

Firm name and address	Drug labeler code
* * * * *	
Old Monroe Elevator & Supply Co., Inc., Old Monroe, MO 63369.	026948
* * * * *	

(2) * * *

Drug labeler code	Firm name and address
* * * * *	
026948.....	Old Monroe Elevator & Supply Co., Inc., Old Monroe, MO 63369.
* * * * *	

2. In Part 558, § 558.625 is amended by adding new paragraph (b)(69) to read as follows:

§ 558.625 Tylosin.

(b) * * *

(69) To 026948: 10 grams per pound; paragraph (f)(1)(vi)(a) of this section.

Effective date. This amendment is effective June 3, 1980.

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

Dated: May 27, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-16730 Filed 6-2-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Prednisolone Acetate

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

SUMMARY: This document amends the animal drug regulation for sterile prednisolone acetate aqueous suspension to indicate the conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC) Drug Efficacy Study Group evaluation of the product. Approval may require submission of bioequivalence or similar data instead of effectiveness data required under 21 CFR 514.111. An earlier Federal Register publication reflected this product's compliance with conclusions of the review.

EFFECTIVE DATE: June 3, 1980.

FOR FURTHER INFORMATION CONTACT:

Henry C. Hewitt, Bureau of Veterinary Medicine (HFV-110), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the Federal Register of April 12, 1969 (34 FR 6447). In that document, the Academy concluded, and FDA concurred, that the product was effective as an anti-inflammatory agent for use in certain animals.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that identical products could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

The Schering Corp., Galloping Hill Rd., Kenilworth, NJ 07033, responded to the notice by submitting a supplemental NADA (10-312V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product as an anti-inflammatory agent in horses, dogs and cats. The supplemental application was approved by a regulation published in the Federal Register of May 30, 1973 (38 FR 14166). The regulation reflecting this approval established a new section for the drug in 21 CFR 135b.82, recodified at 21 CFR 522.1881. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate the conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required by § 514.111(a)(5)(ii)(a)(4) of the new animal drug regulations. Approval of applications for such products may be obtained if bioequivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

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) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 522 is amended in § 522.1881 by adding after paragraph (c)(1), (2), (3), (4), and (5) the

footnote reference "¹⁰⁰" and by adding at the end of the section the footnote to read as follows:

§ 522.1881 Sterile prednisolone acetate aqueous suspension.

(c) *Conditions of use.* (1) * * *

(2) * * *

(3) * * *

(4) * * *

(5) * * *

Effective date. This regulation shall be effective June 3, 1980.

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

Dated: May 27, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-15732 Filed 6-2-80; 8:45 am]

BILLING CODE 4110-03-M

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

Rules and Regulations, Series 8; Service of Process and Papers

AGENCY: National Labor Relations Board.

ACTION: Amendments to rules.

SUMMARY: These regulations amend the Agency's rules to permit the service of process and of documents by certified mail as well as by registered mail pursuant to H.R. 5673 enacted by Congress on May 21, 1980.

EFFECTIVE DATE: June 2, 1980.

FOR FURTHER INFORMATION CONTACT:

George A. Leet, Associate Executive Secretary, National Labor Relations Board, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570, Telephone: 254-9430.

SUPPLEMENTARY INFORMATION: Sections 102.30(c) and 102.111(a) are amended to reflect the change mandated by Congress.

Subsection (c) is to read as follows:

§ 102.30 Examination of witnesses; deposition.

(c) At the time and place specified in said order the officer designated to take such deposition shall permit the witness to be examined and cross-examined under oath by all the parties appearing, and his testimony shall be reduced to typewriting by the officer or under his direction. All objections to questions or evidence shall be deemed waived unless

¹These conditions are NAS/NRC reviewed and found effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

made at the examination. The officer shall not have power to rule upon any objections but he shall note them upon the deposition. The testimony shall be subscribed by the witness in the presence of the officer who shall attach his certificate stating that the witness was duly sworn by him, that the deposition is a true record of the testimony and exhibits given by the witness, and that said officer is not of counsel or attorney to any of the parties nor interested in the event of the proceeding or investigation. If the deposition is not signed by the witness because he is ill, dead, cannot be found, or refuses to sign it, such fact shall be included in the certificate of the officer and the deposition may then be used as fully as though signed. The officer shall immediately deliver an original and two copies of said transcript, together with his certificate, in person or by registered or certified mail to the regional director or the administrative law judge, care of the chief administrative law judge in Washington, D.C., or the presiding judge, San Francisco, California, as the case may be.

Subsection (a) is revised to read as follows:

§ 102.111 Service of process and papers; proof of service.

(a) Charges, complaints and accompanying notices of hearing, final orders, administrative law judges' decisions, and subpoenas of the Board, its member, agent, or agency, may be served personally or by registered or certified mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered or certified and mailed or when telegraphed as aforesaid shall be proof of service of the same.

Dated: Washington, D.C., May 29, 1980.

By Direction of the Board:

George A. Leet,

Associate Executive Secretary, National Labor Relations Board.

[FR Doc. 80-16848 Filed 6-2-80; 8:45 am]

BILLING CODE 7545-01-M

DEPARTMENT OF EDUCATION

34 CFR Parts 5b, 30, 73, 100, 104, and 106

Establishment of Title 34; Correction Notice

AGENCY: Department of Education.

ACTION: Correction of final regulation.

SUMMARY: This document corrects errors in the final regulations establishing Title 34 and recodifying regulations of the Department of Education in that title, published in the *Federal Register* on May 9, 1980 (45 FR 30802).

EFFECTIVE DATE: May 4, 1980.

FOR FURTHER INFORMATION CONTACT: A. Neal Shedd, Department of Education (Room 2129), Washington, D.C. 20202, Telephone: (202) 245-7091.

SUPPLEMENTARY INFORMATION: Certain regulations of the former Department of Health, Education, and Welfare were recodified by the Department of Education (ED) in Title 34 on May 9, 1980. These regulations apply to ED as a matter of law under Section 505(a) of the Department of Education Organization Act. Technical errors in the recodification document are identified and corrected by this notice of correction.

§ 5b.1 [Corrected]

34 CFR 5b.1(b) is corrected by changing the definition from "Agency" means the Department of Health, Education and Welfare." to read "Agency" means the Department of Education."

5B—APPENDIX B [CORRECTED]

34 CFR 5b Appendix B is corrected by changing "HEW" in the title of the appendix to read "ED". The title of Appendix B is listed correctly in the Table of Sections.

§ 73.735-1207 [Corrected]

34 CFR 73.735-1207(b)(1)(ii) is corrected by inserting the word "the" between the words "before" and "Department" in the first sentence.

PART 100—APPENDIX B [CORRECTED]

34 CFR 100 Appendix B is corrected by changing the words "I. Scope and Coverage 1a. application of guidelines 1a. application of guidelines" to read "I. Scope and Coverage
A. Application of Guidelines"

§ 104.23 [Corrected]

34 CFR 104.23 is corrected by inserting the words "of the standards are"

between the words "Copies" and "obtainable" in the sentence at the end of the section.

§ 106.2 [Corrected]

34 CFR 106.2 (b) is corrected by changing the definition from "Department" means the Department of Health, Education, and Welfare" to read "Department" means the Department of Education."

(Department of Education Organization Act, Pub. L. 96-88, October 17, 1979 (20 U.S.C. 3401 et seq.))

Dated: May 28, 1980

Shirley M. Hufstедler,
Secretary of Education.

[FR Doc. 80-16824 Filed 6-2-80; 8:45 am]

BILLING CODE 4110-02-M

POSTAL SERVICE

39 CFR Part 111

Electronic Postage Meters

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The final rule would amend postal regulations to include electronic meters in postage meter specifications. Since their introduction in 1920, all postage meters have performed their computations mechanically. Although existing regulations contain sufficient criteria to approve any meter based on endurance tests, the use of solid state electronics in postage meters requires additional criteria to more adequately assure the construction of electronic meters which are accurate and which protect postal revenue.

The final regulations also establish requirements for authorized meter manufacturers and anyone who proposes to become a meter manufacturer. These requirements were developed with the cooperation of meter manufacturers in the course of the development and approval of an electronic meter for the F.M.E. Corporation. In making the requirements, many things were taken into consideration, including the effects of temperature, humidity, altitude, vibration and shock, and electrical and electrostatic conditions which may be anticipated in transportation, handling, storage, and industrial use.

EFFECTIVE DATE: July 3, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. F. E. Gardner, (202) 245-4529.

SUPPLEMENTARY INFORMATION: On February 11, 1980 the Postal Service published for comment in the *Federal Register* (45 FR 9011) proposed changes to 144.9 of the Domestic Mail Manual as

described in the Summary. Interested persons were invited to submit written comments concerning the proposed changes by March 27, 1980.

Pitney Bowes, the only commenter, pointed out a printing error that we also had noticed in the spelling of the word "nonvolatile". The commenter also suggested a revision of the second sentence of 144.92i(1) to permit the optional use of a battery for a solid state memory, since not all solid state memories require the use of a battery. We revised the proposal to adopt this suggestion.

The commenter also expressed his understanding, which is correct, that the requirement of 144.92i(4) that electronic meters must be resettable by postal employees, preferably without customized equipment, does not conflict with the Computerized Postage Meter Resetting System covered elsewhere in Part 144 of the Domestic Mail Manual.

In view of the considerations discussed above, the Postal Service hereby adopts, as amended, the following changes to the Domestic Mail Manual, which is incorporated by reference in the Federal Register. (39 CFR 111.1).

PART 144—POSTAGE METERS AND METER STAMPS

1. In 144.911b and in the first sentence of 144.92, strike out the word "mechanical".

2. In 144.92c, add after the second sentence the following: "In electronic meters, the locking device must prevent printing if the amount that would be printed would reduce the descending register to less than zero."

3. In 144.92d, strike out the word "mechanism" in the first sentence and insert "meter" in lieu thereof; and strike out the word "mechanism" in the third and fifth sentences and insert "components" in lieu thereof.

4. In 144.92h, strike out the word "mechanism" and insert "meter" in lieu thereof.

5. In 144.93, renumber .931-.936 as .932-.937.

6. Add new 144.92i and 144.931 reading as follows:

144.92 Specifications.

* * * * *

i. In addition to the features and safeguards described in a-h above, electronic meters must:

(1) Have either nonvolatile ascending and descending registers or a solid state memory that stores the data for the ascending and descending registers. Solid state memories that rely on applied voltage for memory retention must be powered by batteries that have a minimum support life of five years

from date of battery renewal with no external power applied, and that have sufficient redundancy to be self checking.

(2) Be able to display the amounts in both the ascending and the descending registers (not necessarily at the same time).

(3) Be able to display—free from accidental changes—the amount of postage that will be printed next.

(4) Be resettable by postal employees, preferably without customized equipment.

(5) Contain a fault detection device for computational security that will automatically lock out the meter and prevent printing of additional postage in the event of malfunction.

(6) Meet Postal Service test specifications contained in United States Postal Service Specification, Postage Meters, Electronic, USPS-M-942(RCD). Persons wishing to manufacture electronic postage meters may obtain a copy of this Postal Service test specification from U.S. Postal Service, Office of Mail Classification, Washington, D.C. 20260.

.93 Test Plans, Testing and Approval .931 Test Plans

To receive Postal Service approval, a postage meter must be tested. Manufacturers of electronic meters must submit a detailed test plan to the Office of Mail Classification for approval at least 60 days prior to the conduct of the tests. The test plan must include tests which, if passed by a meter, prove compliance by the meter with all postal requirements. The test plan must list the parameters to be tested, test equipment, procedures, test sample sizes, and test data formats. Also, it must include detailed descriptions, specifications, design drawings, schematic diagrams and explanations of the purposes of all special test equipment and nonstandard or noncommercial instrumentation.

7. In 144.943, revise the first sentence to read as follows:

"During the process of fabricating parts and assembling postage meters, the manufacturer must exercise due care to prevent loss or theft of keys or of serially numbered postage printing dies or component parts (such as denomination printing dies, or auxiliary power supply and meter setting equipment for electronic meters) which might be used in some manner to defraud the Government of postal revenues."

A transmittal letter making these changes in the pages of the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. These changes will be published in the Federal Register as provided in 39 CFR 111.3.

(39 U.S.C. 401(2))

W. Allen Sanders,

Associate General Counsel for General Law and Administration.

[FR Doc. 80-16726 Filed 6-2-80; 8:45 am]

BILLING CODE 7710-12-M

39 CFR Part 111

Extension of City Delivery

AGENCY: Postal Service.

ACTION: Final Rule.

SUMMARY: This final rule will permit the extension of delivery service sooner than would otherwise be the case. One of the current prerequisites for the establishment or extension of city delivery service is that fifty percent of the building lots in the area to be served must be improved with houses or business places. Under the final rule the fifty percent requirement could be waived if local postal delivery managers find that there is a reasonable expectation that fifty percent of the building lots in the area to be served will be improved within twelve months and that delivery will be made by the use of cluster boxes or neighborhood box units.

This final rule could result in the provision of city delivery service to customers who might not otherwise become eligible. Once service had been extended under the final rule in a particular area, the service would be available to other customers as soon as they moved into the area.

Although under the final rule the Postal Service would incur delivery service expenditures and obligations sooner than would otherwise be the case, it is anticipated that adoption of this rule will ultimately lead to long-term cost savings by encouraging customer acceptance of an effective form of home delivery service which is less costly for the Postal Service to provide.

EFFECTIVE DATE: July 3, 1980.

FOR FURTHER INFORMATION CONTACT: Charles R. Braun, (202) 245-4620.

SUPPLEMENTARY INFORMATION: On April 22, 1980, the Postal Service published for comment in the Federal Register (45 FR 26982) proposed changes to 155.12 of the Domestic Mail Manual as described in the Summary. Interested persons were invited to submit written comments concerning the proposed changes by May 22, 1980. No comments were received.

Accordingly, the Postal Service hereby adopts, without change, the following revisions of the Domestic Mail Manual, which is incorporated by reference in the Federal Register. See 39 CFR 111.1.

PART 155—CITY DELIVERY

In 155.1 of the Domestic Mail Manual, amend .12 to read as follows: