Labeling Rule establishing new ranges of comparability used on required labels for dishwashers.

On August 31, 1982, the Commission published new ranges of comparability for dishwashers.[1] The ranges were based on energy usage information derived by the manufacturers by following test procedures prescribed by the Department of Energy (DOE). The manufacturers submitted this information to the Commission by June 1, 1982, pursuant to § 305.8(b) of the rule. Subsequent to the publication of the ranges, Commission staff members learned from DOE staff engineers that a revised test procedure for dishwashers that would result in different, more accurate energy usage information would be published in final form within weeks of the effective date of the new ranges. In order to provide consumers with the most accurate and representative energy usage information, and to avoid confusion, therefore, the Commission is suspending the effective date of the August 31 amendment establishing new dishwasher ranges. As soon as DOE's new dishwasher test procedure is published in final form, the Commission will calculate, establish and publish in the **Federal Register** new dishwasher ranges based on the new test. Until new ranges are published, the ranges published on March 25, 1980 [2] remain in effect.

EFFECTIVE DATE: November 29, 1982.

FOR FURTHER INFORMATION CONTACT: James Mills, 202–376–2891, or Lucerne D. Winfrey, 202–376–2805, Attorneys, Division of Enforcement, Federal Trade Commission, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: Under the rule, each required label on a covered appliance must show a range, or scale, indicating the range of energy costs or efficiencies for all models of a size or capacity comparable to the labeled model. These ranges, which show the highest and lowest energy costs or efficiencies for the various size or capacity groupings of the appliances covered by the rule, are published in the **Federal Register** by the Commission no more often than annually, and are called "ranges of comparability." The figures to be used on the ranges are provided by the Commission after an analysis of data submitted by appliance manufacturers, who derive the energy costs of efficiencies of their appliances by following test procedures prescribed by the Department of Energy (DOE). One element used in calculating the ranges is the representative average unit cost of the energy used by the appliances, which is calculated annually by DOE. Because this average cost usually changes annually, and because appliance models are constantly being added, changed, or dropped by manufacturers, the ranges of comparability are likely to change from year to year. This was the case with the ranges for dishwashers and the August 31 notice published the new range figures, which, under §§ 305.10 and 305.11 of the rule, were to be used in the labeling and advertising of dishwashers beginning November 29, 1982.

The immediate effect of the revised DOE test procedure[3] on the ranges of comparability will result from the fact that the estimated annual operating cost for dishwashers will be calculated using 322 representative average-use cycles, rather than the 416 cycles required by the present test. DOE determined that the 322 figure was a more accurate estimate of the number of times the average consumer uses a dishwasher annually.

In order to enable the industry to use this more representative information on labels as soon as possible, therefore, the Commission hereby suspends the November 29 effective date of the August 31 amendment establishing dishwasher ranges based on the present DOE test.

As soon as the new DOE test is published in final form, the Commission will calculate and publish in the **Federal Register** new ranges for use with the figures derived from the new DOE test. In the interim, the present ranges, which were published on March 25, 1980, remain in effect.

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

(Sec. 324 of the Energy Policy and Conservation Act. (Pub. L. 94–163) (1975), as amended by the National Energy Conservation Policy Act (Pub. L. 95–619) (1976), 42 U.S.C. 6294; section 553 of the Administrative Procedure Act, (5 U.S.C. 553))

James A. Tobin,
Acting Secretary.

[FR Doc. 82–32658 Filed 11–26–82; 8:45 am]
BILLING CODE 6750–01–M

[1] 47 FR 38272. The effective date for use of the new ranges was November 29, 1982.

[2] 45 FR 19520.

[3] Proposed on June 17, 1982 (47 FR 26143). The current test procedures for dishwashers are found in 10 CFR 430.22(c).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 141

[Docket No. RM83–4–000; Order No. 265]

Discontinuance of Form No. 5, Electric Utility Company Monthly Statement

Issued: November 22, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) discontinues its Form No. 5, "Electric Utility Company Monthly Statement", and deletes the Commission's regulation which prescribed the form. The Energy Information Administration has indicated that it needs the information in form No. 5 for its functions and that it will assume the authority to collect the form under the designation Form No. EIA–826, "Electric Utility Company Monthly Statement."

EFFECTIVE DATE: This final rule is effective for all Form No. 5 reports filed on or after January 1, 1983.

ADDRESS: Copies of Form No. EIA–826 will be available at: U.S. Department of Energy, Room 1F–048, Energy Information Administration, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT: Ellen Brown, Federal Energy Regulatory Commission, Office of Program Management, 825 North Capitol Street, N.E., Room 3313A, Washington, D.C. 20426, (202) 357–5250.

SUPPLEMENTARY INFORMATION: By this rule, the Federal Energy Regulatory Commission (Commission) is discontinuing FERC Form No. 5, "Electric Utility Company Monthly Statement", and is eliminating the regulation prescribing that form, 18 CFR 141.25. The elimination of the form and its corresponding regulation is part of the Commission's ongoing program to review and evaluate all of the Commission's data requirements for regulatory purposes and to eliminate unnecessary reporting burdens.

I. Background and Discussion

Certain electric utilities have been required to report on a monthly basis on Form No. 5 [1] information concerning

[1] The Commission has collected information in the Form No. 5 under sections 4(a), 304, 309, and 311 of the Federal Power Act pursuant to a delegation of authority from the Secretary of Energy to the

sales of electric energy to different categories of customers and certain other selected items of income and plant, such as depreciation and amortization and information related to construction work in progress. Each Form No. 5 report has been due within forty days after the end of the reporting month. The information collected through Form No. 5 has been used by the Energy Information Administration (EIA) to prepare statistical reports and by the Department of Commerce.

The EIA has indicates that it needs this information to perform its functions and has proposed to collect the Form No. 5 data under the designation "Form No. EIA–826, Electric Utility Company Monthly Statement." *See* 47 FR 46357 (Oct. 18, 1982). Because of this and because the Commission has determined that it is not essential for the Commission to gather the information, the requirement to file the Form No. 5 with the Commission is being deleted.[2]

EIA has informed the Commission that it will begin collection of Form No. EIA–826 on January 1, 1983. This rule deleting Form No. 5 from the Commission's regulations will therefore be effective January 1, 1983. Any reports filed on or after that date must be filed with EIA.

II. Public Procedures

Prior notice and opportunity for public comment are unnecessary for this rulemaking under 5 U.S.C. 553(b)(B). The data requirement eliminated by this rulemaking will be assumed by EIA without a gap in the collection of the information. The change is therefore minor, since it has no substantive effect.

(Federal Power Act, 16 U.S.C. 792–828c; Department of Energy Organization Act, 42 U.S.C. 7101–7352; E.O. 12009, 3 CFR Part 142)

List of Subjects in 18 CFR Part 141

Electric power, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Commission amends Part 141 of Title I, Chapter I, Code of Federal Regulations effective January 1, 1983, as set forth below.

By the Commission.

Kenneth F. Plumb,

Secretary.

Commission. Delegation Order No. 0204–1 (October 1, 1977).

[2] The Commission retains a general interest in reports of these electric power plant data. However, the Commission can obtain any information it desires from the new Form No. EIA–826 upon discontinuance of the Form No. 5.

PART 141—[AMENDED]

§ 141.25 [Removed]

1. Part 141 of Title 18 of the Code of Federal Regulations is amended in its table of contents and text by removing § 141.25 in its entirety.

[FR Doc. 82–32396 Filed 11–26–82; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 4, 10, 11, 141, 148, 151, 152, and 162

[T.D. 82–224]

Conforming Customs Regulations Amendments

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: In accordance with Customs policy of periodically reviewing its regulations to ensure that they are current, this document makes certain conforming changes to the Customs Regulations which are necessary because of various executive, legislative, and administrative actions. The changes merely conform the regulations to existing law or practice. They are nonsubstantive and essentially are procedural.

EFFECTIVE DATE: November 29, 1982.

FOR FURTHER INFORMATION CONTACT: Jesse V. Vitello, Regulations Control Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202–566–8237).

SUPPLEMENTARY INFORMATION:

Background

As part of a continuing program to keep its regulations current, the Customs Service has determined that various executive, legislative, and administrative actions require conforming amendments to numerous parts of the Customs Regulations (Chapter I, Title 19, Code of Federal Regulations (19 CFR Chapter I)). Following is a list of these actions, the affected sections of the regulations, and the necessary changes:

Discussion of Changes

1. Notes 1 through 4 following the index in Part 4, Customs Regulations (19 CFR Part 4), relating to vessels in foreign and domestic trades, are no longer needed. The notes summarize Treasury Decisions which waived the navigation laws under specified circumstances and for specified purposes. These waivers have no particular significance to distinguish them from the other 123 waivers which have been granted since 1951. In fact, two of the waivers have been rendered obsolete by the completion of the St. Lawrence Seaway. Accordingly, Notes 1 through 4 are being removed from Part 4.

2. Footnote 3 to section 4.2, Customs Regulations (19 CFR 4.2), relating to reporting the arrival and entry of vessels, in one paragraph incorrectly refers to section 401(n), Tariff Act of 1930, as amended, instead of section 432a, and in another paragraph, section 401(n), Tariff Act of 1930, as amended, instead of section 401(k). These cites are being corrected.

3. Customs Form 1400–A, "Record of Vessels Engaged in Foreign Trade—Cleared or Granted Permit to Proceed", and Customs Form 1401–A, "Record of Vessels Engaged in Foreign Trade—Entered or Arrived Under Permit to Proceed", have been abolished, requiring an amendment to § 4.95, Customs Regulations (19 CFR 4.95), relating to records of the entry and clearance of vessels.

4. Navigation Fee No. 6 ("Receiving official bond not otherwise provided for"), collected principally from vessels in the Alaska trade, has been abolished, requiring amendments to paragraphs (a)(1) and (f) of § 4.98, Customs Regulations (19 CFR 4.98).

5. The reference to item 802.40, Tarriff Schedules of the United States (TSUS) (19 U.S.C. 1202), in section 10.66(c), Customs Regulations (19 CFR 10.66(c)), relating to horses exported for temporary exhibition or racing and returned, and footnote 62a is being deleted. Item 802.40 was removed from the TSUS pursuant to Presidential Proclamation 4707, dated December 11, 1979, under the authority of the Trade Act of 1974, by which horses were made unconditionally free of duty under Schedule 1, Part 1, TSUS.

6. Customs Form 7531–A, "Transfer Certificate Of Wool Or Camel Hair Imported Conditionally Free Of Duty Under Item 306.00, Tariff Schedules Of The United States, Or Wastes, Noils, Or Yarns Produced Therefrom", has been abolished, requiring amendments to §§10.94(e) and 10.95(d), Customs Regulations (19 CFR 10.94(e), 10.95(d)), relating to the recordkeeping of enumerated articles of wool and hair. Customs Form 7531–A was abolished in 1981 when such articles were made conditionally free and duty suspended through 1983.

7. Sections 10.114 through 10.119, Customs Regulations (19 CFR 10.114–10.119), relating to instruments and apparatus imported for educational and scientific institutions, have been superseded by amendments to the Department of Commerce regulations set forth in 15 CFR Part 301, which were published in the **Federal Register** on July 28, 1982 (47 FR 32515). Accordingly, Part 10, Customs Regulations (19 CFR Part 10), is being amended by revising § 10.114 and removing §§ 10.115 through 10.119.

8. Sections 4591, 4812, and 4831, Internal Revenue Code of 1954 and the regulations of the Internal Revenue Service (26 CFR Part 45, Subparts E, G, and H, respectively), governing the packing and stamping of oleomargarine, adulterated butter, and filled cheese have been repealed by Pub. L. 94–455 and 93–490. Accordingly § 11.5, Customs Regulations (19 CFR 11.5), which refers to those laws, is being removed.

9. Section 141.11(b), Customs Regulations (19 CFR 141.11(b)), relating to the release of merchandise directly to common carriers and right of entry by such carriers, is being amended to reflect changes in entry procedures as a result of Pub. L. 95–410, the "Customs Procedural Reform and Simplification Act of 1978", which made numerous changes in laws administered by Customs relating to the entry of imported merchandise. A document amending the Customs Regulations to establish new procedures needed to reflect these changes was published as T.D. 79–221 in the **Federal Register** on August 9, 1979 (44 FR 46794).

One of the regulations changes made by T.D. 79–221 set forth a revised entry concept under which the documentation necessary to obtain the release of merchandise is the "entry." The additional documentation necessary to appraise and classify the merchandise and to collect accurate statistics is designated the "entry summary" and is required to be filed, with estimated duties attached, within 10-working days after the time of entry.

Section 141.11(b) presently provides that delivery of merchandise by the carrier will be deemed the appropriate certificate required by 484(h), Tariff Act of 1930, as amended (19 U.S.C. 1484(h)), in the case of immediate delivery or when the entry is made with the appropriate duties deposited. To conform the regulations to the law, the language in § 141.11(b) must be modified to indicate that the delivery of the merchandise by the carrier will be deemed the appropriate certification by section 484(h), in the case of merchandise released with an entry, to be later followed by an entry summary. In addition, the language in § 141.11(b) must be modified to reflect the change in terminology when the complete entry package is filed with Customs and release of the merchandise is obtained under that package.

10. Section 141.83(a), Customs Regulations (19 CFR 141.83(a)), relating to the type of invoice required for various shipments of merchandise, is being amended by removing the reference to paragraph (c) and substituting (d) in its place. In addition, the language following "paragraph (c) of this section." is to be eliminated. These changes are necessary to conform the regulation to changes in entry requirements and procedures as a result of the enactment of Pub. L. 95–410.

11. Section 148.87(b), Customs Regulations (19 CFR 148.87(b)), lists the public international organizations currently entitled to free entry privileges. However, the list is not current because it does not contain the names of certain public international organizations entitled to these privileges. Accordingly, §148.87(b) is being amended to add these organizations to the list of designated organizations.

12. Section 151.41, Customs Regulations (19 CFR 151.41), relating to the entry of petroleum and petroleum products, refers to the "current edition of the ASTM–IP Petroleum Measurement Tables (American Edition), published by the American Society for Testing and Materials * * *" (ASTM). The reference to the ASTM published version, which is the approved version, was inserted when ASTM was the organization publishing these tables. Presently, they are being published by the American Petroleum Institute. However, it is expected that other organizations may publish the tables in the future. Therefore, because they are the same mathematically regardless who publishes them, it is not necessary to identify the publisher in the regulation. Accordingly, § 151.41 is being amended by inserting "approved" for "published."

13. Section 151.42(b)(4), Customs Regulations (19 CFR 151.42(b)(4)), relating to controls on unlading and gauging petroleum and petroleum products, is being amended by inserting "conducted" for "performed". This change is being made because it conforms with a recent Customs ruling holding that shore tank gauges are "conducted" by public gaugers rather than "performed". The word "conduct" means to manage, to control, or to direct. Section 151.42(b)(4) applies to situations where public gaugers do not gauge the shore tank independently, but merely witness and certify gauges taken physically by the importing company's personnel. Thus, the gauge is done under the control and direction of the public gauger, who submits a report to Customs regarding the gauge. In effect, such gauges are "conducted" by the public gauger.

14. Customs Form 5561, "Notice of Action And/Or Request For Information", has been abolished and replaced by new Customs Form 28, "Request For Information", requiring an amendment to § 152.2, Customs Regulations (19 CFR 152.2), relating to the notification given to importers of increased duties.

15. Section 162.41, Customs Regulations (19 CFR 162.41), relating to merchandise entered by false invoice or declaration, which implements Pub. L. 95–410, is being amended because it omits language which would exclude entries filed before April 1, 1979. Sections 159.11 and 159.12, Customs Regulations, which also implement Pub. L. 95–410, contain the appropriate exclusionary language.

Inapplicability of Public Notice and Delayed Effective Date Provisions

Inasmuch as these amendments merely conform the Customs Regulations to existing law or practice, pursuant to 5 U.S.C. 553(b)(3), notice and public procedure thereon are unnecessary and pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

Executive Order 12291

Because these amendments will not result in a "major rule" as defined by section 1(b) of E.O. 12291, the regulatory analysis and review prescribed by section 3 of the E.O. is not required.

Inapplicability of Regulatory Flexibility Act

This document is not subject to the provisions of sections 603 and 604 of title 5, United States Code, as added by section 3 of Pub. L. 96–354, the "Regulatory Flexibility Act." That Act does not apply to any regulation, such as this, for which a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551, *et seq.*), or any other statute.

Drafting Information

The principal author of this document was Jesse V. Vitello, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects

19 CFR Part 4

Vessels, Reporting requirements.

19 CFR Part 10

Exports.

19 CFR Part 11

Packaging and containers.

19 CFR Part 141

Imports.

19 CFR Part 148

International organizations.

19 CFR Part 151

Petroleum and petroleum products.

19 CFR Part 152

Classification and appraisement of merchandise.

19 CFR Part 162

Seizures and forfeitures.

Amendments to the Regulations

Parts 4, 10, 11, 141, 148, 151, 152, and 162, Customs Regulations (19 CFR Parts 4, 10, 11, 141, 148, 151, 152, 162), are amended as set forth below.

William von Raab,

Commissioner of Customs.

Approved: November 9, 1982.

Robert E. Powis,

Acting Assistant Secretary of the Treasury.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. Part 4 is amended by removing Notes 1–4 following the table of contents.

§ 4.2 [Amended]

2. Footnote 3 to § 4.2 is amended by removing "Tariff Act of 1930, sec. 401(n), as amended; 19 U.S.C. 1432a" from the second paragraph and "Tariff Act of 1930, sec 401(n), as amended; 19 U.S.C. 1401(n))" from the third paragraph, and inserting, in their place, "(Tariff Act of 1930, sec. 432a, as amended; 19 U.S.C. 1432a" and "(Tariff Act of 1930, sec. 401(k), as amended; 19 U.S.C. 1401(k))."

3. Section 4.95 is revised to read as follows:

§ 4.95 Records of entry and clearance of vessels.

Permanent records shall be prepared at each customhouse of all entries of vessels on Customs Form 1400 and of all clearances and permits to proceed on Customs Form 1401. Whenever a vessel is diverted, as provided for in section 4.91 (a) or (b), Customs Form 1401 shall be amended to show the new destination. [MCLs ⅞₂; ²⅞₂ FACLs 78, Supp. ⅞₂; 84, Supp. ⅞₂. TDs 50617, 52258, 52583, 52608, 52681, 52958, 53336, 54421.] These records shall be open to public inspection.

§ 4.98 [Amended]

4. Item 6 in paragraph (a)(1) of § 4.98 is removed and reserved.

5. Section 4.98 is further amended by removing and reserving paragraph (f).

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. Section 10.66(c) is amended by revising the introductory text to read as follows:

§ 10.66 Articles exported for temporary exhibition and returned; horses exported for horse racing and returned; procedures on entry.

* * * * *

(c) Articles claimed to be exempt from duty under item 802.20 or 802.30, Tariff Schedules of the United States (19 U.S.C. 1202), may be returned free of duty without formal entry and without regard to the requirements of paragraph (a) or (b) of this section if: * * *

§ 10.66 [Amended]

2. Section 10.66(c) is further amended by removing footnote 62a.

3. Section 10.94(e) is revised to read as follows:

§ 10.94 Manufacturing records.

* * * * *

(e) In the case of preliminary processors, such as pullers, sorters, washers, scourers, or carbonizers, a transfer certificate on the appropriate Customs form, covering wool or hair processed and transferred by any one of them shall be submitted to the district director as an abstract of his records of manufacture. This method of recordkeeping may only be used if the processor has received custody (not ownership) of the wool or hair from a transferor who has been relieved by the district director of liability under bond for the use of the wool or hair in accordance with § 10.95(d). (Sec. 101, 76 Stat. 72; Sch. 3, Part 1C, Hdnote 6, Tariff Schedules of the United States) [T.D.'s 53266, 53399, 55565.]

4. The first three sentences of § 10.95(d) are revised to read as follows:

§ 10.95 Records and reports of enumerated articles of wool or hair delivered; transfer certificates.

* * * * *

(d) When the ownership of wool or hair is transferred by one bonded manufacturer, processor, or dealer to another manufacturer, processor, or dealer the transfer shall be covered by a transfer certificate on the appropriate Customs form. When a transferor transfers custody (not ownership) of wool or hair, no transfer certificate is required unless the transferor in writing specifically requests the district director to be relieved of his liability under his bond.[86a] When the transfer is made by a dealer, the transfer certificate shall be supported by copies of processors invoices or reports (showing processing losses and net return) for any wool or hair processed outside the custody of the dealer. * * *

5. Section 10.114 is revised to read as follows:

§ 10.114 General provisions.

The consolidated regulations of the Commerce and Treasury Departments relating to the entry of instruments and apparatus for educational and scientific institutions are contained in 15 CFR Part 301.

§§ 10.115 through 10.119 [Removed and Reserved]

6. Part 10 is amended by removing and reserving §§ 10.115 through 10.119.

PART 11—PACKING AND STAMPING; MARKING

§ 11.5 [Removed and Reserved]

Part 11 is amended by removing and reserving § 11.5.

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 141—ENTRY OF MERCHANDISE

1. Section 141.11(b) is revised to read as follows:

§ 141.11 Evidence of right to make entry for importations by other than common carrier.

* * * * *

(b) *Merchandise released directly to carrier*—Where, in accordance with subsection (j) of section 484, Tariff Act of 1930, as amended (19 U.S.C. 1484), merchandise is released from Customs custody (either under immediate delivery procedures in accordance with the provisions of Subpart C of Part 142 of this chapter, or after an entry has been filed in accordance with Subpart A of Part 142 of this chapter, or after an entry summary, which shall serve as both the entry and entry summary has been filed with estimated duties attached where appropriate in accordance with Subpart B of this chapter), to the carrier by whom the merchandise was brought to the port, the delivery of the merchandise by the

carrier to the person filing the entry summary with estimated duties attached shall be deemed to be the certification required by subsection (h), section 484, Tariff Act of 1930. Customs responsibility under this optional entry procedure is limited to the collection of duties, and constitutes no representation whatsoever regarding the right of any person to obtain possession of the merchandise from the carrier. Consequently, no Customs official shall be liable to any person in respect to the delivery of merchandise released from Customs custody in accordance with the provisions of this paragraph.

2. Section 141.83(a) is revised to read as follows:

§ 141.83 Type of invoice required.

(a) *Special Customs Invoice*—A Special Customs Invoice (Customs Form 5515) shall be filed for each shipment of merchandise (1) which is subject to a rate of duty dependent in any manner on value (including such merchandise entered under a conditionally free provision when all free entry documents and evidence required to establish the exemption from duty are not produced at the time of filing the entry summary), and (2) which is determined by the district director to have an aggregate purchase price over $500, including all expenses incident to placing the merchandise in condition packed ready for shipment to the United States, or in the case of merchandise not imported in pursuance of a purchase or agreement to purchase, an aggregate value over $500 as determined in accordance with section 152.21 of this chapter. However, a special Customs invoice is not required for merchandise which is excepted from the requirements for both a special Customs invoice and a commercial invoice by paragraph (d) of this section.

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624)

* * * * *

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

§ 148.87 [Amended]

The table in § 148.87(b) is amended as follows:

1. By inserting "African Development Fund" before "Asian Development Bank" in the column headed "Organization", "11977" in the opposite column under the heading "Executive Order", and "March 14, 1977" in the opposite column under the heading "Date".

2. By inserting "International Fertilizer Development Center" before "International Finance Corporation" in the column headed "Organization", "11977" in the opposite column under the heading "Executive Order", and "March 14, 1977" in the opposite column under the heading "Date".

3. By inserting "International Maritime Satellite Organization" before "International Monetary Fund" in the column headed "Organization", "12238" in the opposite column under the heading "Executive Order", and "April 22, 1980" in the opposite column under the heading "Date".

PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

§ 151.41 [Amended]

1. Section 151.41 is amended by inserting "approved" in place of "published".

§ 151.42 [Amended]

2. Section 151.42(b)(4) is amended by inserting "conducted" in place of "performed".

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE

§ 152.2 [Amended]

Section 152.2 is amended by inserting "Customs Form 28" in place of "Customs Form 5561".

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

PART 162—RECORDKEEPING INSPECTION, SEARCH, AND SEIZURE

Section 162.41 is amended by adding a new paragraph (d) to read as follows:

§ 162.41 Merchandise entered by false invoice, declaration, other document or statement subject to forfeiture.

* * * * *

(d) *Applicability*—The provisions of this section shall apply to entries of merchandise for consumption or withdrawals of merchandise for consumption made on or after April 1, 1979.

(R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

[FR Doc. 82-32548 Filed 11-26-82; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Excepted Stimulant and Depressant Compounds

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule

SUMMARY: This final rule lists the products which have been granted excepted status under the Controlled Substances Act since the last notice was published on March 31, 1977 (42 FR 17300). This listing will be used to update the Table of Excepted Prescription Drugs to Part 1308. Further, all excepted products which are no longer marketed will be removed from this Table.

EFFECTIVE DATE: November 29, 1982.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, Washington, D.C. 20537, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: On February 17, 1982, the Acting Administrator of the Drug Enforcement Administration issued a notice of proposed rulemaking published at 47 FR 6888 to list those products which have been granted excepted status under the Controlled Substances Act since March 31, 1977 (42 FR 17300). This list of excepted products will be used to updated the Table of Excepted Prescription Drugs to Part 1308. To further update the Table, the Acting Administrator proposed to remove from the Table those excepted products which are no longer marketed. These exceptions are granted pursuant to Section 202(d) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 821(d)).

The notice of proposed rulemaking invited interested persons to submit comments or objections in writing on or before March 19, 1982. A comment was received from the Saint Alphonsus Regional Medical Center which supported the proposed updated listing of excepted products. Additional comments were received from the A.H. Robins Company.

A.H. Robins pointed out that a number of products identical to those whose New Drug Applications (NDAs) were withdrawn by the Food and Drug