Issued in Washington, D.C., on July 10, 1978.

WILLIAM E. BROADWATER,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 78-19594 Filed 7-14-78; 8:45 am]

[6750-01]

Title 16–Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER B—GUIDES AND TRADE PRACTICE RULES

PART 23—JEWELRY INDUSTRY

Use of the Term "Gold"

AGENCY: Federal Trade commission.

ACTION: Final rule.

SUMMARY: The Commission hereby amends the Trade Practice Rules (Guides) for the Jewelry Industry to prohibit the use of the term "gold" in connection with jewelry items composed of alloys of less than 10 karat fineness. The Commission is taking this action because the previous rules did not expressly contain this prohibition.

EFFECTIVE DATE: August 16, 1978.

FOR FURTHER INFORMATION CONTACT:

Edward D. Steinman, Acting Assistant Director for Marketing Abuses, Federal Trade Commission, Washington, D.C. 20580, 202-523-3909.

SUPPLEMENTARY INFORMATION: On June 6, 1977, the Commission published Proposed Amendments to the Trade Practice Rules (Guides) for the Jewelry Industry, 42 FR 29916. The proposed amendments would have allowed the term "gold" to be used in connection with under 10 karat gold jewelry items, and would have allowed "silver" to be used in connection with silver jewelry items under nine hundred and twenty-five one thousandths pure silver. The Commission has determined that such amendments would not be in the public interest.

Reports of tests indicate that gold articles tend to tarnish and corrode at a significantly increased rate when gold content is reduced below the vicinity of 10 karats, but this condition is not discoverable by consumers prior to purchase. Further, many consumers might be deceived or confused with regard to the low gold content of the items in question. The Commission believes that these disadvantages cannot be satisfactorily disclosed to consumers of jewelry products by labeling disclosures (jewelry is too small) or by a tag disclosure (as in the proposed amendments of June 1977).

The purpose of the proposed amendments was to broaden the range of economic alternatives in the marketplace; however, consumers who wish to spend less than the customary price of 10-karat gold jewelry have a wide variety of low cost alternatives, including, inter alia, gold plated, gold filled, gold flashed items, vermeil, and many alloys which are composed of metals other than gold, such as silver, paladium, chrome, and stainless steel.

Regarding silver, consumers may be similarly deceived or confused with regard to the low silver content of the items in question. As with gold jewelry, many lower cost alternatives are available to items composed of nine hundred and twenty-five one thousandths silver.

The Commission has determined that the Trade Practice Rules should be amended to expressly prohibit the term "gold" in connection with items of less than 10 karat fineness, since the previous rules did so only by implication of § 23.22(c)(1), (Rule C(1)). There is no need for a similar amendment concerning silver, since it is clear the term "silver" is allowable only in connection with items which are nine hundred and twenty-five one thousandths pure silver (§ 23.23(b), (rule 23B)).

Accordingly, the Commission hereby amends the Trade Practice rules (Guides) for the Jewelry Industry, 16 CFR Part 23:

1. By adding a new § 23.22(b)(7), (rule 22B(7)) as follows:

§ 23.22 Misrepresentation as to gold content.

* * * * *

(b) * * *

(7) Use of the word "Gold," or any abbreviation thereof, as descriptive of any industry product, or part thereof, which is composed throughout of an alloy of gold of less than 10 karat fineness.

* * * * *

Issued: July 17, 1978.

By direction of the Commission.

CAROL M. THOMAS,
Secretary.

[FR Doc. 78-19616 Filed 7-14-78; 8:45 am]

[4910-61]

Title 33—Navigation and Navigable Waters

CHAPTER IV—ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION, DEPARTMENT OF TRANSPORTATION

PART 403—RULES OF PROCEDURE OF THE JOINT TOLLS REVIEW BOARD

AGENCY: St. Lawrence Seaway Development Corporation.

ACTION: Final rule.

SUMMARY: The Joint Tolls Advisory Board, which was originally established to hear complaints regarding the interpretation of the tariff of tolls and alleged unjust discrimination arising from the administration of that tariff, will henceforth be called the Joint Tolls Review Board. This rule reflects that name change and is necessary due to a revised memorandum of agreement between the Governments of Canada and the United States which was finalized on March 20, 1978 through an exchange of notes. Section 6 of the revised agreement indicates the name change and also assigns additional responsibilities to the Board. Amendment of part 403 will result in consistency between the rules of procedure and the aforementioned memorandum of agreement.

EFFECTIVE DATE: July 24, 1978.

ADDRESS: St. Lawrence Seaway Development Corporation, Department of Transportation, 800 Independence Avenue SW., Washington, D.C., 20591, 202-426-3574.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert D. Kraft, 202-426-3574.

SUPPLEMENTARY INFORMATION: On May 15, 1978 (43 FR 20820), the FEDERAL REGISTER published proposed amendments to the rules of procedure of the Joint Tolls Advisory Board. As stated above, on March 20, 1978, a revised memorandum of agreement between the Governments of Canada and the United States was finalized relative to the jointly administered tariff of tolls and other matters concerning the St. Lawrence Seaway. Section 6 of the revised agreement provides for the establishment of a Joint Tolls Review Board to hear complaints regarding the interpretation of the tariff of tolls and alleged unjust discrimination arising from the administration of that tariff. The Board also has an added responsibility to conduct an annual review of the tariff and the revenues generated by that tariff in order to evaluate and monitor its sufficiency in meeting the requirements of the two seaway entities. Essentially the Board is an appeal and review body and it is felt that its new name will more accurately reflect its functions.

After a thorough review, it has been determined that these amendments will not result in any added cost to or impact on the private sector, consumers, or Federal, State and local governments.

No comments were received in response to the Corporation's request for comments. In view of the fact that no comments were received to the contrary, the amendments as published in the notice of proposed rulemaking (43 FR 20820) are hereby issued as a final rule.

As these amendments do not require any action by interested parties but are substantially informational in nature, I find that good cause exists for making them effective in less than 30 days. Therefore part 403 is amended as follows:

1. The title to part 403 is amended to read:

PART 403—RULES OF PROCEDURE OF THE JOINT TOLLS REVIEW BOARD

2. § 403.1 is amended to read as follows:

§ 403.1 Scope of rules [Rule 1].

These rules govern practice and procedure before the Joint Tolls Review Board unless the Board directs or permits a departure therefrom in any proceeding [Rule 1].

3. § 403.2 is revised to read as follows:

§ 403.2 Definitions [Rule 2].

* * * * *

(c) "Board" means the Joint Tolls Review Board;

(d) Words in the singular include the plural and words in the plural include the singular [Rule 2].

§ 403.3 [Amended]

4. In § 403.3, paragraph (c), substitute "Review" for "Advisory" wherever it appears.

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended; Agreement between the Governments of the United States and Canada finalized on March 20, 1978.)

NOTE.—The Corporation 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.

For the St. Lawrence Seaway Development Corporation.

D. W. OBERLIN,
Administrator.

[FR Doc. 78-19618 Filed 7-14-78; 8:45 am]

[6820-24]

Title 41—Public Contracts and Property Management

CHAPTER 1—FEDERAL PROCUREMENT REGULATIONS

APPENDIX—TEMPORARY REGULATIONS

[FPR Temp. Reg. 45]

FAIR AND EQUITABLE COMPENSATION TO PROFESSIONAL EMPLOYEES UNDER FEDERAL CONTRACTS FOR SERVICES; CORRECTION

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: On June 23, 1978, at 43 FR 27235, FPR Temporary Regulation 45 was published in the notices section. That temporary regulation should have been published in the rules and regulations section. The temporary regulation implements Office of Federal Procurement Policy (OFPP) Letter No. 78-2. The policy deals with unwarranted reduction in salary and fringe benefits of professionals that can occur during competition for Government service contracts. The intended effect is to assure equitable compensation for such employees.

DATES: Effective date: The policy set forth in OFPP Letter No. 78-2 is effective April 1, 1978. This implementation of the policy shall be applicable to requests for proposals that are subject to the policy which are issued on or after June 16, 1978. Expiration date: April 1, 1979.

FOR FURTHER INFORMATION CONTACT:

Philip G. Read, Director of Federal Procurement Regulations, 703-557-8947.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).)

In 41 CFR Chapter 1, FPR Temporary Regulation 45 is added to the appendix at the end of the chapter.

STANLEY W. BOWERS,
GSA Federal Register Liaison Officer.

[FR Doc. 78-19622 Filed 7-14-78; 8:45 am]

[6712-01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[BC Docket No. 78-114; RM-2976]

PART 73—RADIO BROADCAST SERVICES

Television Broadcast Stations in Salisbury, Md. and Rocky Mount, N.C.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein assigns UHF television channel 47 to Salisbury, Md. The assignment would provide for a station which could bring a second local commercial television service to the community. The channel offset on channel 47 in Rocky Mount, N.C., also is being changed from minus to plus in order to make the Salisbury assignment.

EFFECTIVE DATE: August 21, 1978.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

REPORT AND ORDER—(PROCEEDING TERMINATED)

Adopted: July 6, 1978.
Released: July 7, 1978.

In the matter of amendment of § 73.606(b), television braodcast stations, Salisbury, Md., BC Docket No. 78-114, RM-2976.

1. The Commission has before it the notice of proposed rulemaking, adopted March 27, 1978, 43 FR 14694, in response to a petition filed by MDV Television Co., Inc. ("petitioner"). The notice proposed the assignment of UHF television channel 47 to Salisbury, Md., and the change of channel offset on unoccupied and unapplied for channel 47 at Rocky Mount, N.C., from minus to plus. Supporting comments were filed by petitioner and by the Citizens' Committee for the Expansion of Commercial Television to the State of Delaware. Comments were also filed by the Association of Maximum Service Telecasters, Inc. ("MST"). Reply comments were filed by Robert J. Hennessy [1] and petitioner.

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[1] The original petition for rule making was filed by Robert J. Hennessy d.b.a. MDV Television Co. Jean Paul Audet, indicating that he was executive director of MDV Tele-

Footnotes continued on next page

2. Salisbury (pop. 15,252), seat of Wicomico County (pop. 54,236)[2], is located in eastern Maryland, approximately 8 kilometers (5 miles) south of the Delaware border and 137 kilometers (85 miles) southeast of Washington, D.C. It has one commercial television assignment on which station WBOC-TV (channel 16) operates.

3. Petitioner states the DelMarVa market is over-shadowed (but inadequately served) by three of the top 10 television markets (Philadelphia, Baltimore, and Washington). As a result, petitioner asserts, the DelMarVa Peninsula is not only denied VHF commercial television assignments, but is wholly dependent upon the UHF band for local television service.

4. MST states it does not oppose the addition of channel 47 to Salisbury, provided the assignment is used as a site which meets all minimum distance separation requirements. It asserts that petitioner is seeking FAA approval of a site for the proposed channel at Salisbury which would be short-spaced to the present transmitter location of Station WCMC-TV by 2.15 kilometers (1.32 miles). However, it notes that WCMC-TV has applied (BPCT-5152) to move its transmitter to a site which, if approved, would eliminate the short spacing. MTS states the Commission should specifically state that the channel must be used as a site which will meet all distance separation requirements.

5. In reply, petitioner asserts that it is negotiating for a site approximately 1.9 kilometers (1.2 miles) southwest of the FAA approved location which would comply with the separation requirements to station WCMC-TV. Petitioner states it fully intends to seek and utilize a site consistent with all Commission distance separation requirements.

6. We have carefully considered the record in this proceeding and conclude that it would be in the public interest to assign channel 47 to Salisbury, Md. A demand has been shown for its use and it would provide the community with an opportunity to develop a second local commercial television broadcast service. Any television broadcast station that would operate on channel 47 at Salisbury, Md. would need to comply with the provisions of § 73.610 of the rules.

7. Accordingly, pursuant to authority contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications act of 1934, as amended, and § 0.281 of the Commission's rules: *It is ordered*, That effective August 21, 1978, the television table of assignments, § 73.606(b) of the Commission's rules, is amended for the cities listed below to read as follows:

Cities and channel No.
Salisbury, Md., 16+, *28−, 47−
Rocky Mount, N.C. 47+

8. *It is further ordered*, That this proceeding is terminated.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc. 78-19588 Filed 7-14-78; 8:45 am]

Footnotes continued from last page

vision Co., Inc., filed additional materials regarding the proposed assignment stating that MDV Television Co., Inc., a Maryland corporation, was the successor of Robert J. Hennessy, d.b.a. MDV Television Co. Robert J. Hennessy disputes this, stating he has no connection with MDV Television Co., Inc. Since our interest here is only in the assignment of the channel for which a demand has been shown, we believe any questions which might arise about the occurrence of this situation should be dealt with at the application stage.

[2] Population figures are taken from the 1970 U.S. Census.

[6712-01]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Editorial Amendments

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: The Commission is amending its rules to eliminate certain printing errors and to eliminate certain restrictions that no longer apply. These errors and restrictions have been brought to the Commission's attention and this action will correct them.

EFFECTIVE DATE: July 21, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Kemp J. Beaty, Safety and Special Radio Services Bureau, 202-632-7197.

SUPPLEMENTARY INFORMATION:

ORDER

Adopted: July 6, 1978.

Released: July 11, 1978.

In the matter of editorial amendment of parts 81 and 83 of the Commission's rules.

1. Section 81.356 contains a condition of use in the table in paragraphs (a) and (b)(13) which indicates that the frequencies 156.275 MHz and 156.325 MHz are "available on an equal-status basis with 156.300 MHz." This condition was part of the original condition (13) placed into the rules in docket 17295 (FCC 68-740), adopted July 7, 1968, which restricted the availability of channels 65 and 66 until January 1, 1973. This was to afford protection to channel 6 (156.3 MHz) until new, more stringent standards on frequency tolerance went into effect. When the January 1, 1973, date passed the entire condition (13) should have been deleted, but inadvertently the last clause, which still appears in the rules, was not. This condition is not necessary any longer and we are deleting it from the rules. In addition, the frequency 156.675 MHz has a condition of use listed showing that it is being used as a VTS frequency, which is an error. That condition of use should be applied to 156.7 MHz. We are correcting that error.

2. Recently the Commission reviewed the requirements which we place on members of the public to provide multiple copies of forms and reports. We discovered that there was little need for more than one application form, so we are therefore amending § 81.24(d) to delete the requirement for an original and copy of all applications in most cases.

3. Section 83.362(b) refers to a non-existent § 81.365(a). This section should refer to § 81.360(b). We are correcting this error.

4. Authority for this amendment is contained in sections 4(i) and 303 (c) and (r) of the Communications Act of 1934, as amended, and § 0.231(d) of the Commission's rules. Since the amendment is editorial in nature and the provisions in these sections are no longer applicable the public notice, procedure, and effective date provisions of 5 U.S.C. 553 do not apply.

5. In view of the above, *It is ordered*: That the rule amendment set forth below is adopted effective July 21, 1978.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082 (47 U.S.C. 154, 303).)

FEDERAL COMMUNICATIONS COMMISSION,
R. D. LICHTWARDT,
Executive Director.

Parts 81 and 83 of chapter I of title 47 of the Code of Federal Regulations are amended to read as follows:

A. Part 81—Stations on Land in the Maritime Services.