applicable maximum rate provided for under § 526.3(a)(4)(ii).

* * * * *

2. Amend § 526.3 by revising subparagraphs (a) (2), (4), and (5) and paragraph (c) thereof, to read as follows:

§ 526.3 Maximum rates of return payable by members on savings accounts.

(a) Except as provided in § 526.3–1 for certificate accounts of $100,000 or more, no member may pay an annual rate of return on a savings account exceeding the applicable maximum percentage, as follows:

* * * * *

(2) 6.00%—notice accounts, except public unit accounts, which may receive a rate of return as prescribed in § 526.3(c), and certificate accounts with a term or qualifying period of 90 days or more.

* * * * *

(4)(i) 6.75%—certificate accounts with a term or qualifying period or 30 months or more.

(ii) One-half of one percent below the average two and one-half year rate based on the yield curve for United States Treasury securities as determined by the U.S. Department of the Treasury immediately prior to the first day of the month—certificate accounts with a term or qualifying period of 30 months or more issued on or after the first day of the month. No addition to any such account shall be accepted during the term of the account.

(5)(i) 7.50%—certificate accounts with a term or qualifying period of 4 years or more.

(ii) 1% below the average four year rate based on the yield curve for United States Treasury securities as determined by the U.S. Department of the Treasury immediately prior to the first day of the month—certificate accounts with a term or qualifying period of 4 years or more issued on or after the first day of the month, provided the account was issued prior to January 1, 1980. No addition to any such account shall be accepted during the term of the account.

* * * * *

(c) *Exceptions as to terms or qualifying periods.* A member may pay a rate of return not exceeding the highest rate permitted under paragraph (a) of this section on (1) a public unit account which is a certificate account with a maturity of 30 days or more or a notice account, or (2) a certificate account which qualifies as a retirement account under subsection 401(d) or 408(a) of the Internal Revenue Code and has a term of 3 years or, in the case of an account issued under subdivision (a)(4)(ii), 30 months; *Provided,* That such accounts issued under subdivision (a)(5)(ii) of this section prior to January 1, 1980, or under subdivision (a)(4)(ii) of this section must meet the maturity requirement, and accounts issued under subparagraph (a)(8) of this section must meet the minimum amount and maturity requirements, prescribed in those provisions.

(Sec. 4, 80, Stat. 824 (12 U.S.C. 1425b); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 79-39173 Filed 12-20-79; 8:45 am]

BILLING CODE 6720-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; New Animal Drug Applications

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the regulations for delegations of authority relating to approval of new animal drug applications and their supplements. The authority to approve supplemental new animal drug applications is being redelegated to certain Associate and Deputy Associate Directors within the Bureau of Veterinary Medicine. This action is being taken to relieve the Bureau Director of the need to be involved in evaluating routine supplemental applications and to reduce processing time within the Bureau.

EFFECTIVE DATE: December 21, 1979.

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 Associate and Deputy Associate Director for Scientific Evaluation and the Associate and Deputy Associate Director for Surveillance and Compliance of the Bureau of Veterinary Medicine are being delegated authority to approve supplemental applications to new animal drug applications. The authority will be exercised within their assigned area of responsibility.

Further redelegation of the authority delegated is not authorized. Authority 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 as "acting," or unless it is 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), Part 5 is amended by revising § 5.83 to read as follows:

§ 5.83 Approval of new animal drug applications and their supplements.

(a) The Director of the Bureau of Veterinary Medicine is authorized to perform all of the functions of the Commissioner of Food and Drugs with regard to the approval of new animal drug applications, and supplements thereto, for new animal drugs submitted pursuant to section 512 of the Federal Food, Drug, and Cosmetic Act.

(b) The Associate and Deputy Associate Director for Scientific Evaluation and the Associate and Deputy Associate Director for Surveillance and Compliance of the Bureau of Veterinary Medicine are authorized to perform all of the functions of the Commissioner of Food and Drugs with regard to the approval of supplemental applications to approved new animal drug applications for new animal drugs submitted pursuant to section 512 of the Federal Food, Drug, and Cosmetic Act.

(c) The Director of the Division of Animal Feeds of the Bureau of Veterinary Medicine and the Chief of the Medicated Feeds Branch of that Division and Bureau are authorized to perform the functions of the Commissioner of Food and Drugs with regard to the approval of applications for animal feeds containing new animal drugs.

Effective date. This regulation becomes effective December 21, 1979.

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

Dated: December 17, 1979.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-39109 Filed 12-20-79; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 176

[Docket No. 75F-0255]

Indirect Food Additives; Paper and Paperboard Components; 2-(p-Hydroxyphenyl)Glyoxylohydroximoyl Chloride

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the food additive regulations to provide for safe use of 2-(*p*-hydroxyphenyl) glyoxylohydroximoyl chloride as a component of slimicides for use in the manufacture of paper and paperboard. The action is being taken in response to a petition filed by Roussel Corp.

DATES: Effective December 21, 1979; objections by January 21, 1980.

ADDRESS: Written objections to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Gerad L. McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: A notice published in the **Federal Register** of October 3, 1975 (40 FR 45862) announced that a food additive petition (FAP 5H3108) was filed by the Center for Regulatory Services, 2347 Paddock Lane, Reston, VA 22091, on behalf of Roussel Corp., 155 E. 44th St., New York, NY 10017, proposing that § 176.300 *Slimicides* (21 CFR 176.300) be amended to provide for the safe use of 2-(*p*-hydroxyphenyl) glyoxylohydroximoyl chloride as a component of slimicides in the manufacture of paper and paperboard intended to contact food.

This slimicide is not now registered for use in the United States, but it is the subject of an application for registration submitted to the U.S. Environmental Protection Agency. Use of this slimicide in the domestic manufacture of paper involves a number of environmental issues that, while unresolved, are not pertinent to its incidental food-contact use in paper and paperboard. This regulation will permit the use of this slimicide by manufacturers in foreign countries in the production of paper and paperboard that is intended for food-contact use in this country.

The agency has evaluated the data in the food additive petition and other relevant material and concludes that the regulations should be amended as set forth below.

PART 176—INDIRECT FOOD ADDITIVES: PAPER AND PAPERBOARD COMPONENTS

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), § 176.300 is amended in paragraph (c) by alphabetically inserting a new item in the list of substances as follows:

§ 176.300 Slimicides.

* * * * *

(c) * * *

List of substances	Limitations
* * * * *	
2-(*p*-hydroxyphenyl) glyoxylohydroximoyl chloride (CAS Registry No. 34911-46-1).	At a level of 0.02 pound per ton of dry weight fiber.
* * * * *	

* * * * *

Any person who will be adversely affected by the foregoing regulation may at any time on or before January 21, 1980 submit to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Four copies of all documents shall be submitted and shall be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office between the hours of 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective December 21, 1979.

Dated: December 12, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-38943 Filed 12-20-79; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 701

[Docket No. 75N-0110]

Cosmetic Labeling; Designation of Ingredients; Revocation of Partial Stay and Confirmation of Effective Date

Correction

In FR Doc. 79-36717, appearing in the issue of Friday, November 30, 1979 on page 68823, in the first column, the second line of the effective date paragraph "November 29, 1979" should be corrected to read "November 30, 1979".

BILLING CODE 1505-01-M

21 CFR Part 820

[Docket No. 75N-0140]

Good Manufacturing Practice for Medical Devices; Exemptions or Variances; Guidance on Petitions

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the good manufacturing practice regulations for medical devices. The amendment adds a sentence telling interested persons where to apply for guidance on petitions for exemption or variance from the regulations.

EFFECTIVE DATE: December 21, 1979.

FOR FURTHER INFORMATION CONTACT: W. Fred Hooten, Bureau of Medical Devices (HFK-132), Food and Drug Administration, Department of Health, Education, and Welfare, 8757 Georgia Ave., Silver Spring, MD 20910, 301-427-7194.

SUPPLEMENTARY INFORMATION: FDA is issuing an amendment to add a sentence telling how to obtain further information or guidance on petitions for exemption or variance. Because it is nonsubstantive, and does not affect the obligations imposed by the rule, FDA finds it unnecessary to comply with the usual requirements for rulemaking.

PART 820—GOOD MANUFACTURING PRACTICE FOR MEDICAL DEVICES; GENERAL

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 501, 502, 518, 519, 520(f), and 701(a) as amended,

52 Stat. 1049–1051 as amended, 1055, 90 Stat. 562–569 (21 U.S.C. 351, 352, 360h, 360i, 360j(f), and 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Part 820 is amended in § 820.1 by amending paragraph (d) by adding a sentence at the end of the paragraph, to read as follows:

§ 820.1 Scope.

* * * * *

(d) * * * Guidance is available from the Bureau of Medical Devices, Division of Compliance Programs, Industry Programs Branch (HFK–132), 8757 Georgia Ave., Silver Spring, MD 20910; telephone 301–427–7194.

Effective date. This regulation becomes effective December 21, 1979.

(Secs. 501, 502, 518, 519, 520(f), and 701(a) as amended, 52 Stat. 1049–1051 as amended, 1055, 90 Stat. 564–569 (21 U.S.C. 351, 352, 360h, 360i, 360j(f), 371(a)))

Dated: December 13, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79–38892 Filed 12–20–79; 8:45 am]

BILLING CODE 4110–03–M

DEPARTMENT OF LABOR

Office of the Secretary

29 CFR Part 40

Issuance of Farm Labor Contractor Certificates of Registration and Farm Labor Contractor Employee Identification Cards by States

AGENCY: Employment Standards Administration, Labor.

ACTION: Final rule.

SUMMARY: The Commonwealth of Virginia has entered into an agreement with the Secretary of Labor to issue Farm Labor Contractor Certificates of Registration and Employee Identification Cards in compliance with the Farm Labor Contractor Registration Act and regulations issued thereunder. This document adds the Commonwealth of Virginia to the list of states authorized to issue Certificates of Registration and Employee Identification Cards under the Farm Labor Contractor Registration Act which are entitled to the same recognition in all states as if they had been issued by the Department of Labor.

EFFECTIVE DATE: December 17, 1979.

FOR FURTHER INFORMATION CONTACT: Solomon Sugarman, Chief, Branch of Farm Labor Law Enforcement, Office of Fair Labor Standards, Wage and Hour Division, Room S–3504, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 202–523–7531.

SUPPLEMENTARY INFORMATION: The authority conferred by Section 8 of the Farm Labor Contractor Registration Act of 1963, as amended (7 U.S.C. 2047), does not require issuance of regulations to authorize the Department to enter into agreements with states under which states issue Certificates of Registration and Employee Identification Cards. Such agreements are effective upon their execution. The Commonwealth of Virginia has executed such agreement effective December 17, 1979. Under § 40.43(d) of Title 29 CFR, Certificates of Registration and Employee Identification Cards issued by the Commonwealth of Virginia pursuant to their agreement of December 17, 1979, are entitled to the same recognition in all states as if they had been issued by the Department of Labor. Accordingly, the Commonwealth of Virginia is added to the list of states in § 40.43(e) which have executed such agreements in order that all other states may expeditiously recognize Certificates of Registration and Employee Identification Cards issued by the Commonwealth of Virginia under the Farm Labor Contractor Registration Act.

PART 40—FARM LABOR CONTRACTOR REGISTRATION

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

Section 40.43 (e) is amended to read as follows:

§ 40.43 Issuance of farm labor contractor certificates of registration and farm labor contractor employee identification cards by States.

* * * * *

(e) The Secretary in accordance with the provisions of this Section, has entered into an agreement with each State listed herein below;

Florida.
New Jersey.
Virginia.

* * * * *

(8 U.S.C. 2047; Pub. L. 88–582, sec. 8, Sept. 7, 1964; 78 Stat. 923.)

Signed at Washington, D.C. on the 17th day of December, 1979

Ray Marshall,

Secretary of Labor, U.S. Department of Labor.

[FR Doc. 79–39245 Filed 12–20–79; 8:45 am]

BILLING CODE 4510–29–M

Wage and Hour Division

29 CFR Part 775

Coverage of State and Local Government Activities by Federal Minimum Wage and Overtime Law

AGENCY: Wage and Hour Division, Labor.

ACTION: Final interpretation.

SUMMARY: The Supreme Court ruled in *National League of Cities* v. *Usery*, 426 U.S. 833 (1976), that the minimum wage and overtime compensation provisions of the Fair Labor Standards Act could not constitutionally be applied to State and local government employees who are engaged in traditional governmental activities. Pursuant to an enforcement policy and notification procedure approved by the district court on remand, the Department of Labor periodically publishes in the **Federal Register** a list of those governmental functions which it has determined to be nontraditional, and which it believes are therefore still constitutionally subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. This final interpretation sets forth those governmental functions which have been determined to be nontraditional. As new determinations are made, additional functions will be added to the list.

EFFECTIVE DATE: December 21, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel P. New, Director, Division of Minimum Wage and Hour Standards, Office of Fair Labor Standards, Wage and Hour Division, U.S. Department of Labor, Room S–3508, 200 Constitution Avenue, NW., Washington, D.C. 20210, telephone: (202) 523–7043 (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Application of the Fair Labor Standards Act to States and Political Subdivisions Prior to National League of Cities

The Fair Labor Standards Act, as originally enacted in 1938, did not apply to employees employed by States or political subdivisions. The first such application was in 1966, when Congress extened the Act's coverage (including the prohibition against sex-based wage differentials adopted by the Equal Pay Act of 1963) to employees of States and other public enterprises engaged in operating transit companies, hospitals, schools and related institutions. The constitutionality of this extension of the Act's coverage was upheld in *Maryland* v. *Wirtz*, 392 U.S. 183.

In 1974, Congress amended the Fair Labor Standards Act to cover virtually