

ent salt tablets, including some containing calcium chloride and/or calcium sulfate, that are used in canned tomatoes. The current standard allows calcium salts to be declared as "trace of calcium salts added." Such labeling allows the canner to use approved calcium salts interchangeably without need for label change, but the revised standard requires the calcium salts used to be declared on the label by their common or usual name. The manufacturer said that because of the severe weather conditions in this country in 1976, extra time is required to use the excess inventory of tablets and labels.

The Commissioner notes that there are no unresolved objections remaining, but concludes that it is reasonable to extend the compliance date to July 1, 1979. This will give manufacturers who may have made label changes consistent with the final regulation as published in the FEDERAL REGISTER of June 16, 1976 (41 FR 24342), the opportunity to exhaust their inventory of such labels.

#### CLARIFICATION OF PARENTHETICAL EXPRESSIONS

A comment requested clarification of the parenthetical expressions in § 155.190(b)(1) (iii) and (iv). It said that the way the parentheses were used to express the English equivalent to the metric system for peel and blemish tolerances was confusing.

The Commissioner agrees, and he is revising § 155.190(b)(1) (iii) and (iv) to eliminate the confusion.

In consideration of the comments received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to amend the standards of identity and quality for canned tomatoes, as set forth below.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e))) and under authority delegated to the Commissioner (21 CFR 5.1), Part 155 is amended in § 155.190 by revising paragraphs (a)(2)(vii), (a)(3) (iii) and (iv), (a)(4), (a)(5)(ii) (b) and (d) and (iii) (a) and (c), and (b)(1) (iii) and (iv), to read as follows:

#### § 155.190 Canned tomatoes.

(a) \* \* \*

(2) \* \* \*

(vii) Vegetable ingredients such as onion, peppers, and celery, that may be fresh or preserved by physical means, in a quantity not more than 10 percent by weight of the finished food.

(3) \* \* \*

(iii) The liquid strained from mature tomatoes (tomato juice).

(iv) Tomato paste, or tomato puree, or tomato pulp complying with the

compositional requirements of §§ 155.191 and 155.192.

(4) *Styles.* (i) Whole.

(ii) Diced.

(iii) Sliced.

(iv) Wedges.

(5) \* \* \*

(ii) \* \* \*

(b) A declaration of any added spice, seasoning, or vegetable ingredient that characterizes the product (e.g., "with added \_\_\_\_\_" or "with \_\_\_\_\_" the blank to be filled in with the word(s) "spice(s)", "seasoning(s)", or the name(s) of the vegetable(s) used or in lieu of the word(s) "spice(s)" or "seasoning(s)" the common or usual name(s) of the spice(s) or seasoning(s) used) except that no declaration of the presence of onion, peppers, and celery is required for stewed tomatoes.

(d) The styles: "diced", "sliced", or "wedges" as appropriate.

(iii) \* \* \*

(a) The word "whole" if the tomato ingredient is whole or almost whole, and the weight of such ingredient is not less than 80 percent of the drained weight of the finished food as determined in accordance with the method prescribed in (b)(2) of this section.

(c) The words "in tomato juice" if the packing medium specified in paragraph (a)(3)(iii) of this section is used.

(b) \* \* \*

(1) \* \* \*

(iii) Peel per kilogram (2.2 pounds) of the finished food covers an area of not more than 15 cm<sup>2</sup> (2.3 square inches) which is equivalent to 6.8 cm<sup>2</sup> (1.06 square inches) per pound based on an average of all containers examined provided, however, that the area of peel is not a factor of quality for canned unpeeled tomatoes labeled in accordance with paragraph (a)(5)(i) of this section; and

(iv) Blemishes per kilogram (2.2 pounds) of the finished food cover an area of not more than 3.5 cm<sup>2</sup> (0.54 square inch) which is equivalent to 1.6 cm<sup>2</sup> (0.25 square inch) per pound based on an average of all containers examined.

*Effective date.* Compliance with this final regulation may have begun August 16, 1976, and all products initially introduced into interstate commerce on or after July 1, 1979, shall fully comply.

(Secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e)).)

Dated: July 5, 1978.

JOSEPH P. HILE,  
Associate Commissioner  
for Regulatory Affairs.

[FR Doc. 78-19139 Filed 7-13-78; 8:45 am]

[4110-03]

#### SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

#### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

##### Glycobiarsol Tablets

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the animal drug regulations to reflect previously unpublished approval of a new animal drug application (NADA) held by Sterling Drug, Inc., providing for use of an arsenical anthelmintic for treatment of dogs. The application was originally sponsored by Winthrop Laboratories, but as the result of a change of sponsor, it is now sponsored by the parent company, Sterling Drug Inc.

EFFECTIVE DATE: July 14, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert A. Baldwin, Bureau of Veterinary Medicine (HFV-114), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: Sterling Drug Inc., 90 Park Ave., New York, N.Y. 10016, is the sponsor of a NADA (31-709V) providing for use of 1- and 2.5-gram glycobiarsol tablets for treatment of whipworm infestations in dogs. This rule is to reflect the previously unpublished approval of NADA 31-709(v).

This administrative action does not constitute a reaffirmation of the drug's safety and effectiveness. This application was originally approved April 5, 1966.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), part 520 is amended by adding new § 520.1065 to read as follows:

#### § 520.1065 Glycobiarsol tablets.

(a) *Specifications.* Each tablet contains 1 or 2.5 grams of glycobiarsol.

(b) *Sponsor.* See No. 000934 in § 510.600(c) of this chapter.

(c) *Conditions of use—(1) Amount.* 100 milligrams per pound of body

weight (one 1-gram tablet per 10 pounds or one 2.5-gram tablet per 25 pounds of body weight) once daily for 5 consecutive days.

(2) *Indications for use.* For elimination of whipworms (*Trichuris vulpis*) from dogs.

(3) *Limitations.* Administer tablets orally or crush and mix in feed. If required, animals can be retreated 2 to 4 weeks after first treatment. Fasting is not required prior to treatment, and no purgation is needed following treatment. Administer with caution to severely debilitated and emaciated animals. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

*Effective date.* This regulation is effective July 14, 1978.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: July 7, 1978.

C. D. VAN HOUWELING,  
Director, Bureau of  
Veterinary Medicine.

[FR Doc. 78-19231 Filed 7-13-78; 8:45 am]

[4110-03]

**PART 558—NEW ANIMAL DRUGS  
FOR USE IN ANIMAL FEEDS**

**Amprolium, Ethopabate, Bacitracin,  
and Roxarsone**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

**SUMMARY:** The regulations are amended to reflect approval of a new animal drug application (NADA) filed by IMC Chemical Group, Inc., providing for use of a medicated chicken feed to be used for prevention of coccidiosis, improved feed efficiency, and improved pigmentation.

**EFFECTIVE DATE:** September 14, 1978.

**FOR FURTHER INFORMATION CONTACT:**

Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-147), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4317.

**SUPPLEMENTARY INFORMATION:** IMC Chemical Group, Inc., P.O. Box 207, Terre Haute, Ind. 47808, filed an NADA (105-758V) providing for use of a medicated feed for broiler chickens that contains amprolium, ethopabate, bacitracin zinc, and roxarsone. The combination of amprolium and ethopabate at fixed concentrations of 113.5 and 36.3 grams per ton, respectively, plus 10 to 50 grams per ton of bacitracin zinc and 15.4 to 45.4 grams per ton of roxarsone is to be used to improve feed efficiency and as an aid in prevention of coccidiosis. The combination of the same fixed concentrations of amprolium and ethopabate plus 10 grams per ton of bacitracin zinc and 30 to 45.4 grams per ton of

roxarsone is used for improved pigmentation in addition to its use for the prevention of coccidiosis and improved feed efficiency.

Approval of this application does not constitute a reaffirmation of the underlying human safety data for the combination of amprolium, ethopabate, bacitracin zinc, and roxarsone.

In accordance with the freedom of information regulations and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk (HFC-20), Food and Drug Administration, Room 4-65, 5600 Fishers Lane, Rockville, Md. 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Part 558 is amended in § 558.58 by adding to the table in paragraph (e)(1) two new combinations to item (iii), immediately following the entry "Bacitracin 20 to 35 plus roxarsone 34 (0.00375 pct)." to read as follows:

§ 558.58 Amprolium and ethopabate.

(e) \* \* \*  
(1) \* \* \*

Amprolium and ethopabate <sup>1</sup>	Combination <sup>1</sup>	Indications for use	Limitations	Sponsor
(iii) Amprolium 113.5 (0.0125 pct) and ethopabate 36.3 (0.004 pct).				
	Bacitracin 10 to 50 plus roxarsone 15.4 to 45.4 (0.0017 pct to 0.005 pct).	Broiler chickens; as an aid in prevention of coccidiosis where severe exposure to coccidiosis from <i>Eimeria acervulina</i> , <i>E. maxima</i> , and <i>E. brunetti</i> is likely to occur; improved feed efficiency.	Do not feed to laying chickens; withdraw 5 d before slaughter; as sole source of amprolium and organic arsenic; do not use as a treatment for outbreaks of coccidiosis; feed as the sole ration from time chicks are placed on litter until past the time when coccidiosis is ordinarily a hazard; amprolium and ethopabate as provided by No. 000006 is sec. 510.600(c) of this chapter; bacitracin zinc as provided by No. 012769; roxarsone as provided by No. 017210; combination as provided by No. 012769.	012769
	Bacitracin 10 plus roxarsone 30 to 45.4 (0.0033 pct to 0.005 pct).	Broiler chickens; as an aid in prevention of coccidiosis where severe exposure to coccidiosis from <i>E. acervulina</i> , <i>E. maxima</i> , and <i>E. brunetti</i> is likely to occur; improved feed efficiency and improved pigmentation.	.....do.....	012769

<sup>1</sup> In grams per ton.

Effective date: July 14, 1978.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)).)

Dated: July 7, 1978.

C. D. VAN HOUWELING,  
Director, Bureau of Veterinary Medicine.

[FR Doc. 78-19232 Filed 7-13-78; 8:45 am]

[4210-01]

**Title 24—Housing and Urban  
Development**

**CHAPTER III—GOVERNMENT NATIONAL  
MORTGAGE ASSOCIATION, DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT**

[Docket No. R-78-557]

**PART 300—GENERAL**

**List of Attorneys-in-Fact**

AGENCY: Department of Housing and Urban Development.

ACTION: Final rule.

SUMMARY: This amendment updates the current list of attorneys-in-fact by amending paragraph (c) of 24 CFR 300.11. These attorneys-in-fact are authorized to act for the association by executing documents in its name in conjunction with servicing GNMA's mortgage purchase programs, all as more fully described in paragraph (a) of 24 CFR 300.11.

DATES: This amendment is effective July 14, 1978.

ADDRESSES: Rules Docket Clerk, Office of General Counsel, Room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410, telephone 202-755-7603.

FOR FURTHER INFORMATION CONTACT:

Mr. William J. Linane, Office of General Counsel, 202-755-4942.

SUPPLEMENTARY INFORMATION: Notice and public procedure on this amendment are unnecessary and impracticable because of the large volume of legal documents that must be executed on behalf of the Association.

1. Paragraph (c) of 24 CFR 300.11 is amended by deleting the following names from the current list of attorneys-in-fact:

*Name and Region*

Norman Camber, Los Angeles, Calif.  
David L. Floyd, Atlanta, Ga.  
Fred J. Haupt IV, Los Angeles, Calif.  
Grace G. McKay, Atlanta, Ga.

2. Paragraph (c) of 24 CFR 300.11 is amended by adding the following names in alphabetical sequence to the current list of attorneys-in-fact:

*Name and Region*

Marcelo J. Bueno, Jr., Los Angeles, Calif.  
Susan M. Draney, Los Angeles, Calif.

D. Keith Gettmann, Atlanta, Ga.  
Robert R. Gliniski, Philadelphia, Pa.  
Patricia M. Langley, Atlanta, Ga.  
Vincent Liott, Philadelphia, Pa.  
James L. Smith, Philadelphia, Pa.  
Angela Tolotta, Philadelphia, Pa.  
Robert M. Tanabe, Los Angeles, Calif.  
J. H. Van House, Atlanta, Ga.  
Harvey W. Young, Philadelphia, Pa.

(Section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).)

Issued at Washington, D.C. on July 6, 1978.

JOHN H. DALTON,  
*President, Government  
National Mortgage Association.*

[FR Doc. 78-19465 Filed 7-13-78; 8:45 am]

[4510-27]

**Title 29—Labor**

**CHAPTER V—WAGE AND HOUR  
DIVISION**

**PART 870—RESTRICTION ON  
GARNISHMENT**

**Updating of Regulation To Reflect  
Effect of Fair Labor Standards  
Amendments of 1977—Correction**

AGENCY: Employment Standards Administration, Labor.

ACTION: Correction of final rule.

SUMMARY: Amendments to the garnishment regulations were published in the June 30, 1978, FEDERAL REGISTER to delete references to the \$2.30 per hour Fair Labor Standards Act minimum wage and substitute \$2.65 per hour which is the current Fair Labor Standards Act section 6(a)(1) minimum wage. By error references in two paragraphs to the lower wage were unchanged. This document corrects these omissions.

DATE: This document is effective as of June 30, 1978.

FOR FURTHER INFORMATION CONTACT:

Paul G. Campbell, Director, Division of Minimum Wage and Hour Standards, Office of Fair Labor Standards, Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210, telephone 202-523-7043.

SUPPLEMENTARY INFORMATION: In the June 30, 1978, edition of the FEDERAL REGISTER at 43 FR 28471, part 870 was revised to change the refer-

ence to the \$2.30 Fair Labor Standards Act minimum wage to \$2.65 which under the Fair Labor Standards Amendments of 1977 is the current section 6(a)(1) Fair Labor Standards Act minimum wage.

Paragraph (b) of § 870.10 was amended by revising subparagraphs (1), (2), and (3), but the reference in the last sentence of paragraph (b) immediately preceding subparagraph 1 to the obsolete \$2.30 wage was not corrected. Accordingly, this sentence is deleted and the word "Thus:" substituted therefor.

Also paragraph (c) (2) of § 870.10 was not revised to reflect the \$2.65 wage. This document corrects that omission, with the resulting revision of many other figures in the paragraph which are also based on the Fair Labor Standards Act minimum wage.

This document was prepared under the direction and control of Herbert J. Cohen, Assistant Administrator, Office of Fair Labor Standards, Wage and Hour Division, U.S. Department of Labor.

Accordingly, paragraphs (b) and (c)(2) of § 870.10 are corrected as follows:

§ 870.10 Maximum part of aggregate disposable earnings subject to garnishment.

(b) *Weekly pay period.* The statutory exemption formula applies directly to the aggregate disposable earnings paid or payable for a pay period of 1 workweek, or a lesser period. Its intent is to protect from garnishment and save to an individual earner, the specified amount of compensation for his personal services rendered in the workweek, or a lesser period. Thus:

(c) \* \* \*

(2) The "multiple" of the Federal minimum hourly wage equivalent to that applicable to the disposable earnings for 1 week is represented by the following formula: The number of workweeks or fractions thereof (x) × 30 × the applicable Federal minimum wage (\$2.65). For the purpose of this formula, a calendar month is considered to consist of 4½ workweeks. Thus, so long as the Federal minimum hourly wage is \$2.65 an hour, the "multiple" applicable to the disposable earnings for a 2-week period is \$159.00

(2×30×\$2.65); for a monthly period, \$344.50 (4½×30×\$2.65); and for a semimonthly period, \$172.25 (2½×30×\$2.65). The "multiple" for any other pay period longer than 1 week shall be computed in a manner consistent with section 303(a) of the act and with this paragraph.

Signed at Washington, D.C., on this 11th day of July 1978.

XAVIER M. VELA,  
Administrator.

[FR Doc. 78-19498 Filed 7-13-78; 8:45 am]

[4310-84]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5644; S-5045]

CALIFORNIA

Partial Revocation of Reclamation Project Withdrawal

AGENCY: Bureau of Land Management (Interior).

ACTION: Final rule.

SUMMARY: This order will restore approximately 38 acres in the Trinity River Division of the Central Valley Project to the operation of the public land laws generally, including the mining laws. This action is being taken because the Bureau of Reclamation no longer has need for the 38 acres.

EFFECTIVE DATE: August 11, 1978.

FOR FURTHER INFORMATION CONTACT:

Eldon G. Hayes, 202-343-8731.

By virtue of the authority contained in section 204 of the Act of October 21, 1976, 90 Stat. 2751 (43 U.S.C. 1714), it is ordered as follows:

1. The order of the Bureau of Reclamation dated February 19, 1952, concurred in by the Bureau of Land Management on February 27, 1952, withdrawing lands for the Trinity River Division of the Central Valley Project, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 32 N., R. 5 W.,  
sec. 11, lots 4 through 11 (formerly described as lot 1).

The area described aggregates 37.90 acres.

The land is located 4 miles north of the city of Redding in Shasta County. The area is a mixture of industrial, residential, agricultural, and recreational related activities.

2. At 10 a.m. on August 11, 1978, the lands shall be open to operation of the

public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 11, 1978, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the United States mining laws at 10 a.m. on August 11, 1978. They have been and will continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the land shall be addressed to the Bureau of Land Management, room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

Dated: July 6, 1978.

GUY R. MARTIN,  
Assistant Secretary  
of the Interior.

[FR Doc. 78-19422 Filed 7-13-78; 8:45 am]

[4110-89]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 164—CAPACITY BUILDING FOR STATISTICAL ACTIVITIES IN STATE EDUCATIONAL AGENCIES

Interim Final Regulation

AGENCY: National Center for Education Statistics.

ACTION: Interim final regulation.

SUMMARY: The Administrator of the National Center for Education Statistics issues an interim final regulation governing the award of discretionary grants to build the statistical capabilities of State educational agencies. The regulation states eligibility conditions, application requirements, funding criteria, and other rules for the administration of the program.

EFFECTIVE DATE: This regulation is expected to take effect 45 days after it is transmitted to Congress. (Regulations are transmitted to Congress 3 to 4 days before they are published in the FEDERAL REGISTER.) However, this date is changed by statute if Congress disapproves the regulation or takes certain types of adjournments. If you want to know the exact effective date of this regulation, call or write the National Center for Education Statistics' contact person.

DATE: Public comments are invited and will be considered for purposes of possible changes in the regulation for fiscal year 1979 and subsequent years.

Comments must be received on or before September 12, 1978.

ADDRESSES: Comments should be addressed to Mr. Ivan Seibert, National Center for Education Statistics, 400 Maryland Avenue SW., room 3061, Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT:

Ms. Donna Mertens, National Center for Education Statistics, 400 Maryland Avenue SW., Room 3061, Washington, D.C. 20202, 202-245-7813.

SUPPLEMENTARY INFORMATION:

1. *Nature of program.* Section 406(b)(3) of the General Education Provisions Act directs the National Center for Education Statistics to assist State and local educational agencies in improving and automating their statistical and data collection activities. This document governs the award of discretionary grants to build the statistical capabilities of State educational agencies. Grants under the program are intended to develop or enhance the long-term capability of the State educational agency to collect, process, analyze, or report statistical data about elementary/secondary education. Grants may focus on a reduction of data burden; improvement in the timeliness of data reporting; improvement in the quality, comparability, or utility of data; increase in analytical capability; improvement in the flow of information to local educational agencies or other agencies of the State; or similar statistical objectives.

The National Center for Education Statistics is limiting eligibility for grants to State educational agencies because they are in a unique position to collect, process, analyze, and report statistical data about elementary/secondary education within their States. This limitation minimizes the possibility of fragmented systems being developed within a State, and maximizes the potential for improved utilization of data at the State level for planning and decisionmaking. The limited amount of funds available for the program is another reason for limiting eligibility for grants to State educational agencies.

The Administrator of the National Center for Education Statistics has allocated \$300,000 for the support of this program in fiscal year 1978. It is anticipated that only about six (6) grants will be awarded in fiscal year 1978.

2. *Need for regulation.* Certain rules are needed for the proper administration of a Federal grant program. These rules relate to such matters as the types of agencies eligible to apply for a grant, the types of assistance available, the information which must be put in applications, and the criteria used to judge applications. Applicants