

Board. The rule also specifies circumstances under which no fees are to be charged.

In view of the fact that the Board has adopted the interim rule without change, the Board finds for good cause that the provision of section 553 of Title 5 of the United States Code, relating to deferred effective date of final rules and regulations, is not being followed in connection with the adoption of this final rule.

Chapter IV of Title 13 of the Code of Federal Regulations is amended such that Paragraph (g) of § 400.7 now reads as follows:

PART 400—RULES OF PROCEDURE

§ 400.7 Access to Records.

(g) *Fees for Services.* (1) *General.* A person requesting access to or copies to particular records shall pay the costs of searching for and copying such records. The fees indicated in this section shall be charged only for search and duplication and no fee shall be charged for determining whether an exemption can or should be asserted, deleting exempt matter being withheld from records, or monitoring a person's inspection of records.

(2) *Documents available through Government Printing Office.* While certain relevant publications are available for sale through the Government Printing Office and are made available for inspection by the Secretary of the Board, such publications are not available for sale at the offices of the Board. Persons desiring to purchase such publications should contact the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. However, copies of pages of such publications may be obtained in accordance with the schedule of fees set forth in this section.

(3) *Form of Payment.* Payment of fees shall be made by check or money order payable to the Chrysler Corporation Loan Guarantee Board.

(4) *Waiver or Reduction of Fees.* In accordance with Section 552(a)(4)(A) of Title 5 of the United States Code, documents may be furnished without charge or at a reduced charge where the Secretary of the Board determines that waiver or reduction of the fees in the public interest because furnishing the information can be considered as primarily benefiting the general public. Any request for waiver or reduction of fees shall be submitted as part of the initial request for the information involved. An appeal from denial of a request for waiver or reduction of fees

shall be determined in accordance with the procedures set forth in paragraph (e) of this section.

(5) *Avoidance of Unexpected Fees.* In order to protect a person from unexpected fees, all requests for records shall state the agreement of the person to pay the fees determined in accordance with this section or state the maximum amount of fees that the person is willing to pay in connection with the request. When the fees for processing the request are estimated to exceed that limit, or when the request does not state a limit and the costs are estimated to exceed \$50 and the Secretary of the Board has not then determined to waive or reduce the fees, a notice shall be sent to the person. This notice shall:

(i) Inform the person of the estimated costs;

(ii) Extend an offer to the person to confer with Board personnel in an attempt to reformulate the request in a manner that will reduce the fees and still meet the person's needs; and

(iii) Inform the person that the running of the time period, within which the Board is obliged to make a determination on the request, shall be tolled pending a reformulation of the request or the receipt of advance payment or an agreement from the person to bear the estimated costs.

(6) *Fee Schedule.* (i) *Duplication.* Fees for photocopies of material shall be charged at the rate of 10 cents for each page up to a size of 8½" by 14", except that no charge shall be imposed for copying 10 or less pages. Fees for duplicating other materials, including photographs or films, shall be charged on the basis of actual cost.

(ii) *Search Services.* Fees for the services of personnel to locate records shall be charged at the rate of \$5 per hour and each portion of an hour, except that no charge shall be imposed for the first hour of search time involved for a request.

(iii) *Computer Records.* Where, because of the nature of the records requested and the manner in which records are stored, a computer search is involved, fees for such services shall be charged at a rate of \$5 for each hour (and each portion of an hour) of personnel time associated with the search plus an amount that reflects the actual costs of extracting the stored information in the format in which it is normally produced, based on computer time and supplies necessary to comply with the request.

(iv) *Searches Requiring Travel or Transportation.* Fees for shipping records from one location to another, or for the transportation of personnel to the

site of requested records when it is necessary to locate rather than examine the records, shall be charged at the rate of the actual cost of such shipping or transportation.

Dated: June 24, 1980.

Brian M. Freeman,

Secretary, Chrysler Corporation Loan Guarantee Board.

[FR Doc. 80-19771 Filed 6-27-80; 8:45 am]

BILLING CODE 4810-27-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C-3021]

Eli Lilly and Co.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, an Indianapolis, Indiana manufacturer and seller of pharmaceuticals and other chemical substances, to cease engaging in several anticompetitive practices involving the United States finished insulin industry. Additionally the order requires Eli Lilly and Co. to grant certain licenses covering its existing and future insulin-related technology to existing and prospective competitors.

DATES: Complaint and order issued April 29, 1980.¹

FOR FURTHER INFORMATION CONTACT: Paul W. Turley, Director, 3R, Chicago Regional Office, Federal Trade Commission, 55 East Monroe St., Suite 1437, Chicago, Ill. 60603. (312) 353-4423.

SUPPLEMENTARY INFORMATION: On Friday, Sept. 21, 1979, there was published in the *Federal Register*, 44 FR 54726, a proposed consent agreement with analysis in the Matter of Eli Lilly and Company, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order. On Tuesday, December 18, 1979, there was published in the *Federal Register*, 44 FR 74845, a notice extending the period of time for filing comments on the consent agreement for thirty days to January 17, 1980.

Comments were filed and considered by the Commission. The Commission

¹ Copies of the Complaint and the Decision and Order filed with the original document.

has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart-Combining or Conspiring: § 13.384 Combining or conspiring; § 13.388 To control allocations and solicitation of customers; § 13.395 To control marketing practices and conditions; § 13.435 To fix prices through patent license agreements; § 13.450 To limit distribution or dealing to regular, established or acceptable channels or classes; § 13.470 To restrain or monopolize trade. Subpart-Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533-43 Grant license(s). Subpart-Using Patents, Rights or Privileges Unlawfully: § 13.2485 Using patents, rights or privileges unlawfully.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; (15 U.S.C. 45, 18))

Carol M. Thomas,

Secretary.

[FR Doc. 80-19710 Filed 6-30-80; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 13

[Docket No. C-3020]

Hooper Holmes, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a Basking Ridge, N.J. firm, through its Credit Index Division, a consumer reporting and collection agency, to cease violating federal credit laws by failing to maintain reasonable procedures designed so as to ensure that reports are furnished only for lawful purposes and assure the maximum accuracy of reported information. In its role as a debt collector, the agency is required to include in collection communications prescribed notices informing consumers of their rights under federal credit laws. Consumers requesting information in their credit files have to be provided with a copy of this information. Additionally, the agency is required to mail to its subscribers, each year for a

five year period, a prescribed notice informing them of their statutory obligations.

DATES: Complaint and order issued June 11, 1980.¹

FOR FURTHER INFORMATION CONTACT:

Leroy Richie, Director, 8R, New York Regional Office, Federal Trade Commission, 2243-EB Federal Bldg., 26 Federal Plaza, New York, N.Y. 10007. (212) 264-1207.

SUPPLEMENTARY INFORMATION: On Monday, April 7, 1980, there was published in the *Federal Register*, 45 FR 23466, a proposed consent agreement with analysis in the Matter of Hooper Holmes, Inc., a corporation through its Credit Index Division, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart-Coercing and Intimidating: § 13.356 Delinquent debtors. Subpart-Collecting, Assembling, Furnishing or Utilizing Consumer Reports and/or Information: § 13.382 Collecting, assembling, furnishing or utilizing consumer reports and/or information; § 13.382-1 Confidentiality, accuracy, relevancy, and proper utilization; § 13.382-1(a) Fair Credit Reporting Act; § 13.382-5 Formal regulatory and/or statutory requirements; § 13.382-5(a) Fair Credit Reporting Act. Subpart Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533-20 Disclosures; § 13.533-37 Formal regulatory and/or statutory requirements. Subpart-Enforcing Dealings or Payments Wrongfully: § 13.1045 Enforcing dealings or payments wrongfully. Subpart-Failing To Comply With Affirmative Statutory Requirements: § 13.1048 Failing to comply with affirmative statutory requirements; § 13.1048-10 Fair Credit Reporting Act. Subpart-Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1852 Formal regulatory and statutory requirements; § 13.1852-60 Fair Credit Reporting Act;

¹ Copies of the Complaint, and Decision and Order filed with the original document.

§ 13.1895 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; 84 Stat. 1128-36; (15 U.S.C. 1681-1681t))

Carol M. Thomas,

Secretary.

[FR Doc. 80-19711 Filed 6-30-80; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Parts 300, 301, and 303

Regulation Under Specific Acts of Congress; Amendments

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: On May 5, 1980, an Act to amend the Wool Products Labeling Act of 1939, was approved, (Pub. L. 96-242, 94 Stat. 344). The Act defines the term "recycled wool" and directs the use of this term for labeling in lieu of the previously defined terms "reprocessed wool" and "reused wool." As a consequence, the Rules and Regulations as issued by the Federal Trade Commission under the Wool Products Labeling Act of 1939, must be amended to reflect this Congressional change in the law. Minor amendments are also needed to correct references to these terms in the Rules and Regulations issued by the Federal Trade Commission under the Fur Products Labeling Act and the Textile Fiber Products Identification Act. This notice amends all references in the regulations to "reprocessed wool" and "reused wool" to read "recycled wool."

EFFECTIVE DATE: These amendments are effective on July 4, 1980.

FOR FURTHER INFORMATION CONTACT:

Earl W. Johnson, 202-724-1362, Attorney, Federal Trade Commission, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: The Wool Products Labeling Act of 1939 (Public No. 850, 76th Cong. 3d Sess., 15 Stat. 1128, 15 U.S.C. 68 et. seq.) defined the terms "reprocessed wool" and "reused wool" and directed the use of these terms in the labeling of wool products. The Federal Trade Commission issued rules and regulations to implement this Act effective July 15, 1941 (16 CFR Part 300). Congress has recently amended the Wool Act, eliminating the two terms "reprocessed" and "reused," and defining the new term "recycled wool" to be used in their stead. (Pub. L. 96-242, 94 Stat. 344, approved May 5, 1980. The original Wool Act defined the term "reprocessed wool" as:

"... the resulting fiber when wool has been woven or felted into a wool product

which, without ever having been utilized in any way by the ultimate consumer, subsequently has been made into a fibrous state."

The term "reused wool" was defined as:

"... the resulting fiber when wool or reprocessed wool has been spun, woven, knitted, or felted into a wool product which after having been used in any way by the ultimate consumer, subsequently has been made into a fibrous state."

The amendment to the Wool Act mandates the use of "recycled" in lieu of the two terms "reprocessed" and "reused" and defines "recycled wool" as:

"... (1) the resulting fiber when wool has been woven or felted into a wool product which, without ever having been utilized in any way by the ultimate consumer, subsequently has been made into a fibrous state, or (2) the resulting fiber when wool or reprocessed wool has been spun, woven, knitted, or felted into a wool product which, after having been used in anyway by the ultimate consumer, subsequently has been made into a fibrous state."

This notice amends the affected terminology used throughout the Commission's implementing regulations issued under the Wool Act to correspond with this Congressional action.

Minor reference is made to the terms "reprocessed" and "reused", as used in the Wool Act, in rules and regulations issued by the Commission under Fur Products Labeling Act (See 16 CFR Part 301) and the Textile Fiber Products Identification Act (See CFR Part 303). The regulations under the Fur Act contain only a single reference to wool which is located in the first example under Rule 32. [16 CFR 301.32] Rule 32 permits the label of a fur product to contain additional information when required by other statutes administered by the Commission. The first example in Rule 32 illustrates the proper label for a wool coat trimmed with fur with an interlining made of "reused wool". These labeling requirements are derived from the Wool Act and the Fur Act. Thus, that section of the regulations under the Fur Act, which illustrates requirements of the Wool Act, should be amended to correspond to the new requirements of the Wool Act as amended. The regulations under the Textile Act contain, under Rule 1, *Terms Defined*, the definition of "wool," "reprocessed wool" and "reused wool". [16 CFR 303.1] Thereafter, under Rule 6, *Generic Names to Be Used*, the use of these three terms is required when a textile fiber product contains any one or more of the fibers, as defined, in an amount of five per centum or more. [16 CFR 303.6] These provisions were added

to the Textile Act to obtain uniformity in terminology used to label wool fibers under both the Textile Act and the Wool Act. This uniformity should be maintained by amending these terms in the Textile Act to conform with the amendment under the Wool Act. This notice also amends these regulations to reflect the Congressional action.

It is the policy of the Federal Trade Commission to allow time for interested parties to take part in the rulemaking process including the amendment of rules. However, § 1.26(b) of Commission's rules of procedure provides an exception to this requirement if the Commission, for good cause, finds it unnecessary to the public interest and incorporates such findings and a brief statement of the reasons therefor in the rule. The amendments being made at this time are mandated by Congress. The changes are administrative in nature and not discretionary. Accordingly, the opportunity for public comment is deemed unnecessary.

Accordingly, pursuant to the authority contained in Section 6 of the Wool Products Labeling Act of 1939 (15 U.S.C. 68d.) Section 7 of the Textile Fiber Products Identification Act (15 U.S.C. 70(e).) and Section 8 of the Fur Products Labeling Act (15 U.S.C. 69(f).), the Commission gives notice of the following amendments, effective July 4, 1980:

PART 300—RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

A. 16 CFR Part 300 is amended as follows:

1. Section 300.1 is amended by revising paragraph (a) as follows:

§ 300.1 Terms defined.

(a) The term "Act" means the Wool Products Labeling Act of 1939 (approved October 14, 1940, Public No. 850, 76th Congress, Third Session, 54 Stat. 1128, 15 U.S.C. 68 et. seq. as amended by Pub. L. 96-242, 94 Stat. 344).

2. Section 300.3 is amended by revising paragraph (b) as follows:

§ 300.3 Revised label information.

(b) In disclosing the constituent fibers in information required by the Act and regulations or in any non-required information, no fiber present in the amount of less than five percentum shall be designated by its generic name or fiber trademark but shall be designated as "other fiber," except that the percentage of wool or recycled wool shall always be stated, in accordance

with Section 4(a)(2)(A) of the Act. Where more than one of such fibers, other than wool or recycled wool, are present in amounts of less than five per centum, they shall be designated in the aggregate as "other fibers." Provided, however, that nothing contained herein shall prevent the disclosure of any fiber present in the product which has a clearly established and definite functional significance where present in the amount stated and the functional significance of such fiber is clearly and non-deceptively stated on the label in conjunction with such disclosure.

3. Section 300.8 is amended by revising paragraph (a) as follows:

§ 300.8 Use of fiber trademark and generic names.

(a) Except where another name is required or permitted under the Act or regulations, the respective common generic name of the fiber shall be used when naming fibers in the required information; as for example, "wool," "recycled wool," "cotton," "rayon," "silk," "linen," "acetate," "nylon," "polyester."

4. Section 300.10 is amended by deleting the word "reused" in the example and substituting the word "recycled."

5. Section 300.16 is amended by deleting the word "reused" in each of the examples and substituting the word "recycled" in each place.

6. Section 300.17 is amended by revising the text as follows:

§ 300.17 Use of the term "all" or "100%."

Where the fabric or product to which the stamp, tag, label, or mark of identification applies is composed wholly of one kind of fiber, either the word "all" or the term "100%" may be used with the correct fiber name; as for example "100% Wool," "All Wool," "100% Recycled Wool," "All Recycled Wool." If any such product is composed wholly of one fiber with the exception of fiber ornamentation not exceeding 5%, such term "all" or "100%" as qualifying the name of the fiber may be used, provided it is immediately followed by the phrase "exclusive of ornamentation," or by a phrase of like meaning; such as, for example:

"All Wool—Exclusive of Ornamentation"

or

"100% Wool—Exclusive of Ornamentation."

7. Section 300.18 is amended by revising paragraph (a) as follows:

§ 300.18 Use of name of specialty fiber.

(a) In setting forth the required fiber content of a product containing any of the specialty fibers named in Section 2(b) of the Act, the name of the specialty fiber present may be used in lieu of the word "wool," provided the percentage of each named specialty fiber is given, and provided further that the name of the specialty fiber so used is qualified by the word "recycled" when the fiber referred to is "recycled wool" as defined in the Act. The following are examples of fiber content designation permitted under this rule:

"55% Alpaca—45% Camel Hair"

"50% Recycled Camel Hair—50% Wool"

"60% Recycled Alpaca—40% Rayon"

"35% Recycled Llama—35% Recycled Vicuna—30% Cotton"

"60% Cotton—40% Recycled Llama."

8. Section 300.19 is amended by revising paragraph (a) as follows:

§ 300.19 Use of terms "mohair" and "cashmere."

(a) In setting forth the required fiber content of a product containing hair of the Angora goat known as mohair or containing hair or fleece of the Cashmere goat known as cashmere, the term "mohair" or "cashmere," respectively, may be used for such fiber in lieu of the word "wool," provided the respective percentage of each such fiber designated as "mohair" or "cashmere" is given, and provided further that such term "mohair" or "cashmere" where used is qualified by the word "recycled" when the fiber referred to is "recycled wool" as defined in the Act. The following are examples of fiber content designations permitted under this rule:

"50% Mohair—50% Wool"

"60% Recycled Mohair—40% Cashmere"

"60% Cotton—40% Recycled Cashmere."

9. Section 300.24 is amended by revising paragraph (a)(1) as follows:

§ 300.24 Lining, padding, stiffening, trimmings and facings.

(a) * * *

(1) if such linings, trimmings or facings contain, purport to contain or are represented as containing wool, or recycled wool; or

10. Section 300.26 is amended by deleting the word "reused" in the second example and substituting the word "recycled."

11. Section 300.27 is amended by deleting the word "reprocessed" in the example and substituting the word "recycled."

12. Section 300.28 is amended by revising paragraphs (b), (c), (d), and (e) as follows:

§ 300.28 Undetermined quantities of reclaimed fibers.

(a) * * *

(b) Where a wool product is composed in part of wool, or recycled wool and in part of unknown and, for practical purposes, undeterminable non-woolen fibers reclaimed from any spun, woven, knitted, felted, braided, bonded or otherwise manufactured or used product, the required fiber content disclosure may, when truthfully applicable, in lieu of the fiber content disclosure otherwise required by the Act and regulations, set forth (1) the percentages of wool or recycled wool, and (2) the generic names and the percentages of all other fibers whose presence is known or practically ascertainable and (3) the percentage of the unknown and undeterminable reclaimed fibers, designating such reclaimed fibers as "unknown reclaimed fibers" or "undetermined reclaimed fibers," as for example:

"75% Recycled Wool—25% Unknown Reclaimed Fibers."

"35% Recycled Wool—30% Acetate—15% Cotton—20% Undetermined Reclaimed Fibers."

In making the required fiber content disclosure any fibers referred to as "unknown reclaimed fibers" or "undetermined reclaimed fibers" shall be listed last.

(c) The terms "unknown recycled fibers" and "undetermined recycled fibers" may be used in describing the unknown and undeterminable reclaimed fibers referred to in paragraph (b) of this rule in lieu of the terms specified therein, provided, however, that the same standard is used in determining the applicability of the term "recycled" as is used in defining "recycled wool" in Section 2(c) of the Act.

(d) For purposes of this rule undetermined or unascertained amounts of wool or recycled wool may be classified and designated as recycled wool.

(e) Nothing contained in this rule shall excuse a full and accurate disclosure of fiber content with correct percentages if the same is known or practically ascertainable, or permit a deviation from the requirements of Section 4(a)(2)(A) of the Act with respect to products not labeled under the provisions of this rule or permit a higher

classification of wool or recycled wool than that provided by Section 2 of the Act.

13. Section 300.29 is amended by revising paragraphs (a) and (d) as follows:

§ 300.29 Garments or products composed of or containing miscellaneous cloth scraps.

(a) * * *

(1) Where the product contains chiefly cotton as well as woolen fibers in the minimum percentage designated for recycled wool:

"Made of Miscellaneous Cloth Scraps Composed Chiefly of Cotton With Minimum of —% Recycled Wool,"

(2) Where the product contains chiefly rayon as well as woolen fibers in the minimum percentage designated for recycled wool:

"Made of Miscellaneous Cloth Scraps Composed Chiefly of Rayon With Minimum of —% Recycled Wool."

(3) Where the product is composed chiefly of a mixture of cotton and rayon as well as woolen fibers in the minimum percentage designated for recycled wool:

"Made of Miscellaneous Cloth Scraps Composed Chiefly of Cotton and Rayon With Minimum of —% Recycled Wool."

(4) Where the product contains chiefly woolen fibers with the balance of undetermined mixtures of cotton, rayon or other non-woolen fibers:

"Made of Miscellaneous Cloth Scraps Containing Cotton, Rayon and Other Non-Woolen Fibers, With Minimum of —% Recycled Wool."

(b) * * *

(c) * * *

(d) For purposes of this rule, undetermined or unascertained amounts of wool or recycled wool which may be contained in the product may be classified and designated as recycled wool.

14. Section 300.31 is amended by revising paragraph (a)(1) as follows:

§ 300.31 Maintenance of records.

(a) * * *

(1) The percentage by weight of wool, recycled wool, and of each fiber other than wool, placed in the respective wool products of such manufacturer in the form of fiber, yarn, fabric or other form:

* * * * *

PART 301—RULES AND REGULATIONS UNDER FUR PRODUCTS LABELING ACT

B. 16 CFR Part 301 is amended as follows:

1. Section 301.32 is amended by deleting the word "reused" in the first example in paragraph (a) and substituting the word "recycled."

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

C. 16 CFR Part 303 is amended as follows:

1. Section 303.1 is amended by deleting paragraphs (t) and (u) and adding a new paragraph (t) as follows:

§ 303.1 Terms defined.

(t) The term "recycled wool" means (1) the resulting fiber when wool has been woven or felted into a wool product which, without ever having been utilized in any way by the ultimate consumer, subsequently has been made into a fibrous state, or (2) the resulting fiber when wool or reprocessed wool has been spun, woven, knitted, or felted into a wool product which, after having been used in any way by the ultimate consumer, subsequently has been made into a fibrous state.

2. Section 303.6 is amended by revising paragraph (d) as follows:

§ 303.6 Generic names of fibers to be used.

(d) Where textile fiber products subject to the Act contain (1) wool or (2) recycled wool in amounts of five percentum or more of the total fiber weight, such fibers shall be designated and disclosed as wool or recycled wool as the case may be.

By direction of the Commission,
Carol M. Thomas,
Secretary.

[FR Doc. 80-19763 Filed 6-30-80; 8:45 am]

BILLING CODE 6750-01-M

TREASURY DEPARTMENT

Customs Service

19 CFR Part 101

[T.D. 80-176]

Changes in the Customs Field Organization; General Provisions

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to change the field organization of the Customs Service by establishing, on a 2-year experimental basis, a new Customs port of entry at Huntsville, Alabama, in the Mobile, Alabama, Customs district. The change is part of Customs continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public.

EFFECTIVE DATE: July 30, 1980.

FOR FURTHER INFORMATION CONTACT: Richard C. Coleman, Office of Inspection, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202-566-5354).

SUPPLEMENTARY INFORMATION:

Background

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better services to carriers, importers, and the public, Customs published a notice in the *Federal Register* on February 15, 1980 (45 FR 10365), proposing to establish, on a 2-year experimental basis, a new Customs port of entry at Huntsville, Alabama, in the Mobile, Alabama, Customs district (Region V).

Interested parties were given until April 15, 1980, to submit comments regarding this change. No comments were received.

After review of the proposal, Customs has determined to establish a new port of entry at Huntsville, Alabama, on a 2-year experimental basis. Establishing a port of entry at Huntsville will be helpful in redistributing the Customs workload from the congested Los Angeles, California, and Chicago, Illinois, ports of entry which now clear most imported merchandise destined to the Huntsville area.

Change in Customs Field Organization

Under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR 1949-1953 Comp., Ch. II), and pursuant to authority provided by Treasury Department Order No. 101-5 (44 FR 31057), Huntsville, Alabama, is designated as a Customs port of entry in the Mobile, Alabama, Customs district (Region V), on a 2-year experimental basis. The geographical boundaries of the Huntsville, Alabama, district include all the territory within the counties of Limestone, Madison, Morgan, and Marshall, all in the State of Alabama.

Amendment to the Regulations

To reflect this change, the list of Customs regions, districts, and ports of entry in the Mobile, Alabama, Customs district (Region V), in § 101.3(b), Customs Regulations (19 CFR 101.3(b)), is amended by inserting "Huntsville, Ala., including the territory described in T.D. 80-176" directly below "Gulfport, Miss." in the column headed "ports of entry."

Evaluation at End of 2-Year Period

To determine whether (1) the inland port at Huntsville relieves the workload at Los Angeles and Chicago and other border ports, and (2) there is sufficient need for Customs services continuing in the area, the Huntsville port of entry is established on a 2-year basis. At the conclusion of the 2-year period, Customs will evaluate the amount of international business, continued need for Customs services in the area, and the adequacy of Customs facilities. If the extent of that business or the adequacy of the facilities fail to meet the criteria used by Customs to determine port of entry eligibility, the designation of Huntsville as a port of entry will be revoked.

Regulation Determined To Be Nonsignificant

In a directive published in the *Federal Register* on November 8, 1978 (43 FR 52120), implementing Executive Order 12044, "Improving Government Regulations," the Treasury Department stated that it considers each regulation or amendment to an existing regulation published in the *Federal Register* and codified in the Code of Federal Regulations to be "significant." However, regulations which are nonsubstantive, essentially procedural, do not materially change existing or establish new policy, and do not impose substantial additional requirements or costs on, or substantially alter the legal rights or obligations of, those affected, with Secretarial approval, may be determined not to be significant. Accordingly, it has been determined that this amendment does not meet the Treasury Department criteria in the directive for "significant" regulations.

Drafting Information

The principal authors of this document were Betty A. Stemley and Laurie Strassberg Amster, Regulations and Research Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: June 16, 1980.

Richard J. Davis,

Assistant Secretary of the Treasury.

[FR Doc. 80-19523 Filed 6-30-80; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF LABOR

Employment Standards Administration

20 CFR Part 725

Claims for Black Lung Benefits

AGENCY: Employment Standards Administration, Labor.

ACTION: Final rule.

SUMMARY: This document extends the deadline for Part-B miner-beneficiaries to file claims for medical benefits under the Black Lung Benefits Reform Act of 1977. The new deadline is December 31, 1980. This action is being taken because according to our information there are more than 7,000 Part-B miner-beneficiaries who have not filed claims, and the Department of Labor wants to ensure that no otherwise eligible miner is deprived of the right to seek medical benefits.

DATES: This amendment is effective on July 1, 1980. Claims must be filed on or before December 31, 1980.

FOR FURTHER INFORMATION CONTACT: Ralph M. Hartman, Director, office of Workers' Compensation Programs, U.S. Department of Labor, Room S-3524, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone: 202-523-7503.

SUPPLEMENTARY INFORMATION: By FR Doc. No. 78-30632 dated October 24, 1978, and published on October 27, 1978, at 43 FR 50171, §§ 725.308(b) and 725.701A(a) of Title 20 of the Code of Federal Regulations were revised to state that claims for medical benefits filed pursuant to section 11 of the Black Lung Benefits Reform Act of 1977 (Pub. L. 95-239) must be filed by June 30, 1979, unless the period is extended for good cause shown. This period was extended to June 30, 1980 by notice published in 45 FR 27 (January 2, 1980). This document amends those sections of the regulations to provide that such claims must be filed on or before December 31, 1980.

The Department of Health, Education, and Welfare notified all part B miner-beneficiaries of their right to file claims for part C medical benefits on May 3 and 4, 1978. The time for filing claims was previously extended to June 30, 1980, because the Department of Labor had been advised that many part B miner-beneficiaries failed to file claims under section 11 of the Black Lung Benefits Reform Act of 1977 because

they believe that an adverse decision on their claim for medical benefits may result in a termination of the right to continuing compensation benefits under part B of title IV of the Act. The Social Security Administration, by letter dated March 3, 1979, notified 97,000 part B miner-beneficiaries and their continued entitlement to such benefits cannot and will not be affected in any way by a decision on the claim for part C medical benefits. There are reported to be more than 7,000 part B miner-beneficiaries who have not filed for their benefits.

To ensure that no otherwise eligible miner is deprived of the right to seek medical benefits, and because there are reported to be more than 7,000 Part B miner-beneficiaries who have not filed claims for medical benefits, I find good cause exists, and it is in the public interest in effectuating the remedial purposes of the Reform Act to amend the provisions of §§ 725.308(b) and 725.701A(a) to provide that claims for medical benefits under section 11 of the Reform Act may be filed up to and including December 31, 1980. I further find that since the current six month period will expire on or about June 30, 1980, that notice and public procedure on this amendment to the rules are contrary to the public interest.

PART 725—CLAIMS FOR BENEFITS UNDER PART C OF TITLE IV OF THE FEDERAL MINE SAFETY AND HEALTH ACT, AS AMENDED

Accordingly, 20 CFR Part 725 is amended as follows:

1. Paragraph (b) of § 725.308 is revised to read as follows:

§ 725.308 Time limits for filing claims.

(b) A miner who is receiving benefits under part B of title IV of the Act and who is notified by HEW of the right to seek medical benefits may file a claim for medical benefits under part C of title IV of the Act and this part. The Secretary of Health, Education, and Welfare is required to notify each miner receiving benefits under part B of this right. Notwithstanding the provisions of paragraph (a) of this section, a miner notified of his or her rights under this paragraph may file a claim under this part on or before December 31, 1980. Any claim filed after that date shall be untimely unless the time for filing has been enlarged for good cause shown.

2. Paragraph (a) of § 725.701A is revised to read as follows:

§ 725.701A Claims for medical benefits only under section 11 of the Reform Act.

(a) Section 11 of the Reform Act directs the Secretary of Health, Education, and Welfare to notify each miner receiving benefits under part B of title IV of the Act that he or she may file a claim for medical treatment benefits described in this subpart. Section 725.308(b) of this subpart provides that a claim for medical treatment benefits shall be filed on or before December 31, 1980, unless the period is enlarged for good cause shown. This section sets forth the rules governing the processing adjudication, and payment of claims filed under section 11.

(30 U.S.C. 901 *et seq.*)

Signed this 26 day of June, 1980, at Washington, D.C.

Ray Marshall,

Secretary of Labor.

[FR Doc. 80-19770 Filed 6-30-80; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Piperazine Adipate Capsules

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

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Carson Chemicals, Inc., providing for safe and effective use of piperazine adipate capsules in dogs and cats for removal of large roundworms.

EFFECTIVE DATE: July 1, 1980.

FOR FURTHER INFORMATION CONTACT: Bob G. Griffith, Bureau of Veterinary Medicine (HFV-112), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3430.

SUPPLEMENTARY INFORMATION: Carson Chemicals, Inc., New Castle, IN 47362, filed an NADA (118-508) providing for use of piperazine adipate capsules, in addition to its current approval for use of the powder, for removing certain large roundworms from dogs and cats. Provisions for use of Carson Chemicals' piperazine adipate powder are codified in 21 CFR 520.1801 (redesignated 21 CFR 520.1801a). This approval provides for dispensing that powder in capsules. The drug is administered by opening the