Department to instruct Customs officers to suspend liquidation and collect estimated countervailing duties on entries of the affected merchandise.

EFFECTIVE DATE: March 11, 1981.

FOR FURTHER INFORMATION CONTACT:
Joseph A. Black, Office of Compliance, Room 1126, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-1774).

SUPPLEMENTARY INFORMATION:

Background

On January 7, 1976 the Department of the Treasury published a "Final Countervailing Duty Determination" with respect to ferrochrome from South Africa (41 FR 1298). That determination stated that no bounties or grants were being paid or bestowed, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303) ("the Tariff Act"), upon the manufacture, production or exportation of ferrochrome from South Africa.

The petitioner challenged that determination in court, and on March 10, 1981 the Court of International Trade issued an order in *Macalloy Corporation* v. *United States*, No. 76-3-00643, Slip. Op. 81-23 (C.I.T. March 10, 1981), that the charging of preferential railroad freight rates upon shipments of ferrochrome for export from the Republic of South Africa constitutes the payment or bestowal of a bounty or grant within the meaning of section 303 of the Tariff Act. The court also ordered the Department of Commerce ("the Department") to instruct Customs officers to suspend liquidation and collect estimated countervailing duties and thereafter to assess countervailing duties in an amount equal to the net subsidy (bounty or grant) as determined or estimated by the Department pursuant to section 751 of the Tariff Act. The court based its order on the concession of the United States government that, on the basis of the record, the charging of preferential railroad freight rates constituted a bounty or grant.

Scope of the Order

The ferrochrome covered by this order is currently classifiable under item number 606.22 and 606.24 of the Tariff Schedules of the United States. The program cited by the court as constituting a bounty or grant is the charging by South African Railways and Harbours of preferential railroad freight rates upon shipments of ferrochrome for export from the Republic of South Africa.

Action

As ordered by the court, the Department determines that bounties or grants (subsidies) are being bestowed, directly or indirectly, upon the manufacture, production, or exportation of ferrochrome from the Republic of South Africa within the meaning of section 303 of the Tariff Act, as in effect prior to the amendments made by the Trade Agreements Act of 1979. The Department estimates that these subsidies equal 4 percent of the f.o.b. invoice value of the exported merchandise. This estimate is based upon information previously supplied by the Government of the Republic of South Africa. Further, as ordered by the Court, the Department intends to conduct an administrative review under section 751 of the Tariff Act and to assess countervailing duties in an amount equal to the amount of the net subsidy on this merchandise entered, or withdrawn from warehouse, for consumption on or after March 11, 1981.

A cash deposit of the estimated countervailing duties will be required in the amount of 4 percent of the f.o.b. invoice value of shipments of ferrochrome from the Republic of South Africa on entries made on or after March 11, 1981. The Department has instructed Customs officers to suspend liquidation of entries of this merchandise made on or after March 11, 1981, until further notice.

The table in part 355, Annex III of the Commerce Regulations (19 CFR part 355) is amended by adding the name "South Africa" after the listing for Spain in the column headed "country"; by adding the word "ferrochrome" in the column headed "commodity"; by adding the **Federal Register** citation of this notice in the column heading "Treasury decision"; and by adding the words "Bounty declared-rate" in the column headed "Action".

John D. Greenwald,
Deputy Assistant Secretary for Import Administration.
April 3, 1981.

[FR Doc. 81-10677 Filed 4-8-81; 8:45 am]
BILLING CODE 3510-25-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Parts 1, 140, 160, 230, 650, 652, 659, 920

Miscellaneous Technical Amendments

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Amendment to final rule.

SUMMARY: This document corrects final rules that contain incomplete or erroneous citations in Chapter I of 23 CFR, and ensures that certain technical guidance is properly referenced.

EFFECTIVE DATE: March 31, 1981.

FOR FURTHER INFORMATION CONTACT:
Stanley H. Abramson, Office of the Chief Counsel, 202-426-0762, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590.

The following corrections are hereby made in Chapter I of Title 23, Code of Federal Regulations:

PART 1—GENERAL

1. The references given at the end of § 1.34 were removed; therefore, the section is revised to read:

§ 1.34 Secondary road plan.

The approval by the Administrator of a State's certified statement of its secondary road plan, pursuant to 23 U.S.C. 117 will remain in effect for such time as the Administrator in his discretion may determine.

PART 140—REIMBURSEMENT

§ 140.607 [Amended]

2. In § 140.607 (a) and (b), the references to "Federal-Aid Highway Program Manual, Volume 1, Chapter 4, Section 6" are amended each time to read "Part 140, Subpart A of this chapter".

§ 140.608 [Amended]

3. In § 140.608 (b) and (e), the references to "paragraph 7" are amended each time to read "§ 140.607."

§ 140.609 [Amended]

4. In § 140.609, the reference to "paragraph 9a" is amended to read "§ 140.608(a)."

PART 160—STATE FISCAL PROCEDURES AND REPORTS

§ 160.103 [Amended]

5. In § 160.103(d), the words "and Federal-Aid Highway Program Manual, Volume 4, Chapter 4, Section 2" are removed.

PART 230—EXTERNAL PROGRAMS

APPENDICES A THROUGH G TO SUBPART B [Redesignated and Corrected]

6. The appendices A through G as currently listed under Part 230, Subpart B are transferred to Subpart A as originally intended. Part 230, Subpart A was published on July 3, 1975 at 40 FR 28053. An amendment to the appendices

on May 5, 1978 at 43 FR 19385 erroneously listed them under Part 230, Subpart B.

PART 650—BRIDGES, STRUCTURES, AND HYDRAULICS

§ 650.607 [Amended]

7. In § 650.607(a)(1)(ii), the reference to "23 CFR 655, Subpart E" is amended to read "23 CFR Part 924."

PART 652—PEDESTRIAN FACILITIES AND BIKEWAYS

§ 652.7 [Amended]

8. In § 652.7(d), the reference to "23 CFR Part 655, Subpart E" is amended to read "23 CFR Part 924."

PART 659—CERTIFICATION OF SPEED LIMIT ENFORCEMENT

9. Part 659 is amended by removing the appendix and § 659.9(a) is revised to read as follows:

§ 659.9 Formulation of a plan for monitoring speeds.

(a) Each State shall develop a speed sampling and analysis plan following the guidelines set forth in the *Speed Monitoring Program Procedural Manual* (SMPPM), FHWA, 1980, which was published at 45 FR 64494 on September 29, 1980. Copies of the SMPPM are available from the U.S. Department of Transportation, Federal Highway Administration, Office of Traffic Operations, Washington, D.C. 20590. The SMPPM is also available for inspection at the FHWA offices listed in 49 CFR Part 7, Appendix D.

* * * * *

Appendix—Speed Monitoring Programs Porcedural Manual [Removed]

PART 920—PAYMENT MARKING DEMONSTRATION PROGRAM

§ 920.7 [Amended]

10. In § 920.7(c), the reference to "23 CFR Part 655, Subpart E" is amended to read "23 CFR Part 924."

Note.—The Federal Highway Administration has determined that these technical amendments are not major rules within the meaning of Executive Order 12291 and will have no adverse cost impacts whatsoever due to the fact that they merely correct editorial errors and clarify existing language.

(23 U.S.C. 315; 49 CFR 1.48(b))

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: March 31, 1981.

Dowell H. Anders,

Acting Chief Counsel, Federal Highway Administration.

[FR Doc. 81-10747 Filed 4-8-81; 8:45 am]

BILLING CODE 4910-22-M

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23 CFR Parts 655 and 656

Withdrawal of Regulations

Correction

On page 19232 in the issue of Monday, March 30, 1981, the **Federal Register** Document number given at the bottom of the third column was cited incorrectly. Instead of reading "FR Doc. 81-9498 . . .", the number should have read "FR Doc. 81-9522 . . .".

BILLING CODE: 1505-01-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 252

[T.D. ATF-82; RE: Notice No. 348]

Exportation of Liquors; Export Marks

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Final rule.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is amending regulations relating to markings on cases and bulk containers of distilled spirits, wine or beer for export. Under these amended regulations, export marks for all products will read simply "Export." Requirements for marking the type of exportation such as "Use on Vessels (or Aircraft)", "Deposit in C.M.B.W.—Cl. 6", "Export via F.T.Z. No. ——", or "Deposit in C.B.W." are eliminated. Markings indicating the tax status of shipments such as "Drawback Claimed", "Free of Tax", or "Without Payment of Tax" are similarly eliminated. This amendment will give exporters greater flexibility when bottling or shipping distilled spirits, wine, or beer for export, will help reduce export inventories, and will result in cost savings for exporters.

DATE: These regulations are effective on May 11, 1981.

FOR FURTHER INFORMATION CONTACT: Charles N. Bacon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, Telephone: 202-566-7626.

SUPPLEMENTARY INFORMATION:

The Proposed Rule

On August 29, 1980, ATF published in the **Federal Register** a notice of proposed rulemaking, Notice No. 348, [45 FR 57745] to simplify the markings required on containers of distilled spirits, wine, or beer being exported. Under that proposal, the type of exportation such as to a customs bonded warehouse, or to a foreign-trade zone, would not be marked on a package or case of alcoholic beverages being exported. The required markings "Deposit in C.M.B.W.—Class 6", "Use on Vessels (or Aircraft)", "Export via F.T.Z. No. ——", or "Deposit in C.B.W." would be eliminated.

As part of that proposal, words denoting the tax status of most exportations would also be eliminated. Thus, one mark, "Export" would be applied on all wine, distilled spirits, denatured spirits, beer, or beer concentrate being exported without payment of tax, or free of tax. "Export-Drawback Claimed" would be marked on those products exported with benefit of drawback (refund of taxes paid).

These changes were proposed on behalf of requests from the distilled spirits industry to simplify markings on distilled spirits for export. The requirement to mark both the type of exportation and the tax status on cases is burdensome since the bottler does not always know at the time of bottling the type and tax status of the exportation. Because of these separate marking requirements, producers and wholesalers must maintain separate inventories of products which will be exported in different manners. If separate inventories are not maintained, it becomes necessary to remark cases individually at the time of exportation with the required export markings.

Summary of Public Comments

ATF received 12 written comments in response to Notice No. 348. Respondents included members of the distilled spirits, wine, and brewing industries as well as the Distilled Spirits Council of the United States, a trade organization representing distillers.

All respondents strongly favored the proposed simplification of export marks. Most cited some direct cost benefits as a result, and the fact that separate inventories would no longer be necessary for products exported in different manners. One respondent further noted that fewer errors in shipping would occur as a result of the proposal.

Three respondents, while supporting the general proposal to simplify export markings, suggested that only one word, "Export" be marked on distilled spirits, wine, or beer being exported, regardless of manner of exportation, or of the tax status of the shipment. These respondents noted that the term "Export" denotes that a product is not to be used within the United States and is thus different from products not so marked. They further noted that a number of distillers have been given administrative permission to mark only the word "Export" on shipments of distilled spirits for export, and that no problems have surfaced.

ATF agrees with these respondents, and has deleted the requirement to mark "Drawback Claimed" on products exported with benefit of drawback. We believe this marking is not necessary to protect Federal revenues, and its elimination will further benefit industry members in the production, storage and shipment of products for export. Sections 251.193, 252.216, and 252.223 are further amended by requiring only the word "Export" to be marked on containers exported with benefit of drawback.

Conforming Changes

The titles of all sections in Part 252 which refer to markings on containers for export are changed to read "Export marks." This title more accurately describes the content of the sections.

Other editorial changes simplify the language of the sections, and update the statutory citations in some affected sections. Requirements for the placement of export marks have been deleted since they are unnecessary.

Drafting Information

The principal author of this document is Charles N. Bacon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

Authority and Issuance

These regulations are issued under the authority contained in 26 U.S.C. 7805 (68A Stat. 917, as amended).

Accordingly, 27 CFR Part 252 is amended as follows:

PART 252—EXPORTATION OF LIQUORS

Paragraph 1. Amend the table of sections by revising the following entries to read as follows:

Par. 2. Section 252.103 is amended by (1) removing the requirement to mark packages or cases of distilled spirits withdrawn for exportation with the words "Without Payment of Tax" or with words denoting the type of exportation; (2) updating the statutory citation; and (3) changing the title of the section. As revised, § 252.103 reads as follows:

§ 252.103 Export marks.

(a) *General.* In addition to the marks and brands required to be placed on packages and cases of distilled spirits at the time they are filled under the provisions of Part 19 of this chapter, the proprietor shall mark the word "Export" on the Government side of each case or Government head of each container before removal from the bonded premises for any exportation authorized under this subpart.

(b) *Exception.* When containers are being removed to a contiguous manufacturing bonded warehouse, the proprietor need not place the word "Export" on the containers if the regional regulatory administrator finds the omission will not jeopardize the revenue.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1362, as amended (26 U.S.C. 5214); sec. 3, Pub. L. 91-659, 84 Stat. 1965, as amended (26 U.S.C. 5066))

Par. 3. Section 252.123 is amended by (1) removing the requirement to mark packages or cases of wine withdrawn for exportation with the words "Without Payment of Tax" or with words denoting the type of exportation; (2) updating the statutory citation; and (3) changing the title of the section. As revised, § 252.123 reads as follows:

§ 252.123 Export marks.

(a) *General.* In addition to the marks and brands required to be placed on packages or cases of wine at the time they are filled under the provision of Part 240 of this chapter, the proprietor shall mark the word "Export" on the Government side of each case or Government head of each container before removal from the bonded premises for any exportation authorized under this subpart.

(b) *Exception.* When containers are being removed to a contiguous manufacturing bonded warehouse, the proprietor need not place the word "Export" on the containers if the regional regulatory administrator finds the omission will not jeopardize the revenue.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1380, as amended (26 U.S.C. 5362))

Par. 4. Section 252.143 is amended by removing the requirement to mark containers or cases of beer withdrawn for exportation with the words "Without Payment of Tax", or with words denoting the type of exportation, and by changing the title of the section. As revised, § 252.143 reads as follows:

§ 252.143 Export marks.

In addition to the marks and brands required to be placed on each keg, barrel, case, crate, or other package containing beer at the time they are filled under the provisions of Part 245 of this chapter, the brewer shall mark the word "Export" on each container or case before removal from the brewery for any exportation authorized under this subpart.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1334, as amended (26 U.S.C. 5053))

Par. 5. Section 252.150e is amended by removing the requirement to mark containers of beer concentrate withdrawn for exportation with the words "Without Payment of Tax" or with words describing the type of exportation, and by changing the title of the section. As revised, § 252.150e reads as follows:

§ 252.150e Export marks.

In addition to the marks and brands required to be placed on containers of beer concentrate under the provisions of Part 245 of this chapter, the brewer shall mark the words "Beer concentrate for Export" on each container before removal from the brewery for any exportation authorized under this subpart.

Par. 6. Section 252.154 is amended by (1) removing the requirement to mark containers of specially denatured spirits withdrawn for exportation with the words "Tax-Free" or with words denoting the type of exportation; (2) changing the title of the section; and (3) updating the statutory citation. As revised § 252.154 reads as follows:

§ 252.154 Export marks.

In addition to the marks and brands required to be placed on packages and cases at the time they are filled under the provisions of Part 19 of this chapter, the proprietor shall mark the word "Export" on the Government side of each case or Government head of each container before removal from the bonded premises for any exportation authorized under this subpart.

(Sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1362, as amended (26 U.S.C. 5214))

Par. 7. Section 252.193 is amended by removing the requirement to mark packages or cases of distilled spirits exported with "Drawback Claimed" or with words denoting the type of exportation. As revised, § 252.193 reads as follows:

§ 252.193 Export marks.

In addition to the marks and brands required to be placed on packages or other bulk containers and cases under the provisions of Part 19 of this chapter, the exporter shall mark the word "Export" on the Government side of each case or Government head of each container before removal for export, for use on vessels or aircraft, or for transfer to a foreign-trade zone or a customs bonded warehouse.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1336, as amended (26 U.S.C. 5062); sec. 3, Pub. L. 91-659, 84 Stat. 1965, as amended (26 U.S.C. 5066))

Par. 8. Section 252.216 is amended by removing the requirement to mark containers or cases of wine exported with "Drawback Claimed" or with words denoting the type of exportation, and by changing the title of the section. As revised, § 252.216 reads as follows:

§ 252.216 Export marks.

In addition to the marks and brands required to be placed on packages or other bulk containers and cases under the provisions of Parts 231 or 240 of this chapter, the exporter shall mark the word "Export" on the Government side of each case or Government head of each container before removal for export, for use on vessels or aircraft, or for transfer to a foreign-trade zone.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1336, as amended (26 U.S.C. 5062))

Par. 9. Section 252.223 is amended by (1) removing the requirement to mark containers or cases of beer exported with "Drawback Claimed" or with words denoting the type of exportation; (2) changing the title of the section; and (3) updating the statutory citation. As revised, § 252.223 reads as follows:

§ 252.223 Export marks.

In addition to the marks and brands required to be placed on kegs, barrels, cases, crates or other packages under the provisions of Part 245 of this chapter, the exporter shall mark the word "Export" on each container or case before removal for export, for use on vessels or aircraft, or for transfer to a foreign-trade zone.

(Sec. 309, Tariff Act of 1930, 46 Stat. 690, as amended (19 U.S.C. 1309); sec. 3, Act of June 18, 1934, 48 Stat. 999, as amended (19 U.S.C. 81c); sec. 201, Pub. L. 85-859, 72 Stat. 1335, as amended (26 U.S.C. 5055))

Signed: January 13, 1981.

G. R. Dickerson,

Director.

Approved: March 27, 1981.

John P. Simpson,

Acting Assistant Secretary, Enforcement and Operations.

[FR Doc. 81-10719 Filed 4-8-81; 8:45 am]

BILLING CODE 4810-31-M

POSTAL SERVICE

39 CFR Part 111

Indemnity Claims

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule amends part 149 of the Domestic Mail Manual, which contains regulations governing indemnity claims for insured, COD, registered, and Express Mail. Most of the changes are not substantive but represent a thorough restructuring of part 149 to make it easier to read and understand. The substantive changes, which were detailed in the proposal, are intended to make claims adjudication more equitable, to clarify liability on certain items, and to establish requirements for proof of loss.

EFFECTIVE DATE: May 10, 1981.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Belford, (202) 245-4529.

SUPPLEMENTARY INFORMATION: On February 6, 1981, the Postal Service published for comment in the **Federal Register** the proposed amendments described above. 46 FR 11301, as corrected at 46 FR 12991. Interested persons were invited to submit written comments concerning the proposed changes by March 6, 1981. No comments were received. Accordingly, the Postal Service is adopting the amendments as a final rule.

We are, however, making certain changes dictated in part by the Recommended Decision of the Postal Rate Commission, parts of which the Governors allowed to take effect under protest on March 22, 1981. 46 FR 16404. In conformity with the Recommended Decision, the fee for a copy of a delivery record was increased (see 149.23), and the requirement that registered mail be insured as made optional. As a result of the latter action, the Service deleted, for reasons of administrative convenience, proposed 149.712, entitled Commercial Insurance, which provided a formula for prorating the amount of insurance the Postal Service would pay on a loss when the claimant also had purchased commercial insurance on the lost item. The effect of this action is to make the Postal Service the primary insurer.

In addition, the Service relaxed the general requirement that only the mailer could file a claim for a complete loss (wrapper and contents). As relaxed, either the mailer or the addressee may file a claim for complete loss (wrapper and contents) of an insured article. As to a COD or registered article, however, the mailer is still the only one who may file a claim for a complete loss.

We also made certain minor conforming changes, corrections, updating of form references, and deletion of obsolete references to the Canal Zone.

In view of the above considerations, the Postal Service hereby revises part 149 of the Domestic Mail Manual, which is incorporated by reference in the **Federal Register**, see 39 CFR 111.1, to read as follows:

(39 U.S.C. 401, 404)

W. Allen Sanders,

Associate General Counsel, General Law and Administration.

Part 149—Indemnity Claims

149.1 Special Services With Indemnity Provisions.

Indemnity Claims may be filed for insured, COD, registered, or Express Mail. (See Publication 42, *International Mail*, for international insured and registered mail indemnity claims. See 149.511 for Express Mail provisions.)

149.2 General Instructions for Filing Claims on Insured, COD, and Registered Mail.

.21 Who May File.

A claim for complete loss (wrapper and contents) of an insured article may be filed by the mailer or addressee. A claim for complete loss (wrapper and contents) of a