on bales compressed to standard density and universal density with the joints placed on the tops of the bales the breaking strength of wire must not be less than 2,850 pounds with a joint strength of not less than 1,850 pounds. If the joints are placed on the sides of bales compressed to standard density and universal density, the breaking strength of the wire must not be less than 2,850 pounds with a joint strength of not less than 2,565 pounds. The elongation of the wire shall not exceed 4 percent in 10 inches. There must be a minimum weight of 3 pounds per bale.

(2) *For use on gin standard density and gin universal density bales*. The ties shall be 9-gauge or 0.148 inch diameter wire with a plus or minus tolerance of 1 percent. The breaking strength of the wire must not be less than 3,400 pounds with a joint strength of not less than 2,100 pounds with the joints placed on the tops of the bales. If the joints are placed on the sides of the bales, the breaking strength of the wire must not be less than 3,200 pounds with a joint strength of not less than 3,040 pounds.

There must be a minimum weight of 4 pounds per bale.

§ 1427.1903 Specifications for bagging.

Except in cases where shrink-pack polyethylene bags, polyethylene half-bag panel combinations, polypropylene half-bag panel combinations, or spiral sewn bags of burlap and/or polypropylene are used, each bale must be wrapped with a pattern of bagging consisting of two pieces (panels) of bagging material. All bagging material must be clean, in sound condition, and of sufficient strength to adequately protect the cotton. The material must not have salt or other corrosive material added and must not contain sisal or other hard fiber or any other material which will contaminate or adversely affect cotton as determined by the President or Executive Vice President, Commodity Credit Corporation.

(a) *New jute bagging used to wrap flat bales (32 ounces per linear yard)*. Each one-half pattern (panel) of new jute bagging must not be less than 108 inches or more than 115 inches in length and must not be less than 47 inches or more than 56 inches in width. The bagging must contain not less than 41 warp yarns per 12 inches of bagging of a size equal to or larger than the weft (filling) yarns and must contain not less than 25 weft (filling) yarns per 12 inches of bagging. The bagging must weigh not less than 11¼ and not more than 13¼ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain).

(b) *New jute bagging used to wrap gin standard density and gin universal density bales*. Each one-half pattern (panel) must not be less than 96 inches or more than 100 inches in length for gin universal density bales and not less than 100 inches or more than 102 inches for gin standard density bales and must not be less than 40 inches or more than 48 inches in width. The bagging must contain not less than 150 warp yarns per 40 inches of bagging of a size equal to or larger than the weft (filling) yarns, must contain not less than 25 weft (filling) yarns per 12 inches of bagging, and must weigh not less than 7½ and not more than 8½ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain). A marker warp yarn of the same size as the remaining warp yarns, made of jute or plied cotton, dyed dark green with a color-fast, nonbleeding dye of a type which will not be subject to permanent staining of cotton fiber under normal weathering conditions must be placed in the center of each panel to designate the 8-pound tare weight of the bagging. *Provided*, That new jute bagging material meeting the warp and weft requirements for jute bagging used on flat bales and weighing not less than 8¼ and not more than 11¼ pounds per pattern at 13.75 percent moisture content (not moisture regain) may be used to wrap gin standard density and gin universal density bales.

(c) *Compact center type new jute bagging*—(1) *Used to wrap flat bales*

(24 ounces per linear yard). Each one-half pattern (panel) of compact center type new jute bagging must not be less than 108 inches or more than 115 inches in length and must be not less than 46 inches in width. The bagging must contain a center panel not less than 32 inches wide and not less than 41 warp yarns per 12 inches of bagging, and a more loosely woven outer edge not less than 7 inches wide containing not less than 22 warp yarns per 12 inches including selvage. The warp yarn must be a size equal to or larger than the weft (filling) yarns. The bagging must contain not less than 25 weft (filling) yarns per 12 inches of bagging with a minimum weft yarn weight of 40 pounds per spindle (14,400 yards). The bagging must weigh not less than 8½ and not more than 9½ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain). A marker warp yarn of the same size as the other warp yarns, made of jute or a plied cotton yarn, dyed dark blue with a colorfast, non-bleeding dye of a type which will not be subject to permanent staining of cotton fiber under normal weathering conditions must be placed in the center of each panel to designate the 9-pound tare weight.

(2) *Used to wrap gin standard and universal density bale.* Compact center type new jute bagging (24 ounces per linear yard) meeting the same width and fabric construction requirements for compact center type new jute bagging as used on flat bales cut to a length of not less than 98 inches or more than 101 inches in length, weighing not less than 7½ and not more than 8½ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain) and containing a dark green center marker yarn to designate the 3 pound tare weight of the bagging may be used to wrap gin standard and gin universal density bales.

(d) *Salvage jute (burlap) bagging.*—(1) *General requirements.* The bagging must be processed specifically for cotton bale coverings from once-used good quality closely woven heavy jute bags previously used for sugar, coffee, cocoa, or other products approved by the President or Executive Vice President, CCC. Each one-half pattern (panel) must be composed of not more than three pieces of used bag cloth of the same construction and weight. There must not be more than two crosswise sewn seams and no lengthwise sewn seams in any one-half pattern (seams, hems, and necessary patches in the original bags from which the bagging is made will not be considered sewn seams). Overlap at seams and patches must not be greater than 3½ inches. Overlaps, patches, and hems sewn into bagging to increase the weight of lightweight material will not be permitted. Sewn seams must be such that the edges of the joined pieces coincide to make a symmetrical one-half pattern without appreciable displacement of the edge of one piece of bagging relative to the edge of the adjoining piece in the seam. Sewing must be with strong thread with not larger than ⅜ inch stitching.

(2) *To wrap flat bales.* Each one-half pattern (panel) must not be less than 108 inches or more than 115 inches in length and must be not less than 47 inches or more than 56 inches in width. The bagging must weigh not less than 11¼ and not more than 13¼ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain).

(3) *To wrap gin standard density and gin universal density bales.* Each one-half pattern (panel) must not be less than 40 inches or more than 48 inches in width and must be not less than 96 inches or more than 102 inches in length. The bagging must weigh not less than 7½ and not more than 11¼ pounds per pattern (two panels) at 13.75 percent moisture content (not moisture regain).

(e) *Spiral sewn burlap bags used to wrap gin standard and gin universal density bales and bales compressed to standard density and universal density at a warehouse.*—(1) *Material.* Bags must be spiral sewn from new burlap which is not less than 60 inches wide before sewing and weighs not less than 13.25 ounces per linear yard (this corresponds to burlap weighing 8.9 ounces per 40-inch width). The material must have a true selvage on each side. Spiral sewn bags made from split burlap with raw edges will not be acceptable.

(2) *Bag size.* The bag size must be tailored to individual bale size at each location. Bags shall fit bales tightly, but must be large enough to minimize bursting and long enough to completely cover and secure heads of bales.

(3) *Seams.* Seams must be sewn in accordance with standard government specifications for sewing flat burlap, which are as follows: Type SSA-1 seam, type 401 stitch, minimum four stitches per inch, and 4/12 or 5/12 cotton thread, or 1,000 denier polypropylene thread meeting ultraviolet inhibitor concentration requirements of paragraph (h) (2) (iii) of this section, with breaking strength of 5 grams per denier. Sewing thread shall be white to designate the 4-pound tare weight of the bag.

(f) *Cotton bagging.*—(1) *General requirements.* Bagging made from 100 percent cotton may be used to wrap flat bales stored only in the States of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia, and on gin standard density and gin universal density bales stored in all states. The bagging must weigh not less than 7.7 ounces per square yard with a minimum weight of 4 pounds per pattern for flat bales, 3.1 pounds for gin standard density bales, and 3 pounds for gin universal density bales, at 8.5 percent moisture content (not moisture regain). Each panel of bagging must not be less than 48 inches in width, and 112 inches in length for flat bales, 100 inches in length and 42 inches in width for gin standard density bales and 96 inches in length and 42 inches in width for gin universal density bales. Each panel must be constructed with true selvages on each side.

(2) *Woven.* The bagging must contain not less than 120 warp yarns (plied or single) per 12 inches of bagging of a size

equal to or larger than the weft (filling) yarns, and must contain not less than 78 weft (filling) yarns (plied or single) per 12 inches of bagging.

(3) *Warp knitted.* The bagging must be constructed with not less than two guide bars. The bagging must contain not less than 5 wales per inch and not less than six courses per inch. All yarns (plied or single) must be form connected with each other. The bagging must have stabilized construction with elongation or stretch not less than 15 percent or more than 30 percent. Variation in tensile strength in wale and course direction must not exceed 20 percent. The bagging must have a minimum bursting strength of 75 pounds.

(g) *Polyethylene used to wrap gin standard density and gin universal density bales.*—(1) *General requirements.*—

(i) *Density.* Low density virgin polyethylene.

(ii) *Color.* The bagging must be clear.

(iii) *Gauge.* The gauge shall be not less than 8 mil.

(iv) *Gauge tolerance.* The average of any 20 evenly spaced points around the length and width of a sheet or bag must be within plus or minus 10 percent of 8 mil. Yield on any order of 2,000 pounds or more shall not vary more than plus or minus 3 percent from the nominal yield.

(v) *Tensile strength.* For machine (length) direction, not less than 2,500 pounds per square inch, and for transverse (cross) direction, not less than 2,000 pounds per square inch.

(vi) *Elongation.* For both machine (length) and transverse (cross) direction, not less than 400 percent.

(vii) *Impact resistance.* Not less than 450 grams.

(viii) *Slip characteristics.* Bagging must be low slip (coefficient of friction not less than 0.50) with no anti-block or slip additive included.

(ix) *Tagging.* A piece of woven yarn scrim not less than 5 inches by 7 inches and laminated on each side with polyethylene must be placed inside the bag or sheet on head of bale and heat welded to the cover or some other suitable reinforcing material must be bonded to the bag or sheet.

(x) *Tare weight.* Tare weight shall be not less than 2 pounds per pattern or shrink-pack bag.

(xi) *Sealing head of bales.* Extra precaution must be taken in sealing heads of bales to provide maximum coverage and protection.

(2) *Additional requirements for polyethylene panels.* Each panel used to wrap gin standard density bales shall be not less than 100 inches in length by 46 inches in width. Each panel used to wrap gin universal density bales shall be not less than 96 inches in length by 42 inches in width when used on 54 inch by 20 inch presses and not less than 96 inches in length by 44 inches in width when used on 50 inch by 20 inch presses. Guide marks shall be imprinted on panels in order that press may be dressed properly.

(3) *Additional requirements for polyethylene shrink-pack bags.* Each bag shall be not less than 87 inches in length

when used on 54 inch by 20 inch presses and not less than 83 inches in length when used on 50 inch by 20 inch presses. The ratio of machine (length) direction shrink to the transverse (cross) direction shrink must not exceed 1.5:1.

(4) *Additional requirements for polyethylene used in half-bag panel combinations.*—(i) *Gin universal presses.* (a) For 54 inch by 20 inch presses, each half-bag shall be not less than 54 inches by 21 inches by 32 inches and each panel shall be not less than 40 inches in width and 98 inches in length. (b) For 50 inch by 20 inch presses, each half-bag shall be not less than 51 inches by 21 inches by 34 inches and each panel shall be not less than 40 inches in width and 96 inches in length.

(ii) *Gin standard presses.* Each half-bag shall be not less than 55 inches by 21 inches by 36 inches and each panel shall be not less than 40 inches in width and 102 inches in length.

(h) *Polypropylene material.*—(1) *General.* The material shall be new polypropylene fabric manufactured in the United States from yarn and resins produced in the United States and woven specifically for use on cotton bales. The bale covers shall be uniform in size and color, clean, unstained, and free of any extraneous material.

(2) *Yarns.* No scrap, reground, or reworked polymer shall be used, except that unoriented edge trim may be reground and directly recycled during operation of extruder.

(i) *Type.* The yarn shall be crystalline or isotactic polypropylene tape yarn.

(ii) *Dimension.* Yarn dimensions shall be 2.1 mils thick, plus or minus 0.2 mil and 95 mils wide, plus or minus 2 mils.

(iii) *Inhibitor concentration.* The yarn shall be stabilized by a system containing organo-nickel complex ultraviolet light inhibitor. The yarn shall contain organo-nickel complex at a concentration of not less than 0.1 percent nickel as metal from the inhibitor. The Cotton Industry Bale Packaging Committee will have samples checked periodically by a private laboratory at manufacturers' expense.

(3) *Fabric woven from stabilized yarns.*—(i) *Minimum weight.* The fabric must weigh an average of not less than 3 ounces per square yard and no test sample shall weigh less than 2.8 ounces per square yard.

(ii) *Yarn count.* There must be 12 warp yarns, plus or minus 1, per inch; and 10 weft yarns, plus or minus 1, per inch.

(iii) *Color.* The color of the fabric shall be translucent light gold, unless otherwise approved by the Cotton Industry Bale Packaging Committee. A different colored warp yarn meeting ultraviolet inhibitor concentration must be inserted in the center of each panel by the fabric manufacturer. The center of each panel must be marked in the weft direction with a clearly visible line running across the entire width of the panel or with a series of three lines having a minimum of 12 inches on each edge and a minimum of 6 inches in the center. The lines must

be within one inch of the true center of the length of the panel.

(iv) *Tensile strength.* Minimum tensile strength shall be 125 pounds per inch average in the warp direction and 100 pounds per inch average in the weft direction. Ten samples shall be tested in each direction for this determination and no single test shall be more than 10 pounds per inch below the specified average.

(v) *Elongation.* Fabric shall have an elongation to break of not less than 15 percent average in both warp and weft directions. Ten samples shall be tested in each direction for this determination and no single test value shall be below 12 percent.

(vi) *Selva.* Each outer edge of the fabric shall be a trucked selva or natural selva containing not less than the number of warp ends prevalent in the body of the fabric. A heat cut selva will not be acceptable. Ends of cut sheets and spiral sewn bags must be finished by heat cutting to give a pin test value of at least 40 pounds per inch.

(vii) *Air permeability.* The fabric in an unstressed state must permit not less than 5 cubic feet per minute per square foot, nor more than 50 cubic feet per minute per square foot of air flow.

(viii) *Weathering resistance.* The fabric shall retain not less than 70 percent of its original tensile breaking strength after 1,200 hours exposure to accelerated weathering.

(4) *Coatings.* Any coating added to the fabric to reduce gloss, fibrillation, slippage, or for other technical reasons, shall be as stable as the fabric to which it has been applied when exposed to accelerated weathering. Such coating must not adversely affect cotton which it is to contact.

(5) *Minimum panel size.* (i) Each panel of bagging must be not less than 52 inches in width and 112 inches in length for use on non-modified flat presses (28 inch width bales).

(ii) Each panel of bagging must be not less than 48 inches in width and 112 inches in length for use on modified flat presses (25 inch width bales).

(iii) Each panel of bagging must be not less than 44 inches in width and 100 inches in length for use on gin standard density bales.

(iv) Each panel of bagging must be not less than 44 inches in width and 96 inches in length for use on gin universal density bales.

(6) *Additional specifications for spiral sewn bags.* (i) Fabric shall conform to specifications for woven polypropylene fabric specifications.

(ii) The fabric from which each bag is sewn shall be a minimum of 60 inches in width.

(iii) The bag size must be tailored to individual bale size at each location. Bags shall fit bales tightly, but must be large enough to minimize bursting and long enough to completely cover and secure heads of bales.

(iv) Seams must be sewn in accordance with the following: Type SSN-1

seam, type 401 stitch, minimum four stitches per inch, and $\frac{1}{12}$ or $\frac{1}{16}$ cotton thread, or 1,000 denier polypropylene thread meeting ultraviolet inhibitor concentration requirements of paragraph (h) (2) (iii) of this section, with breaking strength of 5 grams per denier. Sewn seams at bottom of bags must be a minimum of $\frac{3}{4}$ inch from heat cut edges and be of type SSA-1.

(7) *Additional requirements for half-bag panel combinations.* (i) Fabric shall conform to specifications for woven polypropylene fabric specifications.

(ii) The half-bag size must be tailored to individual bale size at each gin location. (a) *Flat presses.* Each half-bag shall be not less than 36 inches in depth and each panel shall be not less than 48 inches in width and 112 inches in length. (b) *Gin universal presses.* For 54 inch by 20 inch presses, each half-bag shall be not less than 32 inches in depth and each panel shall be not less than 40 inches in width and 98 inches in length. For 50 inch by 20 inch presses each half-bag shall be not less than 34 inches in depth and each panel shall be not less than 40 inches in width and 96 inches in length. (c) *Gin standard presses.* Each half-bag shall not be less than 34 inches in depth and each panel shall not be less than 40 inches in width and 100 inches in length.

(iii) Seams must be sewn in accordance with the following: Type SSN-1 seam, type 401 stitch, minimum four stitches per inch, and $\frac{1}{12}$ or $\frac{1}{16}$ cotton thread, or 1,000 denier polypropylene thread meeting ultraviolet inhibitor concentration requirements of paragraph (h) (2) (iii) of this section, with breaking strength of 5 grams per denier. All cuts shall be heat cut or shall be rolled to prevent ravelling.

(8) *Identification markings.* Each panel and/or spiral sewn bag must have the name or trademark of the fabric manufacturer (that is, the company weaving the material) suitably printed no more than 36 inches apart and 8 to 12 inches from the panel selva. Each identification mark shall be at least three-fourths inch in height but not more than one inch in height. The identification markings shall be placed on record with the Cotton Industry Bale Packaging Committee and CCC.

(9) *Inspection and certification requirements.*—(i) *Responsibility for inspection.* The fabric manufacturer and the supplier are both responsible for performance of all inspection requirements as specified herein. They may use their own or any other facilities suitable for the performance of such inspection requirements, unless such facilities are disapproved by the Cotton Industry Bale Packaging Committee or CCC.

(ii) *Right to perform inspection or testing.* Reasonable inspection or tests deemed necessary may be performed by the Cotton Industry Bale Packaging Committee and/or CCC to assure that materials conform to prescribed specifications.

(iii) *Inspection or testing expense.* Expense for such inspection or testing shall be borne by the fabric manufacturer or supplier.

(iv) *Certification required by the Cotton Industry Bale Packaging Committee.*—(a) *Submission of samples.* All manufacturers of polypropylene must submit samples to a private testing laboratory selected by the Cotton Industry Bale Packaging Committee or CCC for certification that materials meet all prescribed specifications.

(b) *Approved list.* Upon receipt of testing results, the Cotton Industry Bale Packaging Committee will publicize throughout the cotton industry a list of approved manufacturers and their trademarks.

(c) *Responsibility for components and materials.* The supplier and fabric manufacturer are responsible for insuring that components and materials used are manufactured, examined, and tested in accordance with approved specifications and standards.

(d) *Certification of fabric furnished.* Fabric manufacturers shall certify to customers that the fabric furnished has been manufactured in the United States from yarn and resins produced in the United States for use as cotton bale covers, and which meet the material specifications herein, and that the manufacturer is on the Cotton Industry Bale Packaging Committee's approved list.

§1427.1904 Test methods.

The following testing methods will be used by CCC in determining whether bagging and bale ties and buckles or fasteners used to package cotton tendered for CCC loans beginning with the 1977 crop of cotton meets the above specifications.

Except for polyethylene shrink-pack bags, polyethylene half-bags, spiral sewn burlap bags and bagging manufactured from polypropylene material, each sample of bagging selected for testing will consist of one-half pattern. (Each sample of polyethylene shrink-pack bag, polyethylene half-bag, and spiral sewn burlap bags will consist of one bag or half-bag in the case of polyethylene half-bags. Polypropylene material selected for testing will consist of a minimum of ten randomly selected panels or spiral sewn bags, or an equivalent amount of flat goods in cases where the material is tested before it is in panel or spiral sewn bag form.)

(a) *Weight and strength of bale ties and buckles.* The bale ties and buckles will be weighed on suitable accurate scales and the weight determined to the nearest one-half pound. A bundle or package of ties and buckles may be weighed and averaged to determine the weight of ties and buckles necessary to package a bale of cotton. For high tensile steel strapping, a given number of feet of strapping will be weighed to determine the number of feet of strapping per pound. Breaking strength and joint strength tests will be made only when determined to be necessary.

(b) *Length.* The length of the sample will be measured directly using a measuring stick, steel tape, or other suit-

ably graduated device. The sample will be laid out flat on a smooth horizontal surface and the length measured. Both selvages for jute and cotton panels will be measured and for polyethylene panels and shrink-pack bags and half-bags, the length of each side will be measured. The length of the sample will be the average of the two measurements rounded to the nearest inch. Jute and cotton measurements will be made on the sample in equilibrium with standard atmospheric conditions as specified in A.S.T.M. D 1776 62-T.

(c) *Width.* The width of the sample will be measured directly using a measuring stick, steel tape, or other suitably graduated device and will include the selvages. The sample will be laid out flat on a smooth horizontal surface and the measurements made perpendicular to the lengths (selvages in the case of jute and cotton). Three width measurements will be taken on each sample. One measurement will be made at the center of the sample and two other measurements will be made approximately 12 inches in from each end of the sample. The average of the three measurements rounded to the nearest inch, will be the width. For compact center type new jute, the compact center shall be measured between the outer edges of the outer-most yarns in the more compact area. The loosely woven edges shall be measured from the outer edge of the outer most warp yarn of the compact area to the outside edge including selvage. Three width measurements will be taken at locations described above for other width measurements and averaged. Jute and cotton measurements will be made on the sample in equilibrium with standard atmospheric conditions as specified in A.S.T.M. D 1776 62-T.

(d) *Warp yarn count.* For new jute (except for the compact center type new jute) and woven cotton bagging, the number of warp ends in the width of the sample including the selvages, will be counted at each end of the sample. The average of the two counts will be divided by the width, as determined above. This figure will be multiplied by 12 to determine warp yarns per 12 inches of bagging or by 40 to determine warp yarns per 40 inches of bagging. For compact center type new jute bagging, the number of warp ends in the denser center area will be counted at each end of the sample. The average of the two counts will be divided by the width of the compact area as determined above. This figure will be multiplied by 12 to determine warp yarns per 12 inches of bagging. The number of warp ends in the outer loosely woven edges will be counted at each end and at each edge including selvages. The average of the four counts will be divided by the width of the loosely woven area as determined above. This figure will be multiplied by 12 to determine warp yarns per 12 inches of bagging. For polypropylene bagging, the number of warp ends in a 12 inch width of the sample will be counted. This figure will be divided by 12 to determine the warp yarns per inch of bagging.

(e) *Weft yarn count.* The number of weft (filling) yarns over a measured length of 36 inches on each sample of new jute and woven cotton bagging will be counted. The number counted divided by 3 will be the weft yarn count per 12 inches. For polypropylene bagging, the number of weft ends in a 12 inch length of the sample will be counted. This figure will be divided by 12 to determine the weft yarns per inch of bagging.

(f) *Weight of bagging.* The weight of bagging, except for polypropylene material, will be determined by weighing on suitable accurate scales and the weight per pattern determined to the nearest one-tenth pound. Several patterns (or bales of bagging patterns) may be weighed simultaneously and the weight averaged. The weight for jute bagging will be calculated on the basis of 13.75 percent moisture content (not moisture regain) and for cotton bagging on the basis of 8.5 percent moisture content (not moisture regain). (Polypropylene fabric weight will be determined as prescribed in subparagraph (k)(3) of this section.)

(g) *Wale count of warp knitted cotton bagging.* The number of wales or ribs running lengthwise of the sample will be counted over a measured width (relaxed state) of 12 inches on each sample. The number counted divided by 12 will be the wale count per inch.

(h) *Course count of warp knitted cotton bagging.* The number of courses or loops which form a line horizontal to the wales or ribs will be counted over a measured length (relaxed state) of 12 inches on each sample. The number counted divided by 12 will be the course count per inch.

(i) *Additional tests on warp knitted bagging.* Elongation or stretch properties will be tested at one pound per inch static load using methods as specified in A.S.T.M. D 2594. Bursting strength will be tested on an approved type of constant rate of traverse machine equipped with a bursting attachment (ball burst) as specified in A.S.T.M. D 231.

(j) *Additional tests for polyethylene material.* The gauge and gauge tolerance shall be tested in accordance with A.S.T.M. D 374. The tensile strength and elongation shall be tested in accordance with A.S.T.M. D 882-67. Impact resistance shall be tested in accordance with A.S.T.M. Method B 1709 67. Slip characteristics shall be tested in accordance with A.S.T.M. D 1894. The ratio of machine direction shrink to transverse direction shrink will be calculated in accordance with A.S.T.M. D 2732.

(k) *Additional test procedures for polypropylene material.*—(1) *Yarn dimensions.* Yarn dimensions will be tested as specified in A.S.T.M. D 3218-73T.

(2) *Inhibitor concentration.* Yarn shall be removed from the warp direction of each test sample and analyzed for ultraviolet inhibitor concentration by following applicable analytical test procedure as specified in method Military-B 52472B (ME) paragraph 4.4.2.7.2.2. atomic absorption method. Specimen

yarns shall likewise be removed from the weft or fill direction and tested for inhibitor concentration. Values obtained less than 0.1 percent nickel as metal for the inhibitor in either warp or weft direction of the fabric shall be deemed nonconformance and constitute failure of this test.

(3) *Fabric weight.* The fabric weight per square yard shall be determined as specified in Federal Test Method Standard No. 191, method 5041.

(4) *Tensile strength and elongation.* A minimum of ten randomly selected samples will be tested for tensile strength and elongation to break at standard conditions and in accordance with Federal Test Method Standard No. 191.

(5) *Accelerated weathering.*—(i) *Preparation of specimens.* The sample unit will be one finished panel or spiral sewn bag or an equivalent amount of flat goods. Three swatches 4 inches by 12 inches shall be cut from each principal direction (warp and weft) of the fabric. Each swatch shall be cut into two 4 inch by 6 inch test specimens: one specimen to be used for initial break strength and the other specimen to be used for break strength after accelerated weathering. The specimens shall be marked to indicate which are cut with the long dimension in the warp direction and which have the long dimension in the weft direction.

(ii) *Initial tensile breaking strength.* The marked control specimens shall be conditioned for 24 hours at the standard condition specified in Federal Test Method Standard No. 191 and shall be tested for breaking strength in accordance with Federal Test Method Standard No. 191, method 5100.1. The results shall be averaged for specimens in warp direction and averaged for specimens in weft direction, and the averages shall be recorded as the initial breaking strength in warp and weft directions. An average in warp of less than 125 pounds or less than 100 pounds in the weft direction shall constitute failure of this test.

(iii) *Breaking tensile strength after accelerated weathering.* The balance of the specimens shall be tested in accordance with Federal Test Method Standard No. 191, method 5804, for not less than 1,200 hours, except that the black panel temperature shall be maintained at 155° F., plus or minus 3° F. The black panel temperature shall be read during the final 10 minutes of a cycle just before the water spray period starts. At the completion of 1,200 hours exposure to accelerated weathering, the specimens shall again be conditioned for 24 hours at the standard conditions specified in Federal Test Method Standard No. 191. After conditioning, the exposed specimens shall be tested for breaking strength in accordance with Federal Test Method Standard No. 191, method 5100.1. An average breaking strength of less than 70 percent of the initial average breaking strength recorded for its re-

spective warp or fill yarn direction shall constitute failure of this test.

(6) *Ends of heat cut sheets and/or spiral sewn bags.* Heat cut ends of cotton bale cover sheets and spiral tubing shall be evaluated for heat cut strength as specified in A.S.T.M. Method D 751. Pin test values of less than 40 pounds, as per this method, shall constitute failure of this test.

(7) *Air permeability.* The fabric shall be tested for air permeability as specified in A.S.T.M. D 737-46. Air permeability values of less than 5 or more than 50 cubic feet per minute per square foot will constitute failure of this test.

This subpart is effective for all loans made on the 1977 and subsequent crops of cotton.

NOTE.—The Agricultural Stabilization and Conservation Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Signed at Washington, D.C., on June 3, 1977.

VICTOR A. SENECHAL,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 77-16483 Filed 6-9-77; 8:45 am]

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Payment Program for Shorn Wool and Unshorn Lambs, 1976 Marketing Year, Amdt. 3]

PART 1472—WOOL

Subpart—1976 Payment Rates for Shorn Wool and Unshorn Lambs

AGENCY: Agricultural Stabilization and Conservation Service, Department of Agriculture.

ACTION: Correction.

SUMMARY: This document corrects a final rule that appeared at page 20113 in the FEDERAL REGISTER of April 18, 1977 (FR Doc. 77-11176).

EFFECTIVE DATE: June 9, 1977.

FOR FURTHER INFORMATION CONTACT:

Gerald Schiermeyer (202-447-4428),
Program Operations Division, ASCS,
USDA, Room 3636, South Building,
Washington, D.C. 20013.

The following correction is made on page 20113 to § 1472.1405(e):

1. On the fourth line, the entry that reads "67.5 cents a pound" is changed to read "65.7 cents a pound."

Signed at Washington, D.C., on June 1, 1977.

VICTOR A. SENECHAL,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 77-16283 Filed 6-9-77; 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

PART 112—PACKAGING AND LABELING

Miscellaneous Amendment

AGENCY: Animal and Plant Health Inspection Service (APHIS).

ACTION: Final rule.

SUMMARY: This amendment will delete references to special license. Special licenses are no longer issued, and when they were discontinued, an effort was made to eliminate all references to them. This amendment will correct an oversight made at that time.

EFFECTIVE DATE: This amendment becomes effective June 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. R. J. Price, (301) 436-8245.

SUPPLEMENTARY INFORMATION: On October 8, 1976, there was published in the FEDERAL REGISTER (41 FR 44358) a promulgation of final regulations relating to licenses for biological products. Issuance of special licenses was discontinued at that time and known references to special licenses were deleted from the regulations.

References to special licenses appearing in section 112.2 of the current regulations were overlooked at that time. This amendment corrects that oversight.

Part 112 is amended by revising paragraph 112.2(a)(1) to read:

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

(a) * * *

(1) The principal part of the true name of the biological product which name shall be identical with that shown in the product license under which such product is prepared, or the permit under which it is imported, shall be prominently lettered and placed giving equal emphasis to each word composing it. Descriptive terms used in the true name on the product license or permit shall also appear. Abbreviations of the descriptive terms may be used on the final container label if complete descriptive terms appear on a carton label and enclosures:

(21 U.S.C. 151 and 154; 37 FR 28477, 28646; 38 FR 19141.)

This amendment makes administrative changes to correct an oversight without

making other substantive changes in the regulations. In order for them to be of maximum benefit, they must be made effective immediately.

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 amendment shall become effective upon issuance.

Done at Washington, DC, this 3rd day of June 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

PIERRE A. CHALOUX,
Acting Deputy Administrator,
Veterinary Services.

[FR Doc.77-16195 Filed 6-9-77;8:45 am]

Title 20—Employees Benefits

CHAPTER V—EMPLOYMENT AND TRAINING ADMINISTRATION, DEPARTMENT OF LABOR

PART 656—LABOR CERTIFICATION PROCESS FOR THE PERMANENT EMPLOYMENT OF ALIENS IN THE UNITED STATES

Medical Profession

AGENCY: Employment and Training Administration, Labor.

ACTION: Final rule.

SUMMARY: This regulation requires certain alien members of the medical profession to pass Parts I and II of the National Board of Medical Examiners Examination or an equivalent examination as determined by the Secretary of Health, Education, and Welfare as a condition precedent to obtaining a labor certification involving permanent employment in the United States.

DATES: Effective date: July 11, 1977.

FOR FURTHER INFORMATION CONTACT:

Aaron Bodin, Chief, Division of Labor Certification, United States Employment Service, Room 8410, 601 D Street NW., Washington, D.C. 20213, 202-376-6295.

SUPPLEMENTARY INFORMATION: On November 5, 1976, at 41 FR 48938, the Department published proposed regulations on the labor certification process for the permanent employment of aliens in the United States. The proposed

regulations contained a paragraph which was based on an amendment to Section 212(a) of the Immigration and Nationality Act made by Section 601(a) of the Health Professions Educational Assistance Act of 1976 which required that certain alien members of the medical profession pass parts I and II of the National Board of Medical Examiners Examination, or an equivalent examination as determined by the Secretary of Health, Education, and Welfare, as a condition for obtaining a visa and for admission into the United States. This paragraph was not included in the final regulations for 29 CFR Part 656—Labor Certification Process for the Permanent Employment of Aliens in the United States, published at Part IV of the *FEDERAL REGISTER* on Tuesday, January 18, 1977 (FR Doc. 77-1613). After further study, however, the Department has decided to publish the provision in final form.

One commentator on the proposed regulations stated that it was improper for the Department to require passage of such an examination as a condition precedent to receiving a labor certification because the statute, as amended, requires the passage of the examination as a condition precedent to obtaining a visa, but not as a condition precedent to obtaining a labor certification. The Department, however, believes that the labor certification procedure and the passage of an appropriate examination are so closely related as to warrant their merger in the administrative process for the following reasons: (1) Both the passage of the examination and the obtaining of a labor certification are statutory conditions precedent for the receipt of visas by, and for the admission of certain medical personnel; (2) The qualification by examination of such medical personnel is directly related to the legal ability of these aliens to engage in the occupations for which labor certifications are requested; and (3) the processing of labor certification applications on behalf of such medical personnel who are subsequently unable to pass the necessary examination will unnecessarily burden the administrative process.

For the information and assistance of the public, the Department is also amending § 656.1 *Purpose and scope of Part 656*, by adding the name and address of the office to which the public may address questions about the regulations.

The Department is also correcting a citation error in § 656.23.

This regulation was prepared under the direction and control of Aaron Bodin, Chief, Division of Labor Certification, U.S. Employment Service.

Accordingly, 20 CFR Part 656 is amended as follows:

1. Section 656.1 *Purpose and scope of Part 656*, is amended by adding at the

end thereof the following new paragraph:

§ 656.1 Purpose and scope of Part 656.

(c) Correspondence and questions concerning the regulations in this part should be addressed to: Division of Labor Certifications, United States Employment Service, Room 8410, 601 D Street NW., Washington, D.C. 20213.

2. The following paragraph is added at 20 CFR 656.21(a)(6):

§ 656.21 Basic labor certification application process.

(a) * * *

(6) If the application involves a job offer as a physician or surgeon, documentation that the alien has passed Parts I and II of the National Board of Medical Examiners Examination or an equivalent examination as determined by the Secretary of Health, Education, and Welfare as provided by 8 U.S.C. 212(a)(32).

§ 656.23 [Amended]

3. In § 656.23(g) at 42 FR 3447, the reference to § 656.25(f)(2) is corrected to read § 656.25(g)(2).

Signed at Washington, D.C., this 3rd day of June 1977.

ERNEST G. GREEN,
Assistant Secretary for
Employment and Training.

[FR Doc.77-16498 Filed 6-9-77;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

Food Standards, Food Additives, Color Additives, and New Animal Drugs

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document clarifies the authority of the Director of the Bureau of Veterinary Medicine to refuse or withdraw approval of new animal drug applications, and provides him with additional authorities for more effective Bureau operation.

EFFECTIVE DATE: June 10, 1977.

FOR FURTHER INFORMATION CONTACT:

Robert L. Miller, Office of Administration (HFA-340), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers