

the development of final regulations. While comments received after the end of the comment period will be considered if possible, their consideration cannot be assured. Public comments that are accompanied by a request that part or all of the material be treated confidentially because of its business proprietary nature or for any other reason will not be accepted. Such comments and materials will be returned to the submitter and will not be considered in the development of final regulations.

All public comments on these regulations will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, comments in written form are preferred. If oral comments are received, they must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying. Communications from agencies of the United States Government or foreign governments will not be made available for public inspection.

The public record concerning these regulations will be maintained in the International Trade Administration Freedom of Information Records Inspection facility, Room 4001-B, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, D.C. 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in Part 4 of Title 15 of the *Code of Federal Regulations*. Information about the inspection and copying of records at the facility may be obtained from Patricia L. Mann, the International Trade Administration Freedom of Information Officer, at the above address or by calling (202) 377-3031.

#### List of Subjects in 15 CFR Parts 385 and 399

Communist countries, Exports.

#### PART 385—[AMENDED]

Accordingly, the Export Administration Regulations (15 CFR Parts 368-399) are amended as follows:

1. Section 385.4 is amended by adding a paragraph (e), reading as follows:

#### § 385.4 Country groups T & V.

(e) *Iran and Iraq*. In support of U.S. foreign policy, and particularly U.S. policies of opposing prohibited use of chemical weapons and maintaining

neutrality in the Iran/Iraq war and of promoting a mediated end to that war, an individual validated license is required to export from the United States potassium fluoride, dimethyl methylphosphonate, methyl phosphonyl difluoride, thiodiglycol and phosphorus oxychloride to Iran and Iraq. Applications for validated licenses will be considered on a case-by-case basis. Applications will generally be denied where there is reason to believe that these chemicals will be used in producing chemical weapons or will otherwise be devoted to chemical warfare purposes. The reexport provisions of Part 374 and the provisions of § 376.12 are not applicable to the foreign policy controls covered by this paragraph 385.4(e). However, the export of these commodities from the United States to any destination with knowledge that they will be reexported, directly or indirectly, in whole or in part, to Iran or Iraq is prohibited without a validated license.

#### § 399.1 [Amended]

2. Commodity Group 7, Chemicals, Metalloids, Petroleum Products and Related Materials, of the Commodity Control List (Supplement No. 1 to § 399.1) is amended by inserting the following sentence at the end of the *Validated License Required* paragraph of entry 6799G: "A validated license is also required for exports of potassium fluoride, phosphorus oxychloride and thiodiglycol to Iran and Iraq."

#### § 399.1 [Amended]

3. Commodity Group 7, Chemicals, Metalloids, Petroleum Products and Related Materials, of the Commodity Control List (Supplement No. 1 to § 399.1) is amended by inserting the following sentence at the end of the *Validated License Required* paragraph of entry 5799D: Validated license is also required for export of dimethyl methylphosphonate and methyl phosphonyl difluoride to Iran and Iraq and by revising the *Reasons for Control* paragraph to read as follows: "National security; foreign policy. Foreign policy controls apply only to exports of dimethyl methylphosphonate and methyl phosphonyl difluoride to Iraq and Iran."

#### § 399.2 [Amended]

4. Interpretation 24, Chemicals, of Supplement No. 1 to § 399.2, is amended by adding a footnote to "Potassium fluoride," (Other Inorganic Chemicals N.E.S.) "Phosphorus oxychloride" (Inorganic Chemicals Elements, Acids, Oxides, Hydroxides, Peroxides, and

Halogen Salts) and "Thiodiglycol" (Organic Chemicals) reading as follows:

"1 A validated license is required for export of potassium fluoride to Iran and Iraq."

"1 A validated license is required for export of phosphorus oxychloride to Iran and Iraq."

"1 A validated license is required for export of thiodiglycol to Iran and Iraq."

Authority: Sections 6, 13 and 15, Pub. L. 96-72, 93 Stat. 503, as amended, (50 U.S.C. app. 2401, et seq.); Executive Order No. 12214 (45 FR 29783, May 6, 1980); Executive Order No. 12451 (48 FR 56563, December 22, 1983).

Dated: March 30, 1984.

Vincent F. DeCain,

Deputy to the Deputy Assistant Secretary for Export Administration.

[FR Doc. 84-8888 Filed 3-30-84; 12:00 pm]

BILLING CODE 3510-DT-M

## FEDERAL TRADE COMMISSION

### 16 CFR Part 305

#### Rules for Using Energy Cost and Consumption Information Used in Labeling and Advertising of Consumer Appliances Under the Energy Policy and Conservation Act

AGENCY: Federal Trade Commission.

ACTION: Final rule revision.

**SUMMARY:** The Federal Trade Commission's Appliance Labeling Rule requires that the table in § 305.9, which sets forth the representative average unit energy costs for four residential energy sources, be revised periodically on the basis of updated information provided by the Department of Energy ("DOE").

This notice revises the table to incorporate the latest figures for average unit energy costs as published in the *Federal Register* on February 16, 1984 by DOE.

**EFFECTIVE DATES:** The mandatory dates for using these revised DOE cost figures are detailed below.

**FOR FURTHER INFORMATION CONTACT:** James Mills, 202-376-2893 or Lucerne D. Winfrey, 202-376-2805, attorneys, Division of Enforcement, Federal Trade Commission, Washington, D.C. 20580.

**SUPPLEMENTARY INFORMATION:** On November 19, 1979, the Federal Trade Commission issued a final Appliance Labeling Rule (44 FR 66466) in response to a directive in § 324 of the Energy Policy and Conservation Act ("EPCA"), 42 U.S.C. 6201 (1975). The rule requires the disclosure of energy efficiency or cost information on labels and in retail

sales catalogs for seven categories of appliances, and mandates that these energy costs or energy efficiency ratings be based on standardized test procedures developed by DOE. The rule also requires a general disclosure, on certain point-of-sale promotional materials, of the availability of energy cost or energy efficiency information, and requires that any claims concerning energy consumption made in writing or in broadcast advertisements be based on results of the standardized test procedures. The cost and efficiency information obtained by following the test procedures is derived by using the representative average unit energy costs provided by DOE.

Table 1 in § 305.9 of the rule sets forth the representative average unit energy costs to be used for all requirements of the rule. As stated in Section 305.9(b), the Table is intended to be revised periodically on the basis of updated information provided by DOE. Table 1 was first revised by publication of new DOE figures on January 13, 1981 in the Federal Register (46 FR 2974).

On February 16, 1984, DOE published (49 FR 6005) the most recent figures for representative average unit energy costs. Consequently, Table 1 must again be updated in order to reflect these latest cost figures. Accordingly, Table 1 in 16 CFR 305.9 is revised as follows:

TABLE 1.—REPRESENTATIVE AVERAGE UNIT COSTS OF ENERGY FOR FOUR RESIDENTIAL ENERGY SOURCES (1984)

| Type of energy    | In common terms   | As required by DOE test procedure | Dollars per million Btu's <sup>1</sup> |
|-------------------|---|-----------------------------------|--|
| Electricity       | 7.63¢/kWh <sup>2, 3</sup>                                     | \$0.0763/kWh                      | \$22.36                                |
| Natural Gas       | 69.6¢/therm <sup>4</sup><br>or \$7.07/<br>MCF <sup>5, 6</sup> | 0.0000696/<br>Btu.                | 6.96                                   |
| No. 2 heating oil | \$1.09/gallon <sup>7</sup>                                    | 0.0000796/<br>Btu.                | 7.96                                   |
| Propane           | \$4.2¢/gallon <sup>8</sup>                                    | 0.0000925/<br>Btu.                | 9.25                                   |

<sup>1</sup> Btu stands for British thermal unit.

<sup>2</sup> kWh stands for kilowatt hour.

<sup>3</sup> 1 kWh = 3,413 Btu's.

<sup>4</sup> 1 therm = 100,000 Btu's.

<sup>5</sup> MCF stands for 1,000 cubic feet.

<sup>6</sup> For the purposes of this table, 1 cubic foot of natural gas has an energy equivalence of 1,016 Btu's.

<sup>7</sup> For the purposes of this table, 1 gallon of No. 2 heating oil has an energy equivalence of 138,700 Btu's.

<sup>8</sup> For the purposes of this table, 1 gallon of liquid propane has an energy equivalence of 91,000 Btu's.

The dates when use of these figures becomes mandatory in calculating cost disclosures for use in reporting, labeling and advertising products covered by the Commission's rule and/or EPCA are as follows:

*For 1984 Submissions of Data Under § 305.8 of the Commission's Rule:* The new cost figures must be used in all 1984 submissions except clothes washers. Because the 1984 costs were not in effect

on the mandatory submission date for these products, clothes washer submissions for 1984 had to be based on the 1983 cost figures.

*For Labeling and Advertising of Products Under the Commission's Rule:* Only those products for which new ranges have been published based on 1984 submissions using these 1984 DOE cost figures should be labeled with estimated annual cost figures calculated using these 1984 DOE representative average unit costs for energy. If such new ranges are published, the effective date for labeling new products will be ninety days after publication of the ranges in the Federal Register. Advertising for these products must also be based on the new costs and ranges beginning ninety days after publication of the new ranges in the Federal Register.

*Advertising of Products Covered by EPCA but not by the Commission's Rule:* Manufacturers of products covered by § 323(c) of EPCA, but not by the Appliance Labeling Rule (clothes dryers, television sets, kitchen ranges and ovens, humidifiers and dehumidifiers, central air conditioners, and home heating equipment, not including furnaces) must use the 1984 representative average unit costs for energy in all representations effective July 2, 1984.

#### List of Subjects in 16 CFR Part 305

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

**Authority:** 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) (1978), 42 U.S.C. 6294; section 553 of the Administrative Procedure Act, 5 U.S.C. 553.

Emily H. Rock,

Secretary.

[FR Doc. 84-8803 Filed 4-2-84; 6:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 73

[Docket No. 83C-0179]

#### Listing of Color Additives for Coloring Contact Lenses; Confirmation of Effective Date

**AGENCY:** Food and Drug Administration.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA) is confirming the effective date of February 6, 1984, for a final rule that provides for the safe use in coloring contact lenses of the colored polymeric reaction products formed by chemically bonding certain dyes, used singly or in combination, with poly(hydroxyethyl methacrylate). These reaction products are called "poly(hydroxyethyl methacrylate)-dye copolymers." The rule responded to a petition filed by Ciba Vision Care.

**DATE:** Effective date confirmed: February 6, 1984.

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

**SUPPLEMENTARY INFORMATION:** In a final rule published in the Federal Register of January 4, 1984 (49 FR 372), FDA amended the color additive regulations to provide for the safe use of the colored polymeric reaction products formed by chemically bonding certain reactive dyes, used singly or in combination, with poly(hydroxyethyl methacrylate) for coloring contact lenses. The final rule added new § 73.3121 *Poly(hydroxyethyl methacrylate)-dye copolymers* (21 CFR 73.3121) that provides for the listing of these color additives for use in coloring contact lenses. The reactive dyes listed in § 73.3121 are Reactive Black 5, Reactive Blue 21, Reactive Orange 78, and Reactive Yellow 15.

In the final rule, FDA gave interested persons until February 3, 1984, to file objections. The agency received no objections or requests for a hearing on the final rule. Therefore, FDA has concluded that the final rule published in the Federal Register of January 4, 1984, for these color additives should be confirmed.

#### List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Medical devices.

#### PART 73—LISTING OF COLOR ADDITIVES EXEMPT FROM CERTIFICATION

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701(e), 708, 70 Stat. 919 as amended, 74 Stat. 399-407 as amended (21 U.S.C. 371(e), 376)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the final rule of January 4, 1984. Accordingly, the final rule adding § 73.3121 to provide for the safe use of these poly(hydroxyethyl

methacrylate)-dye copolymers in coloring contact lenses became effective February 6, 1984.

Dated: March 15, 1984.

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

[FR Doc. 84-8769 Filed 4-2-84; 8:45 am]

BILLING CODE 4160-01-M

## 21 CFR Parts 74, 81 and 82

[Docket Nos. 76N-0366 and 83C-0128]

### D & C Yellow No. 10; Listing as a Color Additive in Drug and Cosmetics; Termination of Stay, Confirmation of Effective Date, and Further Amendment

#### Correction

In FR Doc. 84-6183, beginning on page 8429, in the issue of Wednesday, March 7, 1984, on page 8431, in the second column, in the third complete paragraph in the fifth line "§ 74.2710" should read "§ 74.1710".

BILLING CODE 1505-01-M

## 21 CFR Part 175

[Docket No. 82F-0161]

### Indirect Food Additives: Adhesive Coatings and Components

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of sulfated castor oil as a miscellaneous material in resinous and polymeric coatings for food-contact use. This action responds to a petition filed by NL Chemicals/NL Industries, Inc.

**DATES:** Effective April 3, 1984; objections by May 3, 1984.

**ADDRESS:** Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

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

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of June 15, 1982 (47 FR 25772), FDA announced that a petition (FAP 2B3628) had been filed by NL Chemicals/NL Industries, Inc., Wyckoff Mills Road, Hightstown, NJ 08520, proposing that the food additive regulations be amended to

provide for the safe use of sulfated castor oil as a miscellaneous material in resinous and polymeric coatings for food-contact use.

FDA has evaluated data in the petition and other relevant material and concludes that the proposed food additive is safe and that the regulations should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above), between 9 a.m. and 4 p.m., Monday through Friday.

#### List of Subjects in 21 CFR Part 175

Adhesives, Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Foods (21 CFR 5.61), Part 175 is amended in § 175.300(b)(3)(xxxiii) by alphabetically inserting a new item in the list of substances to read as follows:

### PART 175—INDIRECT FOOD ADDITIVES: ADHESIVE COATINGS AND COMPONENTS

#### § 175.300 Resinous and polymeric coatings.

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(xxxiii) \* \* \*

Castor oil, sulfated, sodium salt [CAS Reg. No. 8002-33-3], for use only in coatings for containers intended for repeated use.

\* \* \* \* \*

Any person who will be adversely affected by the foregoing regulation may at any time on or before May 3, 1984 submit to the Dockets Management

Branch (address above) written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

**Effective date.** This regulation is effective April 3, 1984.

(Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348))

Dated: March 13, 1984.

**Richard J. Ronk,**  
Acting Director, Bureau of Foods.

[FR Doc. 84-8771 Filed 4-2-84; 8:45 am]

BILLING CODE 4160-01-M

## 21 CFR Part 177

[Docket No. 83F-0098]

### Indirect Food Additives; Polymers

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of octadecyl 3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate at increased levels as an antioxidant and/or stabilizer in acrylic and modified acrylic plastics intended to contact food. This action responds to a petition filed by the Ciba-Geigy Corp.

**DATES:** Effective April 3, 1984; objections by May 3, 1984.

**ADDRESS:** Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.