

some companies make. Thus, from an administrative, as well as a commercial, point of view, it seems impossible accurately to quantify any indirect benefits for a particular product merely because another was directly benefited.

Notwithstanding this conclusion concerning the lack of a benefit to regular fiber, as such, the benefits provided for acquiring modal fiber machinery might have been considered a benefit applicable to regular fiber production, if it had been shown that modal machinery could easily be adapted to the production of regular fiber. However, conversion appears to be impractical from both the commercial and technical points of view. Therefore, it would be improper to allocate portions of the benefits associated with the production of modal fiber to the production of regular fiber.

Accordingly, the benefit derived from the interest-free loans must be associated solely with the production of modal fiber. When a purely domestic (rather than an export) subsidy is involved, as is the case here, a countervailing benefit is deemed to exist only if a preponderance of production is exported, unless the *ad valorem* benefit is so large that trade distortion is likely to result. Even though virtually no modal fiber was exported by Svenska to the United States in 1978, the company did export the bulk of its total production of modal fiber to other countries, thus satisfying the preponderance criterion cited above. Accordingly, since a preponderance of production is exported, it is determined that a bounty or grant is paid or bestowed within the meaning of section 303 of the Act on the manufacture or exportation of modal viscose rayon staple fiber by reason of the interest-free loans. However, it is also determined this program confers no benefit on the manufacture or exportation of regular viscose rayon staple fiber.

The true benefit associated with the interest-free loans must be evaluated in light of the terms of these loans. When this is done, it appears that the loans will never be paid and, therefore, should be considered an outright grant to Svenska. The current, *ad valorem* benefit associated with the grants received to date is calculated by spreading their total amount over 10 years (which is the minimum period designated by the Government of Sweden for writing off the grants) and then dividing this figure by the total production of modal fiber in 1978. This yields an *ad valorem* benefit of 8.6 percent on the modal fiber. The

Department will adjust this figure should it become necessary to do so.

C. The grant of funds through a government program devised to stockpile raw materials and maintain extra production capacity for national defense purposes was preliminarily determined not to constitute a bounty or grant. More information regarding this plan was obtained before making this final determination.

The Government of Sweden, in response to its perceived need to maintain adequate defense in both the military and economic fields, has established a plan whereby strategic stockpiles and minimum production capacity deemed essential to national security are maintained. Among the numerous products included in this plan is the subject merchandise. The company is paid only for the extra expenses it incurs by cooperating with its government's plan. Machinery is maintained in storage for possible future need and fiber itself is kept in a rotating stockpile in order to ensure its freshness. Strategic stockpiles are set at a given level and may not be used for commercial purposes and, in the same manner, commercial inventories may not be used by the company to meet its defense obligations. Given this strict management of the government program and the fact that Svenska receives no net benefit owing to its participation, this program is determined not to constitute a bounty or grant.

Interested parties were invited to submit relevant data, views, or arguments orally or in writing with respect to the preliminary determinations. Such data, views or arguments have been taken into account in rendering this determination.

Accordingly, notice is hereby given that viscose rayon staple fiber which is imported directly or indirectly from Sweden, if entered, or withdrawn from warehouse, for consumption on or after May 15, 1979, will be subject to the payment of countervailing duties equal to the net amount of any bounty or grant determined or estimated to have been paid or bestowed. Since it has been determined that no bounty or grant is presently being paid or bestowed with respect to regular fiber, imports of such merchandise from Sweden shall be subject to a zero rate countervailing duty.

In accordance with section 303 of the Act and until further notice, the net amount of such bounties or grants on the f.o.b. value of the modal fiber has been ascertained and determined to be 8.6 percent. Therefore effective on or after (publication date of this notice), and

until further notice, upon the entry, or withdrawal from warehouse, for consumption of such modal viscose rayon staple fiber imported directly or indirectly from Sweden, which benefit from these bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due, countervailing duties in the amount ascertained in accordance with the above declaration. To the extent that it can be established to the satisfaction of the Commissioner of Customs that imports of modal fiber from Sweden are benefiting from a bounty or grant smaller than the amount which otherwise would be applicable under the above declaration, the smaller amount so established shall be assessed and collected.

Any merchandise subject to the terms of this order shall be deemed to have benefitted from a bounty or grant, if such bounty or grant has been or will be credited or bestowed, directly or indirectly, upon the manufacture, production or exportation of viscose rayon staple fiber from Sweden.

The table in § 159.47(f) of the Customs Regulations (19 CFR 159.47(f)) is amended by inserting after the last entry for "Sweden", the words "viscose rayon staple fiber" in the column headed "Commodity", the number of this Treasury Decision in the column headed "Treasury Decision" and the words "Bounty Declared-Rate" in the column headed "Action."

(R.S. 251, as amended, secs. 303, as amended, 624, 46 Stat. 687, as amended, 759 (19 U.S.C. 66, 1303, 1624)).

This final determination is published pursuant to section 303(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1303(a)).

Pursuant to Reorganization Plan No. 26 of 1950 and Treasury Department Order 190 (Revision 15) March 16, 1978, the provisions of Treasury Department Order No. 165, Revised, November 2, 1954, and § 154.47 of the Customs Regulations (19 CFR 159.47), insofar as they pertain to the issuance of a final countervailing duty determination by the Commissioner of Customs, are hereby waived.

David R. Brennan,
Acting General Counsel of the Treasury.

May 8, 1979.

[T.D. 79-141]
[FR Doc. 79-15126 Filed 5-14-79; 8:45 am]

BILLING CODE 4810-22-M

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration

21 CFR Part 14

**Bacterial Vaccines and Toxoids Panel;
Deletion From List of Standing
Advisory Committees**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) announces the termination of the Panel on Review of Bacterial Vaccines and Toxoids and amends the regulations to delete it from the list of standing advisory committees. The Panel was terminated because it had completed its work.

EFFECTIVE DATE: May 15, 1979.

FOR FURTHER INFORMATION CONTACT: Jack Gertzog, Bureau of Biologics (HFB-5) Food and Drug Administration, Department of Health, Education, and Welfare, 8800 Rockville Pike, Bethesda, Md. 20014, 301-443-5455.

SUPPLEMENTARY INFORMATION: The Panel's functions were to review and evaluate available data concerning the safety, effectiveness, and adequacy of labeling for bacterial vaccines and toxoids. The Panel has completed its report and will submit its conclusions and recommendations on the safety, effectiveness, and labeling of these products to the Commissioner of Food and Drugs in the near future. These conclusions and recommendations will be published in a future issue of the *Federal Register*.

Accordingly, the purpose of the Panel has been served, and the Panel is no longer needed. On April 16, 1979, the charter for the Panel expired.

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 (21 CFR 5.1), Part 14 is amended in § 14.100 *List of standing advisory committees* by deleting paragraph (b)(1)(ii) *Bacterial Vaccines and Toxoids Panel* and marking it reserved.

Effective Date. Because this is a technical conforming amendment to Part 14, the Commissioner finds that there is good cause for the rule to be effective immediately upon publication in the *Federal Register*, (May 15, 1979).

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

Dated: May 8, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-14917 Filed 5-14-79; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 14

**Viral Vaccines and Rickettsial
Vaccines Panel; Deletion from List of
Standing Advisory Committees**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) announces the termination of the Panel on Review of Viral Vaccines and Rickettsial Vaccines and amends the regulations to delete it from the list of standing advisory committees. The Panel was terminated because it had completed its work.

EFFECTIVE DATE: May 15, 1979.

FOR FURTHER INFORMATION CONTACT: Jack Gertzog, Bureau of Biologics (HFB-5), Food and Drug Administration, Department of Health, Education, and Welfare, 8800 Rockville Pike, Bethesda, MD. 20014, 301-443-5455.

SUPPLEMENTARY INFORMATION: The Panel's functions were to review and evaluate available data concerning the safety, effectiveness, and adequacy of labeling for viral vaccines and rickettsial vaccines. The Panel has submitted its conclusions and recommendations on the safety, effectiveness, and labeling of these products to the Commissioner of Food and Drugs. These conclusions and recommendations will be published in a future issue of the *Federal Register*.

Accordingly, the purpose of the Panel has been served, and the Panel is no longer needed. On April 16, 1979, the charter for the Panel expired.

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 (21 CFR 5.1), Part 14 is amended in § 14.100 *List of standing advisory committees* by deleting paragraph (b)(1)(iii) *Viral Vaccines and Rickettsial Vaccines Panel* and marking it reserved.

Effective date. Because this is a technical conforming amendment to Part 14, the Commissioner finds that there is good cause for the rule to be effective immediately upon publication in the *Federal Register*, (May 15, 1979).

Dated: May 8, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-14914 Filed 5-14-79; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 73

**Listing of Color Additives Exempt
From Certification; Ferric Ammonium
Ferrocyanide**

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) revises the specifications for ferric ammonium ferrocyanide by increasing tolerances for water soluble cyanide, total cobalt, and total nickel, as proposed in the *Federal Register* of August 15, 1978 (43 FR 36110). After considering a comment received in response to the proposal, the agency is also revising the total iron specification of the additive.

DATES: Effective June 15, 1979; objections by June 14, 1979.

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, 202-472-5740.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of August 15, 1978 (43 FR 36110), FDA proposed to amend the specifications for ferric ammonium ferrocyanide by increasing the tolerances for water soluble cyanide, total cobalt, and total nickel and adding specifications for water soluble cobalt and water soluble nickel. These proposed revisions were clarifications of the regulation published on July 29, 1977 (42 FR 38562) for use of ferric ammonium ferrocyanide in externally applied drugs and cosmetics, including those intended for use in the area of the eye. These proposed revisions were in response to supplementary letters to an objection and a subsequent citizen petition (8CP0138), submitted by manufacturers of the color additive.

Data submitted in support of the revised cobalt and nickel specifications are on file at the office of the Hearing Clerk, FDA, address given above, and may be seen from 9 a.m. to 4 p.m., Monday through Friday. These data indicate that there are no detectable levels of water soluble cobalt or water soluble nickel in samples of ferric

ammonium ferrocyanide spiked with up to 200 parts per million (ppm) of both cobalt and nickel. Thus, the proposed tolerances for water soluble cobalt and water soluble nickel are superfluous and have been deleted.

In response to the proposal, one comment was received from the manufacturer. The manufacturer requested a broader specification for total iron in ferric ammonium ferrocyanide than the one published in the July 1977 regulation. This request was based on the variability in water content in samples of the color additive. The agency has evaluated this request and concludes that a better alternative would be to correct for the weight of volatile material in the sample in determining the total iron value. This would be consistent with the total iron specification for ferric ferrocyanide as published in the *Federal Register* of November 21, 1978 (43 FR 54235).

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 706(b), (c), and (d), 74 Stat. 399-403 as amended (21 U.S.C. 376(b), (c), and (d))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Part 73 is amended in § 73.1298 by revising paragraph (b) to read as follows:

PART 73—LISTING OF COLOR ADDITIVES EXEMPT FROM CERTIFICATION

§ 73.1298 Ferric ammonium ferrocyanide.

(b) *Specifications.* Ferric ammonium ferrocyanide shall conform to the following specifications and shall be free of impurities other than those named to the extent that the other impurities may be avoided by good manufacturing practice:

- Oxalic acid or its salts, not more than 0.1 percent.
- Water soluble matter, not more than 3 percent.
- Water soluble cyanide, not more than 10 parts per million.
- Volatile matter, not more than 4 percent.
- Lead (as Pb), not more than 20 parts per million.
- Arsenic (as As), not more than 3 parts per million.
- Nickel (as Ni), not more than 200 parts per million.
- Cobalt (as Co), not more than 200 parts per million.
- Mercury (as Hg), not more than 1 part per million.
- Total iron (as Fe corrected for volatile matter), not less than 33 percent and not more than 39 percent.

Any person who will be adversely affected by the foregoing order may at

any time on or before June 14, 1979, file with the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written objections to this order. Objections shall show how the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. Objections shall be filed in accordance with the requirements of § 71.30 (21 CFR 71.30). If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections if a hearing is held. Four copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received objections may be seen in the Hearing Clerk's office from 9 a.m. to 4 p.m., Monday through Friday.

Effective date: This regulation is effective June 15, 1979, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the *Federal Register*.

(Sec. 706 (b), (c), and (d), 74 Stat. 399-403 as amended (21 U.S.C. 376 (b), (c) and (d)).)

Dated: May 7, 1979.

William F. Randolph,
Acting Associate Commissioner for Regulatory Affairs.

[Docket No. 77C-0208]
[FR Doc. 79-14919 Filed 5-14-79; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 131

Standard of Identity for Dry Cream; Confirmation of Effective Date of Amendment to Final Regulation

AGENCY: Food and Drug Administration.
ACTION: Final rule.

SUMMARY: This document confirms the effective date of an amendment to the final regulation of May 9, 1978, which established a standard of identity for dry cream. The amendment makes the description of dry cream consistent with descriptions of related products.

DATES: Voluntary compliance may have begun February 20, 1979; mandatory compliance for all products initially introduced into interstate commerce begins July 1, 1979.

FOR FURTHER INFORMATION CONTACT: Eugene T. McGarrahan, Bureau of Foods

(HFF-415), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, 202-245-1155.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of May 9, 1978 (43 FR 19834), the Food and Drug Administration issued a final regulation that established standards of identity for lowfat dry milk, dry whole milk, and dry cream (21 CFR 131.123, 131.147, and 131.149, respectively) and amended the standards of identity for nonfat dry milk and nonfat dry milk fortified with vitamins A and D (21 CFR 131.125 and 131.127, respectively) based on the recommended international standards for these foods. In the *Federal Register* of January 19, 1979 (44 FR 3964), the agency confirmed the effective date of that final regulation and amended the description for dry cream to provide for the manufacture of dry cream by dry-blending dry cream with other dry milk products. The amendment also makes the description of dry cream in § 131.149(a) consistent with the descriptions for lowfat dry milk in § 131.123(a) and dry whole milk in § 131.147(a) and allows flexibility without restricting future manufacturing processes for dry cream.

The January 19, 1979 document announced that any person who would be adversely affected by the amendment could file, on or before February 20, 1979, written objections to the amendment to the final regulation and request a hearing on the stated objections. No objections were received.

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 of Food and Drugs (21 CFR 5.1), notice is given that no objections were received. Compliance with the amendment to the final regulations may have begun on February 20, 1979, and all products initially introduced into interstate commerce on or after July 1, 1979 shall fully comply.

Dated: May 7, 1979.

William F. Randolph,
Acting Associate Commissioner for Regulatory Affairs.

[Docket No. 77N-0119]
[FR Doc. 79-14921 Filed 5-14-79; 8:45 am]

BILLING CODE 4110-03-M