

lottery), requests may also be made under these provisions for the remainder of the allotment year (or until all returned authorizations have been awarded).

Requests should be made in letter form, and envelopes containing these requests should be prominently marked "REQUEST FOR JAPAN CHARTER AUTHORIZATION." Requests should include:

- (1) The full name of the carrier;
- (2) The name, address, and telephone number of a representative of the carrier, to be contacted if the need arises;
- (3) The number of authorizations the carrier seeks; and
- (4) A certification that the carrier meets the eligibility standards of § 320.12(a).³

We recommend that carriers confirm receipt of their requests. We reserve the right to request additional information from requesting carriers regarding their eligibility, and to reject the request of any carrier which does not meet these eligibility requirements.

We will determine, based upon the number of authorizations returned, and the number requested by c.o.b. July 12, 1983, whether it is necessary to hold a lottery to distribute these authorizations, in accordance with the provisions of § 320.16(b) (4) and (5). If a lottery is found to be necessary, because of an excessive number of initial requests relative to the number of authorizations available, we will issue a further order establishing procedures for the lottery.

If we find that a lottery is not necessary, we will promptly distribute available authorizations to the carriers filing these requests. We will distribute any remaining authorizations on a first-come-first-served basis throughout the remainder of the allocation year to carriers filing requests for them. We will distribute all returned authorizations by their originally assigned authorization numbers, and carriers receiving them must refer to these numbers when filing notices and reports required by Part 320.⁴

³ To be eligible under Part 320, a requesting carrier must hold a charter certificate authorizing transpacific service or a scheduled route certificate, hold FAR 121 operating authority from the Federal Aviation Administration, and be an operating air carrier possessing aircraft having an over-water range at maximum payload of at least 3,000 statute miles.

⁴ As noted in PR-260, recipient carriers are required to file notices of intent to use authorizations, reports of authorizations used, and, if they transfer these authorizations to other carriers, notices of transfers. These reporting requirements and amended filing requirements have been approved by the Office of Management and Budget under number 3024-0055.

As a final matter, we realize that the three-working-day time periods for returns, and initial requests, are tight. We believe, however, that expeditious action is necessary so that authorizations which cannot be used by carriers presently holding them can be redistributed as promptly as possible.

Accordingly, acting under authority delegated by the Board in its Regulations, 14 CFR 385.26(cc):

1. We invite U.S. carriers holding Japan charter authorizations issued under Order 82-10-46, at their option, to return unneeded authorizations to the Board by July 7, 1983, for redistribution, as provided in Part 320 and this order;
2. We invite U.S. carriers meeting the eligibility requirements of § 320.12(a) to file initial requests for returned authorizations by July 12, 1983, and subsequent requests to the extent authorizations are available, as provided in Part 320 and this order;
3. We will distribute returned authorizations among requesting carriers as provided in Part 320 and this order;
4. We may amend, revoke, or modify this order at any time and without hearing; and
5. This order will be published in the Federal Register.

Persons entitled to petition the Board for review of this order under the Board's Regulations, 14 CFR 385.50, may file their petitions within ten days after the date of service of this order.

This order is effective immediately, and the filing of a petition for review shall not alter such effectiveness.

Daniel M. Kasper,
Director, Bureau of International Aviation.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 83-17750 Filed 6-30-83; 8:45 am]
BILLING CODE 6320-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. 9112]

Beatrice Foods Co., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.
ACTION: Dismissal order.

SUMMARY: This Final Order dismisses the complaint challenging Beatrice Foods Co.'s acquisition of Tropicana Products Inc. The Commission found

that the loss of actual competition in the ready-to-serve orange juice industry was too little to establish a violation of the Clayton Act.

DATES: Complaint issued June 29, 1978, Final Order issued May 26, 1983.¹

FOR FURTHER INFORMATION CONTACT: FTC/CS-6, Katherine Boland, Washington, D.C. 20580. (202) 724-1668.

SUPPLEMENTARY INFORMATION: In the Matter of Beatrice Foods Co., a corporation, and Tropicana Products, Inc., a corporation.

List of Subjects in 16 CFR Part 13

Orange juice.

(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)

The Final Order is as follows:

Final Order

This matter has been heard by the Commission upon the appeal of respondents from the initial decision and upon briefs and oral argument in support of and in opposition to their appeal. For the reasons stated in the accompanying Opinion, the Commission has determined to sustain respondents' appeal. All motions which have not yet been disposed of in the accompanying Opinion or by prior orders of the Commission are denied. Accordingly,

It is ordered that the complaint is dismissed.

By the Commission.

Issued: May 26, 1983.

Emily H. Rock,
Secretary.

[FR Doc. 83-17827 Filed 6-30-83; 8:45 am]
BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

[Regulations No. 16]

Supplemental Security Income for the Aged, Blind, and Disabled; Subpart K—Income

Correction

In FR Doc. 83-13894 beginning on page 23177 in the issue of Tuesday, May 24,

¹ Copies of the Complaint, Initial Decision, Opinion of the Commission, Concurring Opinion of Commissioner Douglas and the Final Order filed with the original document.

1983, make the following corrections:

1. On page 23178, second column, first complete paragraph, sixth line, "not" should read "now".
2. On page 23179, second column, § 416.1111(d), fourth line, "service" should read "services".

BILLING CODE 1505-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 675

Comprehensive Employment and Training Act Regulations; Individuals' Eligibility for Upgrading

AGENCY: Employment and Training Administration, Labor.

ACTION: Final rule.

SUMMARY: This document contains a revision to the regulation for the eligibility requirements under Title II-C upgrading training. The revision will allow individuals to be eligible for upgrading without regard to the length of time they have been working in either entry level, unskilled or semi-skilled positions or positions with little or no advancement opportunity.

Final rules for programs under Title II of the Comprehensive Employment and Training Act (CETA) were published on May 20, 1980, 45 FR 33846.

EFFECTIVE DATE: August 1, 1983.

FOR FURTHER INFORMATION CONTACT: Robert N. Colombo, Acting Director, Office of Employment and Training Programs, 601 D Street, N.W., Room 6402, Washington, D.C. 20213, telephone number: (202) 376-6903.

SUPPLEMENTARY INFORMATION: This amendment to the CETA regulation in 20 CFR 657.5-3(a)(1)(ii) removes the six-month employment tenure requirement for participation in CETA Title II-C upgrading programs. This change is necessary to enable grantees to fully utilize FY 1983 funds in a manner consistent both with the expiring CETA and the new Job Training Partnership Act (JTPA). This amendment will permit current funds to be used consistent with the dislocated workers' program under Title III of JTPA by assisting unemployed workers to return to work through upgrade training.

This amendment is being published as a final rule. It is merely a technical amendment which removes a regulatory condition on the use of funds consistent with the underlying CETA and JTPA statutes. Moreover, full rulemaking

procedures would unduly interfere with programmatic implementation of this rule prior to the expiration of FY 1983 funding.

Rulemaking Certifications

This revision is procedural in nature. Therefore, these rules are not classified as "major" under Executive Order 12291 on Federal regulations and no regulatory impact analysis is required.

The Department has determined that this rule will have no "significant economic impact upon a substantial number of small entities" within the meaning of Section 3 (a) of the Regulatory Flexibility Act, Pub. L. No. 96-354, Stat. 1164 (5 U.S.C. 605(b)). The only direct recipients of Federal funds under the regulations are the several States and units of local government which generally have over 100,000 in population.

List of Subjects in 20 CFR Part 675

Grant programs—labor, Manpower training programs.

PART 675—[AMENDED]

Accordingly, for the reasons set out in the preamble, Part 675, Chapter V of Title 20 of the Code of Federal Regulations, is amended as set forth below.

1. The authority citation for Part 675 reads as follows:

Authority: Sec. 126 of the Comprehensive Employment and Training Act (29 U.S.C. 801 et seq., Pub. L. 95-524, 92 Stat. 1907).

2. In § 675.5-3, paragraph (a)(1)(ii) is revised to read as follows:

§ 675.5-3 Eligibility requirements under Title II-C upgrading and retraining.

(a) * * *

(1) * * *

(ii) Working in either entry level, unskilled or semi-skilled positions or positions with little or no advancement opportunity in a normal promotional line;

Signed at Washington, D.C., this 28th day of June 1983.

Raymond J. Donovan,
Secretary of Labor.

[FR Doc. 83-17830 Filed 6-30-83; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES Food and Drug Administration

21 CFR Part 81

[Docket No. 76N-0366]

Provisional Listing of D&C Yellow No. 10 for Use in Drugs and Cosmetics; Postponement of Closing Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is postponing the closing date for the provisional listing of D&C Yellow No. 10 for use as a color additive in drugs and cosmetics. The new closing date will be September 2, 1983. This brief postponement will provide additional time for the agency to review and consider the scientific and legal aspects of the results of the toxicological studies on D&C Yellow No. 10 submitted by several petitioners and to prepare the appropriate Federal Register document(s).

DATES: Effective July 1, 1983, the new closing date for D&C Yellow No. 10 will be September 2, 1983.

FOR FURTHER INFORMATION CONTACT: James H. Maryanski, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

SUPPLEMENTARY INFORMATION: FDA established the current closing date of July 1, 1983, for the provisional listing of D&C Yellow No. 10 in drugs and cosmetics by a rule published in the Federal Register of April 29, 1983 (48 FR 19366). The agency extended the closing date until July 1, 1983, to provide time for the agency to complete its review and consider the scientific and legal aspects of the results of the toxicological studies on D&C Yellow No. 10 submitted by several petitioners. Previously in the Federal Register of March 27, 1981 (46 FR 18954), FDA had published a rule establishing the April 30, 1983 closing date to provide time for completion of FDA's review and evaluation of the data concerning the use of D&C Yellow No. 10 and to publish a final decision on the petitions for the permanent listing of this color additive. The amendments set forth below will postpone the July 1, 1983 closing date for the provisional listing of the color additive until September 2, 1983.

FDA's review and evaluation of the data relevant to the use of D&C Yellow No. 10 have required more time than anticipated. The agency therefore concludes that the brief extension of the closing date to September 2, 1983, is

necessary. This brief postponement will provide time for the agency to complete its review and prepare the appropriate Federal Register document(s). No harm to the public health will result from this extension.

Because of the short time until the July 1, 1983 closing date, FDA concludes that notice and public procedure on these amendments are impracticable, and that good cause exists for issuing this postponement as a final rule. This final rule will permit the uninterrupted use of this color additive until September 2, 1983. To prevent any interruption in the provisional listing of D&C Yellow No. 10 and in accordance with 5 U.S.C. 553(d) (1) and (3), this final rule is being made effective on July 1, 1983.

List of Subjects in 21 CFR Part 81

Color additives, Color additives provisional list, Cosmetics, Drugs.

PART 81—GENERAL SPECIFICATIONS AND GENERAL RESTRICTIONS FOR PROVISIONAL COLOR ADDITIVES FOR USE IN FOODS, DRUGS, AND COSMETICS

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C. 371, 376 (b), (c), and (d))) and under the transitional provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618; sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 81 is amended as follows:

§ 81.1 [Amended]

1. In § 81.1 *Provisional lists of color additives*, by revising the closing date for "D&C Yellow No. 10" in paragraph (b) to read "September 2, 1983."

§ 81.27 [Amended]

2. In § 81.27 *Conditions of provisional listing*, by revising the closing date for "D&C Yellow No. 10 in paragraph (d) to read "September 2, 1983."

Effective date. This final rule shall be effective July 1, 1983.

(Secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C. 371, 376 (b), (c), and (d); sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note))

Dated: June 13, 1983.

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

[FR Doc. 83-17743 Filed 6-30-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 81

[Docket No. 76N-0366]

Provisional Listing of FD&C Blue No. 2; Postponement of Closing Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is postponing the closing date for the provisional listing of FD&C Blue No. 2 for use as a color additive in food and ingested drugs. The new closing date will be September 2, 1983. This brief postponement will provide additional time for the agency to complete evaluation of objections received in response to the final regulation approving the petition for the permanent listing of FD&C Blue No. 2.

DATES: Effective July 1, 1983, the new closing date for FD&C Blue No. 2 will be September 2, 1983.

FOR FURTHER INFORMATION CONTACT: Geraldine E. Harris, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In the Federal Register of February 4, 1983 (48 FR 5252), FDA published a final rule that amended the color additive regulations by "permanently" listing FD&C Blue No. 2 under §§ 74.102 and 74.1102 (21 CFR 74.102 and 74.1102). The final rule also amended § 81.1(a) (21 CFR 81.1(a)) by removing FD&C Blue No. 2 from the provisional lists of color additives and amended § 81.27(d) (21 CFR 81.27(d)) by removing FD&C Blue No. 2 from the conditions of provisional listing. Additionally, the final rule amended § 82.102 (21 CFR 82.102) for FD&C Blue No. 2 to conform the identity and specifications to the requirements of § 74.102 (a)(1) and (b).

The agency received a letter stating objections to the listing regulation and requesting a hearing on those objections. The letter is on file at the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, under Docket No. 83N-0009.

To provide FDA time to evaluate and to act on the objections, the current closing date of July 1, 1983, for the provisional listing of FD&C Blue No. 2 was established by a final rule published in the Federal Register of April 29, 1983 (48 FR 19364). The final rule announced that the regulations that permanently listed FD&C Blue No. 2 for food and ingested drug use were stayed pending final agency action on the objections.

The review and evaluation of the objections received in response to the final rule approving the petition for the permanent listing of FD&C Blue No. 2 have required more time than anticipated. Therefore, FDA concludes that a brief extension of the closing date to September 2, 1983, is necessary. FDA concludes that the brief postponement will provide the additional time needed for the agency to complete its review and to prepare the appropriate Federal Register document(s). The agency has also concluded that no harm to the public health will result from this extension.

Because of the short time until the July 1, 1983, closing date, FDA concludes that notice and public procedure on this regulation are impracticable, and that good cause exists for issuing this postponement as a final rule. This regulation will permit the uninterrupted use of this color additive until September 2, 1983. To prevent any interruption in the provisional listing of FD&C Blue No. 2 and in accordance with 5 U.S.C. 553(d) (1) and (3), this regulation is being made effective on July 1, 1983.

List of Subjects in 21 CFR Part 81

Color additives, Color additives provisional list, Cosmetics, Drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C. 371, 376 (b), (c), and (d))) and under the Transitional Provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618, sec. 203, 74 Stat. 404-407 (21 U.S.C. 376, note)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 81 is amended as follows:

PART 81—GENERAL SPECIFICATIONS AND GENERAL RESTRICTIONS FOR PROVISIONAL COLOR ADDITIVES FOR USE IN FOODS, DRUGS, AND COSMETICS

§ 81.1 [Amended]

1. In § 81.1 *Provisional lists of color additives*, by revising the closing date for "FD&C Blue No. 2" in paragraph (a) to read "September 2, 1983."

§ 81.27 [Amended]

1. In § 81.27 *Conditions of provisional listing*, by revising the closing date for "FD&C Blue No. 2" in paragraph (d) to read "September 2, 1983."

Effective date. This final rule is effective July 1, 1983.

(Secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C.