

able for public inspection, at the beginning of the period for public comment on a proposed consent order, material submitted to the Commission that was reasonably related to the order and was not exempt from disclosure under the Freedom of Information Act. At that time the Commission indicated that it would review the effect of the rule change after 1 year. (This rule was revised on January 23, 1978, to clarify that it was intended to apply only to material submitted by a respondent. 43 FR 3088.)

The Commission's experience with the rule demonstrates a lack of public interest in the material being made available (as of August 1, 1978, only one person has been recorded as having looked at material made available under the rule, although 29 consent agreements had been placed on the public record), with the comment process consequently being unaffected by the rule. The rule did have the unfortunate effect of delaying the placement of consent agreements on the public record for comment because of the time required to segregate documents into exempt and nonexempt categories; this consequently resulted in the delay in the consent order becoming effective. The segregation of documents also required significant staff time. In view of the burden of the Commission and the resultant cost in public resources, the delay in consent agreements taking effect, and the minimal public interest in these materials, the Commission is terminating its experiment with this procedure. The Commission believes that the goal that the procedure sought to achieve, i.e., more informed public comment on proposed consent orders, can be obtained by publication of a more complete explanation of the consent order. See Commission rule 2.34, 16 CFR 2.34.

While this rule is effective immediately, the Commission invites comments on it for 30 days after date of publication. Comments should be addressed to the Office of the Secretary. The Commission will review all comments received and take whatever action, if any, it deems appropriate.

Accordingly, and pursuant to 15 U.S.C. 46(g), the Commission hereby amends its rules of practice §§ 2.34 and 3.25(f), 16 CFR 2.34 and 3.25(f), as set forth below.

1. By revising § 2.34 to read as follows:

§ 2.34 Disposition.

Upon receiving an executed agreement conforming with the requirements of § 2.32, the Commission may: (1) Accept it; (2) reject it and issue its complaint; or (3) take such other action as it may deem appropriate. If an agreement is accepted, the Commission

will place the order contained therein and any initial report of compliance submitted pursuant to § 2.33 on the public record, and at the same time, will make available an explanation of the provisions of the order and the relief to be obtained thereby, and any other information which it deems helpful in assisting interested persons to understand the terms of the order. The Commission will publish the agreement, order, and explanation in the *FEDERAL REGISTER*. For a period of sixty (60) days after placement of the order on the public record and issuance of the statement, the Commission will receive and consider any comments or views concerning the order that may be filed by any interested person. Thereafter, the Commission may either withdraw its acceptance of the agreement and so notify the other party, in which event it will take such other action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

2. By amending § 3.25(f) to read as follows:

§ 3.25 Consent agreement settlements.

(f) After the matter has been withdrawn from adjudication, the Commission may: (1) Accept the agreement, (2) reject it and return the matter to adjudication for further proceedings, or (3) take such other action as it may deem appropriate. If an agreement is accepted, the Commission will place it on the public record, together with any initial report of compliance submitted pursuant to § 2.33, and at the same time, will make available an explanation of the provisions of the order and the relief to be obtained thereby, and any other information which it deems helpful in assisting interested persons to understand the terms of the order. The Commission will publish the agreement, order, and explanation in the *FEDERAL REGISTER*. For a period of sixty (60) days after placement of the order on the public record and issuance of the statement, the Commission will receive and consider any comments or views concerning the order that may be filed by any interested persons. Thereafter, the Commission may either withdraw its acceptance of the agreement and so notify the other party, in which event it will return the matter to adjudication for further proceedings or take such other action as it may consider appropriate, or issue and serve its decision in disposition of the proceeding.

By direction of the Commission, dated September 27, 1978. Commissioner Pitofsky did not participate.

CAROL M. THOMAS,
Secretary.

[FR Doc. 78-31490 Filed 11-6-78; 8:45 am]

[4110-03-M]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

[Docket No. 78N-0347]

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

Subpart B—Redelegations of Authority From the Commissioner of Food and Drugs

DISCLOSURE OF OFFICIAL RECORDS

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the regulations for delegations of authority for disclosing official records and information. The records of registration of blood product establishments are maintained by the Management and Data Systems staff in the Office of the Director of the Bureau of Biologics. This amendment provides the Chief of that staff the authority to sign affidavits regarding the presence or absence of blood product establishment registration records.

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert L. Miller, Office of Management and Operations (HFA-340), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4976.

SUPPLEMENTARY INFORMATION: The amendment to § 5.23 disclosure of official records gives the Chief of the Management and Data Systems staff in the Office of the Director of the Bureau of Biologics the authority to sign affidavits regarding the presence or absence of registration records of blood product establishments. These records are submitted according to part 607 (21 CFR Part 607) of this chapter.

Further redelegation of the authority delegated is not authorized. Author-

ity delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him or her as "acting," or unless not legally permissible.

Therefore, under the Federal Food, Drug, and Cosmetic Act (Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), § 5.23 is amended by adding new paragraph (e) to read as follows:

§ 5.23 Disclosure of official records.

(e) The Chief of the Management and Data Systems staff in the Office of the Director of the Bureau of Biologics is authorized to sign affidavits regarding the presence or absence of records of registration of blood product establishments.

Effective date: This regulation shall be effective November 7, 1978.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))).

Dated: October 30, 1978.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Regulatory Affairs.

[FR Doc. 78-31223 Filed 11-6-78; 8:45 am]

[4510-26-M]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL
SAFETY AND HEALTH ADMINIS-
TRATION, DEPARTMENT OF LABOR

PART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDS

Revocation of Selected General In-
dustry Safety and Health Stand-
ards; Corrections

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Final Rule; Corrections.

SUMMARY: This notice announces corrections to the final Revocation of Selected General Industry Safety and Health Standards which appeared in the FEDERAL REGISTER on October 24, 1978 (43 FR 49726).

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Dr. Jerry Purswell, Directorate of Safety Standards Programs, Occupational Safety and Health Adminis-

tration, Department of Labor, Third Street and Constitution Avenue, NW., Room N3510, Washington, D.C. 20210, Telephone: 202-523-7198.

SUPPLEMENTARY INFORMATION: On October 24, 1978, a document was published in the FEDERAL REGISTER (43 FR 49726) which, with an accompanying explanation, revoked selected general industry safety and health standards. The effective date of the revocations is November 24, 1978. There were a number of inadvertent errors and omissions in the October 24, 1978, document. This document corrects those errors.

Accordingly, FR Doc. 78-30164, appearing at 43 FR 49726, is corrected as follows:

1. Page 49728, column 1, line 22, "607" is corrected to read "606."

2. Page 49729, column 2, line 7, "Table D-4" is corrected to read Table D-2."

3. Page 49731, column 3, line 16, "manufacture" is corrected to read "installation."

4. Page 49732, column 1, last paragraph, line 2, "1910.96(1)(2)(iii)" is corrected to read "1910.96(1)(2)(ii)."

5. Page 49732, column 2, last line, "subparts" is corrected to read "supports."

6. Page 49732, column 3, next to last line, add the words "the second sentence of" before "1910.106(h)(2)(i)."

7. Page 49733, column 1, second paragraph, delete the comma at the end of line 1 and, beginning with the words "For example" in line 7, delete the remainder of the paragraph.

8. Page 49733, column 3, second paragraph, line 6, add after "1910.106(b)(2)(vi)(b)" the phrase "the words 'or public ways'."

9. Page 49733, column 3, second paragraph, line 16, "1910.106(b)(2)(vii)(d)" is corrected to read "1910.106(b)(2)(viii)(d)."

10. Page 49733, column 3, second paragraph, line 17, "1910.106(b)(2)(vii)(e)" is corrected to read "1910.106(b)(2)(viii)(e)."

11. Page 49733, column 3, second paragraph, line 18, "1910.106(b)(2)(vii)(f)" is corrected to read "1910.106(b)(2)(viii)(f)."

12. Page 49733, column 3, second paragraph, line 20, "1910.106(d)(5)(ii)(a)" is corrected to read "1910.106(d)(5)(vi)(a)."

13. Page 49735, column 2, fourth paragraph, line 11, "1910.110(b)(6)(i)(b)" is corrected to read "1910.110(f)(6)(i)(b)," and a comma is added at the end of line 11.

14. Page 49738, column 1, line 1, "Figure J-7" is corrected to read "Figure J-8."

15. Page 49738, column 2, lines 38 and 39, "Paragraph 1910.145(d)(11)—Symbols" is corrected to read "Para-

graph 1910.145(d)(10)—Slow Moving Vehicle Emblem."

16. Page 49738, column 2, line 44, "Figure J-8—Poison/Electricity" is corrected to read "Figure J-7—Slow Moving Vehicle Emblem."

17. Page 49740, column 1, second paragraph, the phrase "the second sentence of" is added before "1910.213(m)(2)" in the second line.

18. Page 49740, column 3, sixth paragraph, "Paragraph 1910.219(m)(2)" is corrected to read "Paragraph 1910.219(m)(2)(i)."

19. Page 49741, column 1, line 11, "Paragraph 1910.219(o)" is corrected to read "Paragraph 1910.219(o)(1)."

20. Page 49741, column 3, add the following at the end of the column: "1910.244 Other Portable Tools and Equipment."

"Paragraph 1910.244(a)(2) prescribes regulations for the operation and maintenance of jacks. Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in paragraph 1910.244(a)(2) should not be revoked:

"1910.244(a)(2)(v)—Second sentence dealing with manufacturer's lubrication instructions."

21. Page 49742, column 3, second paragraph, line 1, "There was no public comment" is corrected to read "There were several comments."

22. Page 49743, column 2, fifth paragraph under "Subpart R—Special Industries," lines 6 and 7, "two requirements" is corrected to read "following requirement."

23. Page 49743, column 2, seventh paragraph under "Subpart R—Special Industries," after line 7 (ending in "kiln tender room") add the following title line: "1910.266 Pulpwood Logging."

§ 1910.96 [Corrected]

24. Page 49746, column 2, item 180, "Paragraph (r)(4)(iii)" is corrected to read "Paragraph (r)(4)(ii)."

§ 1910.106 [Corrected]

25. Page 49746, column 3, item 210, "Paragraph (b)(2)(vii)(a)" is corrected to read "Paragraph (b)(2)(viii)(a)."

26. Page 49746, column 3, item 211, "Paragraph (b)(2)(vii)(b)" is corrected to read "Paragraph (b)(2)(viii)(b)."

27. Page 49747, column 1, item 227, line 2, "revoked" is corrected to read "amended by deleting the second sentence thereof."

§ 1910.145 [Corrected]

28. Page 49749, column 1, item 417, "Figure J-7" is corrected to read "Figure J-8."

§ 1910.219 [Corrected]

29. Page 49750, column 2, item 502, "Paragraph (m)(2)" is corrected to read "Paragraph (m)(2)(i)."

30. Page 49750, column 2, item 514, "Paragraph (o)" is corrected to read "Paragraph (o)(1)."

§ 1910.265 [Corrected]

31. Page 49751, column 2, item 584. Item 584 is deleted. Paragraph (c)(7) of § 1910.265 is not revoked.

§ 1910.1008 [Corrected]

32. Page 49751, column 2, item 597, "Paragraph (d)(10)" is corrected to read "Paragraph (d)(1)."

(Section 6, 84 Stat. 1593 (29 U.S.C. 655); Secretary of Labor's Order 8-76 (41 FR 25059); 29 CFR Part 1911.)

Signed at Washington, D.C., this 2nd day of November 1978.

EULA BINGHAM,
Assistant Secretary of Labor.

[FR Doc. 78-31524 Filed 11-6-78; 8:45 am]

[4510-26-M]

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Revocation of Selected Special Industry Safety and Health Standards; Corrections

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Final Rule; Corrections.

SUMMARY: This notice announces corrections to the final Revocation of Selected Special Industry Safety and Health Standards which appeared in the FEDERAL REGISTER on October 24, 1978 (43 FR 49751).

EFFECTIVE DATE: November 7, 1978.

FOR FURTHER INFORMATION CONTACT:

Dr. Jerry Purswell, Directorate of Safety Standards Programs, Occupational Safety and Health Administration, Department of Labor, Third Street and Constitution Avenue NW., Room N3510, Washington, D.C. 20210, telephone: 202-523-7198.

SUPPLEMENTARY INFORMATION: On October 24, 1978, a document was published in the FEDERAL REGISTER (43 FR 49751) which, with an accompanying explanation, revoked selected special industry safety and health standards. The effective date of the revocations is November 24, 1978. There were a number of inadvertent errors and omissions in the October 24, 1978 document. This document corrects those errors.

Accordingly, FR Doc. 78-30165 appearing at 43 FR 49751 is corrected as follows:

1. Page 49752, column 1, second paragraph, line 4, "conerning" is corrected to read "concerning."

2. Page 49752, column 2, second paragraph, line 9, "brevised" is corrected to read "revised."

3. Page 49753, column 2, third paragraph, line 16, "Two Hundred twenty-three" is corrected to read "Two Hundred nineteen."

4. Page 49753, column 3, first paragraph, line 15, "Sixty-four" is corrected to read "Sixty-five."

5. Page 49756, column 1, second paragraph, lines 1 and 2, delete the words "Also, paragraph 1910.212(a)(3). This provision is therefore revoked."

6. Page 49756, column 3, first paragraph, add the following lines after line 25: "1910.263(d)(7)(iii)—Screw conveyor covers. 1910.263(d)(8)(i)—Flour sifter enclosures."

7. Page 49757, column 2, first paragraph, add the following lines after line 2: "1910.263(e)(1)(viii)—Access doors and covers."

8. Page 49757, column 3, third paragraph, line 4, "reviewed" is corrected to read "reviewed."

9. Page 49757, column 3, third paragraph, line 6, "23" is corrected to read "22."

10. Page 49757, column 3, third paragraph, line 7, "Twelve" is corrected to read "Eleven."

11. Page 49758, column 1, first paragraph, line 28, "Pagagraph" is corrected to read "Paragraph."

12. Page 49758, column 1, second paragraph, line 6 & 7, "Paragraph 1910.212(i)(19)(ii)" is corrected to read "Paragraph 1910.263(i)(19)(ii)."

13. Page 49758, column 1, second paragraph, line 11, "Paragraph 1910.212(i)(20)(i)" is corrected to read "Paragraph 1910.263(i)(20)(i)."

14. Page 49758, column 2, line 5, "fire extinguisher for a Class B" is corrected to read "fire extinguishing devices suitable for a Class B."

15. Page 49758, column 2, first paragraph, lines 29 and 30, delete the words "Paragraph 1910.263(i)(8)(i)—Handles for overhead trolley switches."

16. Page 49759, column 1, first paragraph, line 5, "provisions" is corrected to read "provision."

17. Page 49762, column 2, eighth paragraph, add the following lines after line 9: "Paragraph 1910.263(i)(3)(ii)—Oven piping."

18. Page 49763, column 3, seventh paragraph, line 4, "other paragraphs" is corrected to read "following provisions."

19. Page 49763, column 3, seventh paragraph, line 5, the period after the word "revoked" is changed to a colon.

20. Page 49763, column 3, seventh paragraph, add the following lines after line 5: "Paragraph 1910.264(c)(1)(ii)(b)—Holding door open on washing machine."

Paragraph 1910.264(c)(2)(iii)(b)—Holding door open on drying tumblers.

Paragraph 1910.264(c)(2)(iv)(b)(2)—Holding door open on shakers.

Paragraph 1910.264(c)(2)(v)—Exception of holding door open for automatic machines.

Paragraph 1910.264(c)(4)(iii)(a)—Insulating steam pipes to prevent burns.

Paragraph 1910.264(c)(4)(iii)(b)—Safety valves on steam lines."

21. Page 49764, column 1, seventh paragraph, line 4, "other paragraphs" is corrected to read "following provisions."

22. Page 49764, column 1, seventh paragraph, line 5, the period after the word revoked is corrected to a colon.

23. Page 49764, column 1, seventh paragraph, add the following lines after line 5: "Paragraph 1910.264(d)(1)(iii)—Precautions for handling soiled clothes."

Paragraph 1910.264(d)(1)(v)—Employee instruction.

Paragraph 1910.264(d)(2)(i)(a)—Prohibition against removing safety guards."

24. Page 49764, column 1, delete last four lines.

25. Page 49764, column 2, delete first eight lines.

26. Page 49764, column 2, delete fifth paragraph, starting with the first word "Upon" to the last word "guards."

§ 1910.263 [Corrected]

27. Page 49765, column 2, item 82, "(d)(6)(iii)" is corrected to read "(d)(6)(iv)."

28. Page 49767, column 1, item 237, "(l)(9)(ix)(a)" is corrected to read "(l)(9)(xi)(a)."

§ 1910.264 [Corrected]

29. Page 49767, column 2, item 290 "(c)(2)(iv)(a)(a2)" is corrected to read "(c)(2)(iv)(a)(2)."

30. Page 49767, column 3, item 298 "(c)(4)(i)" is corrected to read "(c)(3)(ii)(d)."

31. Page 49767, column 3, add the following lines after item 321: "322. Paragraph (a)(3) of § 1910.264 is revoked."

(Section 6, 84 Stat. 1593 (29 U.S.C. 655); Secretary of Labor's Order 8-76 (41 FR 25059); 29 CFR Part 1911.)

Signed at Washington, D.C. this 2nd day of November 1978.

EULA BINGHAM,
Assistant Secretary of Labor.

[FR Doc. 78-31525 Filed 11-6-78; 8:45 am]