action is necessary because such brands of toxaphene emulsion are no longer approved by the Environmental Protection Agency for such use.

DATES: The effective date of this document is May 10, 1984. Comments must be received on or before July 9, 1984.

ADDRESS: Written comments concerning this document should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, APHIS, USDA, Room 728, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Written comments received may be inspected at Room 728 of the Federal Building between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. G. O. Schubert, VS, APHIS, USDA, Special Diseases Staff, Federal Building, Room 820, 6505 Belcrest Road, Hyattsville, Maryland 20782, 301–436–8438.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR Part 72 regulate the interstate movement of certain cattle because of ticks which are vectors of splenetic or tick fever. § 72.13(b) of the regulations sets forth certain permitted dips and procedures for the dipping of certain cattle before they are moved interstate in order to ensure that they are not infested with ticks. The "permitted dips" are proprietary brands of specific pesticides at prescribed concentrations. § 72.13(c) provides:

(c) *Approval of dips.* Proprietary brands of dips are permitted to be used for purposes of this part only when approved by the Deputy Administrator, Veterinary Services. Before a dip will be specifically approved as a permitted dip for the eradication of ticks, the Veterinary Services will require that the product be registered under the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 135 *et seq.*); that its efficacy and stability have been demonstrated; that trials have been conducted to determine that its concentration can be maintained and that under actual field conditions the dipping of cattle in a bath of definite strength will effectually eradicate ticks without injury to the animals dipped.

Prior to the effective date of this document, the "permitted dips" listed in § 72.13(b) included certain toxaphene emulsions. However, because of action taken by the Environmental Protection Agency (EPA) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), pesticide products containing toxaphene are no longer allowed for the treatment of cattle for fever ticks (47 FR 53784–53793). Therefore, this document amends § 72.13(b) of the regulations by removing toxaphene emulsions from the list of "permitted dips."

Emergency Action

Dr. John K. Atwell, Deputy Administrator of the Animal and Plant Health Inspection Service for Veterinary Services, has determined that an emergency situation exists which warrants publication of this interim rule without prior opportunity for public comment. It is necessary to make this interim rule effective immediately. Because of action taken by the EPA under FIFRA, toxaphene may no longer be used as a permitted dip for the treatment of cattle for fever ticks.

Further, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that prior notice and other public procedures with respect to this interm rule are unnecessary and contrary to the public interest and good cause is found for making this interim rule effective upon publication. Comments are solicited for 60 days and a final document discussing comments received and any amendments required will be published in the **Federal Register.**

Executive Order 12291 and Regulatory Flexibility Act

This action has been reviewed in conformance with Executive Order 12291 and Secretary's Memorandum 1512–1, and has been determined to be not a "major rule." The Department has determined that this action will not have a significant effect on the economy; will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. This document merely reflects that toxaphene may no longer be used as a permitted dip for the treatment of cattle for fever ticks because of action taken by the EPA under FIFRA. No analysis of this action has been made under the Regulatory Flexibility Act because this action is required by law.

List of Subjects in 9 CFR Part 72

Animal diseases, Animal pests, Cattle, Quarantine, Transportation, Texas Fever, Splenetic Fever, Ticks.

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

§ 72.13 [Amended]

Accordingly, 9 CFR 72.13(b) is amended as follows: Paragraph (3) is removed and paragraph (4) is redesignated paragraph (3).

Authority: Secs. 1, 2, 32 Stat. 791–792, as amended; secs. 4–7, 23 Stat. 32; secs. 1–4, 33 Stat. 1264, 1265; 21 U.S.C. 111–113, 115, 117, 120, 121, 123–126; 7 CFR 2.17, 2.51, and 371.2(d).

Done at Washington, D.C., this 4th day of May 1984.

J. K. Atwell,

Deputy Administrator, Veterinary Services

[FR Doc. 84-12588 Filed 5-9-84; 8:45 am]

BILLING CODE 3410-34-M

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9 CFR Parts 145 and 147

[Docket No. 84-013]

National Poultry Improvement Plan and Auxiliary Provisions on National Poultry Improvement Plan

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends portions of the provisions governing the National Poultry Improvement Plan and Auxiliary Provisions to incorporate changes pertaining to the control of certain poultry diseases.

Changes are made in an effort to reduce the cost of certain blood testing programs, to provide for effective sanitizing procedures for hatching eggs and hatchery equipment, and to use more standardized laboratory techniques in screening infected or suspicious specimens. New programs are added to provide qualified started poultry with certain Mycoplasma classifications. The intended effect of this document is to continue providing valid tests for the different diseases at lower cost to the owner, to provide more definitive techniques, and to offer new testing and classification programs which permit prospective buyers to know the health status of products before making a purchase.

EFFECTIVE DATE: June 11, 1984.

FOR FURTHER INFORMATION CONTACT: Dr. I. L. Peterson, Special Diseases Staff, VS, APHIS, USDA, Room 828, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–5428.

SUPPLEMENTARY INFORMATION:

Background

In a document published in the **Federal Register** on May 27, 1983 (48 FR 23828–23836), the Department proposed to amend portions of the provisions governing the National Poultry Improvement Plan and Auxiliary Provisions (contained in 9 CFR 145 and 147 and referred to below as the regulations) to incorporate changes pertaining to the control of certain poultry diseases. Changes were proposed in an effort to reduce the cost of certain blood testing programs, to provide for effective sanitizing procedures for hatching eggs and hatchery equipment, and to use more standardized laboratory techniques in screening infected or suspicious specimens. New programs were proposed to provide qualified started poultry with certain Mycoplasma classifications. Additionally, it was proposed that poultry exhibited in U.S. Pullorum-Typhoid Clean States be required to be banded. The intended effect of these proposals was to continue providing valid tests for the different diseases at lower cost to the owner, to provide more definitive techniques, and to offer new testing and classification programs which permit prospective buyers to know the health status of products before making a purchase.

The document of May 27, 1983, invited the submission of written comments on or before July 26, 1983. A document published in the **Federal Register** on July 26, 1983 (48 FR 33907), extended the comment period until August 25, 1983.

Comments were received in response to the proposal. These comments were from individuals, poultry clubs or associations, State officials, and Federal government employees. All of the comments submitted concerning the proposal have been carefully considered and are discussed below. The provisions of the proposal are adopted in the final rule, except for the proposed banding provisions and certain other provisions as explained below.

General Provisions

Prior to the effective date of this document, § 145.6(e) provided that:

> All hatcheries within a State which are operated under the ownership or management of the same person or persons or related corporations shall participate in the Plan if any of them are to participate.

It was proposed to amend § 145.6(e) by removing the phrase "within a State."

One commenter asserted that this phrase should not be removed. In support of this assertion it was contended that such a change would result in duplication of Federal or State regulations. No changes are made based on this assertion. The provisions of the Plan, developed jointly by industry members and State and Federal officials, establish standards for the evaluation of poultry breeding stock and hatchery products with respect to freedom from hatchery-disseminated diseases. Products conforming to specific standards are identified by authorized terms that are uniformly applicable in all parts of the United States. The Plan is implemented under authority for the Department to cooperate with the States, the District of Columbia, and Puerto Rico in the administration of regulations for the improvement of poultry, poultry products, and hatcheries (7 U.S.C. 429). The Plan provisions in § 145.6(e) are not duplicated by other Federal programs and the Department is not aware of any duplication of these provisions by State programs.

The same commenter indicated that it was unclear how to determine when hatcheries are operated under the ownership or management of the same person or persons or related corporations. As an example, the commenter questioned what share of the total business a person must own to be considered an "owner." Under the proposal, it was intended that if the same person is responsible for significant decisionmaking at more than one hatchery, then each of those hatcheries would be required to participate in the Plan if any of the hatcheries is participating. It appears that this purpose can be best accomplished by revising § 145.6(e) to read as follows:

> If a person is responsibly connected with more than one hatchery, all of such hatcheries must participate in the Plan if any of them participate. A person is deemed to be responsibly connected with a hatchery if he or she is a partner, officer, director, holder, owner of 10 per cent or more of the voting stock, or an employee in a managerial or executive capacity.

The underlying rationale for these provisions was stated in the proposal at 48 FR 23830 as follows:

> The breeding and hatching industry is being controlled by fewer and fewer persons or corporations. This invariably results in the larger organization having hatcheries in more than one State. The nature of the business dictates that hatching eggs and baby poultry move between hatcheries of the same organization, as the need arises. Consequently, it is imperative that such products have the same pullorum-typhoid classification.

Proposed Banding Provisions

Section 145.53(b) sets forth the criteria under which a flock is determined to be free from *Salmonella pullorum* and *Salmonella gallinarum* (fowl typhoid). It was proposed to amend this section by adding the requirement that all poultry which are publicly exhibited in a U.S. Pullorum-Typhoid Clean State be identified with a sealed and numbered band in order to allow the State inspector at exhibitions to quickly determine the status of the poultry.

Four commenters supported the proposed banding provisions. One of these commenters also suggested that the banding provisions should apply not only for poultry going to public exhibition but also for poultry sold at "Trade Days" and "Swap Sales."

Approximately two hundred commenters opposed the banding provisions. The banding was intended to represent that the poultry were free of pullorum-typhoid based on testing within the preceding 90 days. Most of the commenters opposed the banding provisions by asserting that compliance with them would be burdensome to members of 4–H clubs, members of Future Farmers of America, and to others exhibiting young poultry stock. It was asserted that this would result in frequent trips to test and band the young birds and, since most States do not subsidize the testing of exhibition birds, the extra cost of frequent trips would force many of the exhibitors out of business.

The rationale for the proposed banding provisions was set forth at 48 FR 23829 as follows:

> Section 145.53(b) is proposed to be amended by adding the requirement that all poultry which are publicly exhibited in a U.S. Pullorum Typhoid Clean State be identified with a sealed and numbered band. At present this practice is optional and each State determines whether or not exhibited birds should be banded. Under this proposal, birds would be banded to identify them as having been tested for *Salmonella pullorum* and *S. gallinarium* (fowl typhoid). States which are deemed to be U.S. Pullorum Typhoid Clean States by the Department (presently there are 28 such States) are required to have all exhibited birds blood tested for *S. pullorum* and *S. gallinarum* within 90 days of being exhibited or to have come from a U.S. Pullorum-Typhoid Clean flock. There are many poultry exhibitors who show their birds at numerous shows which are often located in different States. The task of identifying these birds to determine if they have been blood tested is quite great. By requiring them to be identified with a sealed band at testing time, the State inspector will be able to determine their status very quickly.

The Department has determined that the proposed banding provisions should not be adopted. Some states currently impose banding requirements similar to those proposed. The adoption of the proposed banding provisions in some cases would require additional testing as a condition of being publicly exhibited in a U.S. Pullorum-Typhoid Clean State. However, it appears that the benefits to be derived are more than offset by the burden of more frequent inspections that would be imposed. As noted above, the proposed banding requirements were for the purpose of helping the State inspector to quickly determine the status of exhibition birds. Without the adoption of the proposed banding provisions such inspectors will still have adequate means for determining the status of exhibition poultry by such methods as checking accompanying certificates or by blood testing.

Serum Plate Test

In the proposed standard procedure for the serum plate test, proposed § 147.7(a)(1)(ii) specified that test serums be dispensed with a pipette. One commenter suggested that a standardized loop be allowed to be used as an alternative to a pipette. The suggestion is adopted and the final rule specifies that test serums be dispensed with a pipette or a standardized loop. Both pipettes and standardized loops are routinely used interchangeably in laboratory procedures. The standardized loop measures the same amount and serves the same purpose as a pipette in dispensing test serums.

In the proposed standard procedure for the serum plate test, § 147.7(a)(1)(iii) states "Dispense 0.03 ml of antigen beside the test serum on each square." One commenter suggested that another sentence be added to state "Hold antigen dispensing bottle vertically." This instruction is added to the final rule. This is necessary to help ensure that a full, uniform drop of antigen is dispensed, and thereby help ensure uniformity of test results.

Hemagglutination Inhibition Test

In the proposed instructions for the preparation of Alsever's solution for the Hemagglutination Inhibition test, the last sentence of paragraph (ii) of § 147.7(d)(1) of the proposal specifies sterilization by Seitz filtration. One commenter suggested that any other form of filtration that would accomplish sterilization should also be allowed. The Department agrees with this suggestion and has changed the sentence accordingly.

One commenter indicated that the dilutions in the test procedures illustrated in Table 2 (Hemmagglutination—Inhibition Test) of the proposed rule did not coincide with the dilutions in the Sample Results of HI Tests in Table 4. The Department agrees. Therefore, in order to correct this, the final rule changes the dilution of serum in tube 1 of Table 2 from 1:10 to 1:5. It is also necessary to make certain corresponding changes. In this connection, Table 2 is changed to require 0.2 ml of serum rather than 0.1 ml, and changed to require 0.8 ml of Phosphate-buffered saline (PBS) rather than 0.9 ml. Also, the serial twofold dilutions in tubes 2–10 in the final rule reflect this change in the initial dilution. With these changes Table 2 is now identical to the table as published in Methods for Examining Poultry Biologics and for Identifying and Quantifying Avian Pathogens, National Academy of Sciences (1971). Also, the test outline in § 147.7(d)(4)(iv) of the final rule is amended to reflect these changes. Further, a footnote is added to Table 2 to ensure that 0.5 ml of the solution is discarded from the tenth tube. This footnote was inadvertently omitted from the proposal.

In the proposed test outline for the mycoplasma HI test, § 147.7(d)(4)(ii) of the proposal stated, in part, "put 0.4 ml of 8-unit antigen in tube 2 of each test row." Two commenters stated that the amount of "0.4 ml" should be "0.5 ml." The stated amount of "0.4" was a typographical error. The Department agrees that the correct amount of 8-unit antigen is 0.5 ml. Accordingly, this is corrected in the final rule.

The first sentence of § 147.7(d)(4)(viii) of the proposed test outline for the mycoplasma HI test stated, in part: "add 0.25 percent washed RBC's to each tube." Two commenters indicated that this should state "add 0.5 ml of 0.25 percent washed RBC's to each tube." "0.5 ml of" was inadvertently omitted from the proposal. The final rule is amended to correct this omission.

Section 147.7(e) Procedure for Mycoplasma HI Test Using Microtiter Technique

The first sentence of § 147.7(e)(2)(vii) of the proposed procedure for mycoplasma hemagglutination inhibition test using microtiter technique stated: "Seal plate, shake and allow to stand at room temperature until cells in cell control gather in compact button." Also, § 147.7(e)(3)(x)(*h*) of the proposed antigen control instructions for the microtiter HI test stated "Seal all wells and shake thoroughly." One commenter questioned the need for sealing the plate and the wells. The purpose of sealing the plate and the wells is to keep water from evaporating from the solution. There should be no significant evaporation unless the plates or wells are held unsealed for over 2 hours. Therefore, unless the plates or wells are to be held for more than 2 hours, it is not necessary to seal them. The final rule amends these provisions to require that the plates and wells be sealed if held over 2 hours.

This document also makes certain nonsubstantive changes for purposes of clarity.

Executive Order 12291 and Regulatory Flexibility Act

This rule is issued in conformance with Executive Order 12291 and Secretary's Memorandum No. 1512–1, and has been determined to be not a "major rule." Based on information compiled by the Department, it has been determined that this rule will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not cause adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The only alternative to these amendments was not to amend the NPIP regulations. However, this alternative was not adopted because the NPIP is a cooperative State-Federal program through which new technology can be effectively applied to the improvement of poultry breeding stock and hatchery products through the control of certain hatchery-disseminated diseases. The provisions of this program are changed (based on recommendations of the National Plan Conference Committee) to conform with the development of the industry and to utilize new information as it becomes available.

Mr. Bert W. Hawkins, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. Presently there is a total of 1,053 hatcheries in the NPIP, of which 42 commercial egg- and meat-type chicken hatcheries and 8 turkey hatcheries are considered to be small entities which could be affected. However, only 7 of these small entities have ever blood tested for the particular diseases with which these amendments are concerned. Furthermore, it is

considered unlikely that the balance of these small entities which participate in the NPIP will blood test for *Mycoplasma gallisepticum* (MG) or *Mycoplasma synoviae* (MS) in the foreseeable future.

List of Subjects in 9 CFR Parts 145 and 147

Animal diseases, Poultry and poultry products, National Poultry Improvement Plan.

Accordingly, 9 CFR Parts 145 and 147 are amended as follows:

PART 145—NATIONAL POULTRY IMPROVEMENT PLAN

1. In § 145.1, paragraph (gg) is added to read as follows:

§ 145.1 Definitions.

* * * * *

(gg) *Sanitize.* To treat with a product which is registered by the Environmental Protection Agency as germicidal, fungicidal, pseudomonocidal, or tuberculocidal, in accordance with the specifications for use as shown on the label of each product. The Official State Agency, with the concurrence of the Service, shall approve each product or procedure according to its specified usage.

2. In § 145.6, paragraph (a)(5), the last sentence is revised to read as follows:

§ 145.6 Specific provisions for participating hatcheries.

(a) * * *

(5) * * * While not mandatory for participation, all eggs set should be fumigated as described in § 147.25 or otherwise sanitized.

* * * * *

3. In § 145.6, paragraph (e) is revised to read as follows:

* * * * *

(e) If a person is responsibly connected with more than one hatchery, all of such hatcheries must participate in the Plan if any of them participate. A person is deemed to be responsibly connected with a hatchery if he or she is a partner, officer, director, holder, owner of 10 percent or more of the voting stock, or an employee in a managerial or executive capacity.

4. In § 145.22, paragraph (d) is revised to read as follows:

§ 145.22 Participation.

* * * * *

(d) Hatching eggs produced by primary breeding flocks shall be fumigated as described in § 147.25 or otherwise sanitized.

5. In § 145.23, paragraph (d)(1)(v) is revised and new paragraph (g) is added to read as follows:

§ 145.23 Terminology and classification; flocks and products.

* * * * *

(d) * * *

(1) * * *

(v) Hatching eggs are collected at least four times a day and are handled as described in § 147.22 and are fumigated on the farm as described in § 147.25(a) or otherwise sanitized.

* * * * *

(g) *U.S. M. Synoviae Clean Started Poultry.* (1) A flock which originated from U.S. M. Synoviae Clean breeding flocks and was hatched in a hatchery approved by the Official State Agency for production of U.S. M. Synoviae Clean chicks.

(2) All other poultry on the premises of the candidate flock must originate from U.S. M. Synoviae Clean sources.

(3) The flock is maintained in compliance with the provisions of § 147.26.

(4) The flocks's freedom from *M. synoviae* is demonstrated by a negative blood test, as provided in § 145.14(b), of a sample of 75 birds, with a minimum of 50 birds per poultry house, between 15–20 days prior to the flock being moved to laying quarters.

(5) Started poultry shall be delivered to and from the farm premises in crates and vehicles which have been cleaned and disinfected as described in § 147.24(a) of this chapter.

6. In § 145.32, paragraph (c) is revised to read as follows:

§ 145.32 Participation.

* * * * *

(c) Hatching eggs produced by primary breeding flocks shall be fumigated as described in § 147.25 or otherwise sanitized.

7. In § 145.33, paragraph (d)(1)(v) is revised and new paragraphs (f) and (g) are added to read as follows:

§ 145.33 Terminology and classification; flocks and products.

* * * * *

(d) * * *

(1) * * *

(v) Hatching eggs are collected at least four times a day and are handled as described in § 147.22 and are fumigated on the farm as described in § 147.25(a) or otherwise sanitized; and

* * * * *

(f) *U.S. M. Gallisepticum Clean Started Poultry.* (1) A flock which originated from U.S. M. Gallisepticum Clean breeding flocks and was hatched in a hatchery approved by the Official State Agency for the production of U.S. M. Gallisepticum Clean chicks.

(2) All other poultry on the premises of the candidate flock must originate from U.S. M. Gallisepticum Clean sources.

(3) The flock is maintained in compliance with the provisions of § 147.26.

(4) The flock's freedom from *M. gallisepticum* is demonstrated by a negative blood test, as provided in § 145.14(b), of a sample of 75 birds, with a minimum of 50 birds per poultry house, between 15–20 days prior to the flock being moved to laying quarters.

(5) Started poultry shall be delivered to and from the farm premises in crates and vehicles which have been cleaned and disinfected as described in § 147.24(a) of this chapter.

(g) *U.S. M. Synoviae Clean Started Poultry.* (1) A flock which originated from U.S. M. Synoviae Clean breeding flocks and was hatched in a hatchery approved by the Official State Agency for the production of U.S. M. Synoviae Clean chicks.

(2) All other poultry on the premises of the candidate flock must originate from U.S. M. Synoviae Clean sources.

(3) The flock is maintained in compliance with the provisions of § 147.26.

(4) The flock's freedom from *M. synoviae* is demonstrated by a negative blood test, as provided in § 145.14(b), of a sample of 75 birds, with a minimum of 50 birds per poultry house, between 15–20 days prior to the flock being moved to laying quarters.

(5) Started poultry shall be delivered to and from the farm premises in crates and vehicles which have been cleaned and disinfected as described in § 147.24(a) of this chapter.

8. In § 145.42, paragraph (c) is revised to read as follows:

§ 145.42 Participation.

* * * * *

(c) Hatching eggs shall be fumigated as described in § 147.25 or otherwise sanitized.

9. In § 145.43, paragraph (c)(2) is revised to read as follows:

§ 145.43 Terminology and classification; flocks and products.

* * * * *

(c) * * *

(2) A flock qualified as U.S. M. Gallisepticum Clean may retain the classification through its first egg-laying cycle, provided in is maintained in isolation and no evidence of *M.*

gallisepticum infection is revealed. A flock which is molted following completion of an egg-laying cycle and subsequently brought back into production, shall be retested within 2 weeks prior to production, as described in paragraph (c)(1) of this section. A State inspector shall visit with the owner or manager of each flock at least once during each laying cycle to discuss and ascertain whether the applicable conditions outlined in § 147.26 of this chapter are being met. If a flock proves to be infected with *M. gallisepticum*, it shall lose this classification.

* * * * *

10. In § 145.44, new paragraph (c)(3) is added to read as follows:

§ 145.44 Terminology and classification; States.

* * * * *

(c) * * *

(3) If a State retains this status for 2 or more years, individual breeding flocks in the State may qualify for an *M. gallisepticum* classification based on a negative test of a sample of 100 birds.

11. In § 145.52 paragraph (b) is revised to read as follows:

§ 145.52 Participation.

* * * * *

(b) Hatching eggs produced by primary breeding flocks shall be fumigated as described in § 147.25 or otherwise sanitized.

PART 147—AUXILIARY PROVISIONS ON NATIONAL POULTRY IMPROVEMENT PLAN

12. Part 147 is amended by adding a new § 147.7 to read as follows:

§ 147.7 Standard test procedures for mycoplasma.[1]

The serum plate of the tube agglutination test should be considered basic screening tests for mycoplasma antibodies. The test selected will depend on preference, laboratory facilities, and availability of antigen. Both tests, though quite accurate, determine flock status rather than individual bird status, since occasional reactions are nonspecific. Under normal circumstances, the rate of such nonspecific reactions is low. Nonspecific reactions may occasionally be high, particularly after the use of erysipelas bacterin in turkeys and where mycoplasma antibodies are present for closely related mycoplasma other than for the species being tested. The hemagglutination inhibition (HI) test is too cumbersome for routine screening use. Positive reactions are extremely accurate however, and are useful in evaluating serum samples that react with the plate any/or tube antigens. The test should be conducted with 4 HA units. Titers of 1:80 or greater for both chicken and turkey sera are considered positive, while a 1:40 or 1:20 titer would be strongly suspicious and additional tests should be required.

(a) *Serum plate test.* (1) The serum plate test for mycoplasma is conducted by contacting and mixing 0.02 ml of test serum with 0.03 ml of serum plate antigen on a glass at room temperature. The standard procedure is:

(i) Allow antigen and test serums to warm up to room temperature before use.

(ii) Dispense test serums in 0.02 ml amounts with a pipette or standardized loop (rinsed between samples) to 1½ inch squares on a ruled glass plate. Limit the number of samples (no more than 25) to be set up at one time according to the speed of the operator. Serum should not dry out before being mixed with antigen.

(iii) Dispense 0.03 ml of antigen beside the test serum on each square. Hold antigen dispensing bottle vertically.

(iv) Mix the serum and antigen, using a multimixing device if large numbers are to be run at one time.

(v) Rotate the plate for 5 seconds. At the end of the first minute, rotate the plate again for 5 seconds and read 55 seconds later.

(2) A positive reaction is characterized by the formation of definite clumps, usually starting at the periphery of the mixture. Most samples that are highly positive will react well within the 2-minute test period. Reactions thereafter should be considered negative, although partial agglutination at 3 and 5 minutes may warrant further retesting. High-quality antigen contacted with negative serum will usually dry up on the plate without visible clumping. Whenever samples are run, the antigen should be tested against known positive and negative control serums. Standard reference antigens and negative and positive titered sera are available from the National Veterinary Services Laboratories (NVSL), P.O. Box 884, Ames, Iowa 50010.

(3) Since it is difficult to measure uniform amounts of serum with a calibrated loop, this technique should not be used in conducting an official test.

(b) *Serum plate dilution test.* (1) The serum plate dilution (SPD) test may be used to evaluate possible nonspecific reactions, gain additional information to evaluate positive plate tests occurring in an unexpected manner, and/or to evaluate the level of mycoplasma antibodies present in the serum sample. If sufficient serum is available, the following method would provide the dilutions required to conduct the test.

(i) Rack three tubes and put 0.8 ml of phosphate-buffered saline (PBS) in tube 1 and 0.5 ml of PBS in tubes 2 and 3.

(ii) Pipette 0.2 ml of the test serum into tube 1 and discard the pipette.

(iii) With a pipette, mix the serum and PBS in tube 1 and withdraw 0.5 ml and add to tube 2.

(iv) Repeat the process in step (iii), mixing the contents of tube 2 and transferring 0.5 ml to tube 3.

(v) Conduct the test, as described for the serum plate test in paragraph (a), on the undiluted sample and on samples in tubes 1, 2, and 3 after proper mixing of each dilution.

(vi) To assist in the evaluation of the test, conduct concurrent SPD tests using both positive 1:80 and positive 1:160 HI sera for the mycoplasma being tested. The antigen should be pretested for reactivity with standard serum at the 1:5 and 1:10 dilution.

(vii) Interpretation of the SPD test results should be based on the criteria in § 147.6(b) of this part.

(c) *Tube agglutination test.* (1) The mycoplasma tube agglutination test is conducted by mixing 0.08 ml of test serum with 1.0 ml of diluted (1:20) antigen in a tube and allowing the mixture to react for 18–24 hours at 37°C. The diluent will be the standard phosphate-buffered saline with phenol. This solution is made up as follows:

	Grams
Sodium hydroxide (C.P.)	0.15
Sodium chloride (C.P.)	8.5
Potassium dihydrogen phosphate (KH_2PO_4) (C.P.)	0.68
Phenol (Crystal) (C.P.)	2.5
Distilled water to make 1,000 ml	

The pH of the buffered phenolized saline will be 7.1–7.2 if all reagents are accurately measured. The stock tube antigen is diluted 1:20 with buffered phenolized saline. The procedures for the tube test are as follows:

(i) Rack 12 x 75 mm clean tubes and identify the tubes according to the sample to be tested.

(ii) Add 0.08 ml of the individual test serum to each tube. This will create approximately a 1:12.5 screening dilution of test serum when 1.0 ml of diluted antigen is added. The use of a pipetting device will insure proper mixing of serum and antigen.

[1] For additional information on mycoplasma test procedures, refer to the following references: Proc. 77th Annual Meeting, U.S. Animal Health Association, 1973; Isolation and Identification of Avian Pathogens, 2nd Edition; Methods for Examining Poultry Biologics and for Identifying and Quantifying Avian Pathogens, 1971.

(iii) To interpret positive reactions to the 1:12.5 dilution, two additional dilutions may be made by adding 0.04 ml of serum for 1:25 dilution and 0.02 ml of serum for 1:50 dilution, with the addition of 1.0 ml of diluted antigen as indicated in paragraph (c)(1)(ii) above.

(iv) Shake racks and incubate test systems for 18–24 hours at 37°C.

(2) Tests are read against a dark background under indirect fluorescent light. Regarded as a positive reaction is a clearing of the supernatant fluid, with visible sediment in the bottom of the tube. Incomplete reactions are suspect. Positive and negative control serums should be incorporated into each day's run of tests. Reactions at 1:25 or greater are considered positive. They should be confirmed by the HI test. Incubation for periods greater than 24 hours may be helpful in evaluating suspicious reactions and need for possible retesting or other diagnostic tests.

(d) *Hemagglutination Inhibition (HI) test.* The mycoplasma HI test is conducted by the constant-antigen, decreasing-serum method. This method requires using a 4-hemagglutination (HA) unit of diluted antigen. Differences in the number of HA units used will change the titers of positive sera markedly. Standard HA antigens for *Mycoplasma gallisepticum, M. synoviae,* and *M. meleagridis* are available from NVSL. The antigen has been titrated and diluted to approximately 1:640. The HA titration of each sample should be checked as described in paragraph (d)(2) on initial use or after long storage. To maintain HA activity, the undiluted HA antigen should be stored at −60° to −70°C. The test procedures are illustrated in Tables 2 and 3 of this paragraph.

(1) *Preparation of materials.*

(i) Prepare phosphate-buffered saline (PBS) as follows:

	Grams
Sodium hydroxide (C.P.)	0.15
Sodium chloride (C.P.)	8.5
Potassium dihydrogen phosphate (KH_2PO_4) (C.P.)	0.68
Distilled water to make 1,000 ml	

The pH of the PBS will be 7.1–7.2 if all reagents are accurately measured.

(ii) Collect the turkey or chicken red blood cells (RBC's) in Alsever's solution which has been prepared as follows:

	Grams
Sodium citrate	12.0
Sodium chloride	4.2
Dextrose	20.5

The sodium citrate and sodium chloride are dissolved in 800 ml distilled water and sterilized at 15 lbs. pressure for 15 minutes. Dissolve the dextrose in 200 ml distilled water, sterilize by Seitz or other type of filtration and then add aseptically to the sterile sodium citrate and sodium chloride solution.

(iii) From a turkey(s) or chicken(s) known to be free of the mycoplasma being tested, withdraw sufficient blood with a syringe containing Alsever's solution to give a ratio of 1 part blood to 5 parts Alsever's solution (e.g., 8 ml blood in 40 ml of Alsever's solution). Centrifuge the blood suspension at 1,000 rpm for 10 minutes and remove the Alsever's solution or supernatant with a pipette.

(iv) Wash the RBC's two times in 10 or more parts of Alsever's solution, centrifuging after each washing. Centrifugation is at 1,000 rpm for 10 minutes. The supernatant fluid is removed and the RBC deposit resuspended to give a 25 percent suspension of packed RBC's in Alsever's solution. (In testing either chicken or turkey sera, the homologous RBC system must be used; i.e., use chicken cells when testing chicken serum and turkey cells when testing turkey serum.) If this suspension is kept refrigerated, it should keep for 7 or 8 days after the blood has been collected.

(v) For the test, 1 ml of the 25 percent RBC's is added to 99 ml of buffered saline to make a 0.25 percent RBC suspension.

(2) *Hemagglutination (HA) antigen titration.* The HA stock antigen is stored at −70 °C in PBC buffer containing 25 percent glycerin (vol/vol) in a concentrated suspension (i.e., 320–640 HA units/ml) in screwtype vials. Under such conditions, potency will be retained for years. There will be a rapid loss of titer if improperly stored. The titer of HA antigen is determined as illustrated in Table 1 and described in subparagraphs (d)(2) (i) thru (x) of this paragraph.

TABLE 1 Titration of Hemagglutination (HA) Antigen

	Tube No.						
Reagents (ml)	1	2	3 8	9	10	11[a]	
PBS	0.8	0.5	0.5.....0.5	0.5	0.5	0.5	
Antigen	0.2						
Transfer	0.5→	0.5→	0.5—...→	0.5→	0.5→	0.5→[c]	
0.25% RBC	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Ant. dilution	1:5	1:10	1:20	1:640	1:1280	1:2560	
Results[b]	+	+	+	+	-	-	

[a] Tube 11, PBS/RBC control.

[b] + = HA; - = no HA (sample titer 1:640).

[c] Discard 0.5 ml.

(i) Rack a series of 11 chemically clean 12 x 75 mm test tubes. Label the tubes 1–11 left to right.

(ii) Put 0.8 ml of PBS in tube 1 and 0.5 ml of PBS in each of tubes 2–11.

(iii) Add 0.2 ml of antigen to tube 1. This will make a 1:5 dilution of antigen. Discard pipette.

(iv) Mix contents of tube 1 thoroughly with a clean pipette, and transfer 0.5 ml to tube 2. This will make a 1:10 dilution of antigen in tube 2. Discard pipette.

(v) Continue making serial twofold dilutions of antigen, changing pipettes after each transfer, through tube 10. This will result in a series of twofold dilutions ranging from 1:5 to 1:2560. Discard 0.5 ml of antigen dilution from tube 10.

(vi) Add 0.5 ml of 0.25 percent RBC's to tubes 1–11. Tube 11 will serve as PBS/RBC control.

(vii) Shake the rack and incubate at room temperature until the cells in the PBS/RBC control tube have settled into a compact button at the bottom of the tube.

(viii) If turkey sera is also to be tested for HI titer, repeat steps outlined in

(d)(2) (i) thru (vii) of this paragraph, using 0.25 percent turkey RBC's.

(ix) The end point of the titration is the highest dilution of antigen that produces complete agglutination of the RBC's, as evidenced by the formation of a thin sheet of cells covering the concave bottom of the tube. For example, if complete agglutination is produced through tube 8 (a dilution of 1:640 of antigen), the antigen would be said to titer 640, the reciprocal of the dilution.

(x) Specificity of HA antigen should be determined by conducting HI tests with specific chicken sera of variable HI titers. Specific turkey sera of varying HI titers should be used if turkey sera is also to be tested.

TABLE 2 Hemagglutination Inhibition (HI) Test:

	Tube No.						
Reagents (ml)	1[a]	2	3 8		9	10	11[b]
PBS	0.8	0	0		0	0	0.5
8-unit antigen	0	0.5	0		0	0	0
4-unit antigen	0	0	0.5	0.5	0.5	0.5	0
Test serum	0.2	0	0	0	0	0	0
Transfer	0.5→	0.5→	0.5—...→	0.5→	0.5→	0.5→[c]	
0.25% RBC	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Serum dilution	1:5	1:10	1:20 ...	1:640	1:1280	1:2560	

[a] Tube 1. Serum control.

[b] Tube 11. PBS/RBC control.

[c] Discard 0.5 ml.

TABLE 3 Antigen Control:

	Tube No.				
Reagents (ml)	1	2	3	4	5
4-unit antigen	1.0	0	0	0	0
PBS	0	0.5	0.5	0.5	0.5
Transfer	0.5→	0.5→	0.5→	0.5→	0.5[b]
0.25% RBC	0.5	0.5	0.5	0.5	0.5
Unit Antigen/tube	4	2	1	1/2	1/4
Results[a]	+	+	+	-	-

[a] + = HA; - = no HA.

[b] Discard 0.5 ml.

(3) *Reagents for mycoplasma HI test.*

(i) Eight-unit antigen (Dilution factor for stock antigen is established by dividing titer by 8; i.e., 640 antigen is diluted 1:80 in PBS to make 8-unit antigen.)

(ii) Four-unit antigen (made by diluting surplus 8-unit antigen 1:2 with PBS).

(iii) PBS at pH 7.0.

(iv) Unknown test serums.

(v) Positive control serum of known titer (should be from the same species as the unknown).

(vi) Negative control serum (should be from the same species as the unknown).

(vii) Solution of 0.25 percent washed RBC's.

(4) *Test outline.*

(i) Rack 10 chemically clean 12 x 75 mm tubes for each serum, including controls, to be tested. Identify each row of tubes, and label tubes in each row 1–10, left to right. In row 1, add tube 11 for a PBS/RBC control.

(ii) Put 0.8 ml of PBS in tube 1 of each test row; put 0.5 ml of 8-unit antigen in tube 2 of each test row; put 0.5 ml of 4-unit antigen in each of tubes 3–10 in each test row; and put 0.5 ml of PBS in tube 11.

(iii) Add 0.2 ml of test serum to tube 1. This tube will be the serum control in the test system.

(iv) Mix and make 0.5 ml transfers from tube 1 through tube 10. This will result in serial twofold dilutions of serum starting with 1:5 and ending with 1:2560. Discard 0.5 ml from tube 10.

(v) Rack five tubes in which to set up an antigen control.

(vi) In tube 1, put 1.0 ml of 4-unit antigen; put 0.5 ml of PBS in tubes 2–5.

(vii) Make 0.5 ml serial transfers from tube 1 through tube 5, changing pipettes after each transfer. Discard 0.5 ml from tube 5. This will result in a series of tubes respectively containing 4, 2, 1, ½, and ¼ units of antigen.

(viii) After 20–30 minutes at room temperature to permit antibody-antigen reaction, add 0.5 ml of 0.25 percent washed RBC's to each tube. Shake racks and incubate as for HA titration.

(ix) In this test system, positive serum should inhibit the HA activity of the antigen, while negative serum should have no effect. Inhibition will be evidenced by the formation of a free-flowing button of cells in the botton of the tube. The titer of the serum can be calculated as the reciprocal of the highest dilution of serum that produces complete HI. Controls should read as follows:

(*a*) Serum control (tube 1). Cells should settle out.

(*b*) PBS/RBC control (tube 11). Cells should settle out.

(*c*) Antigen control. HA in tubes 1–3. Cells should settle out in tubes 4–5.

(*d*) Positive and negative serum control. Positive control should inhibit to its known titer; negative control should have no inhibitory effect.

(x) With this test system and 4 units of antigen, HI titers of 80 or above are considered positive and titers of 40 are strongly suspicious. However, titers of 10 or 20 are usually negative. Sample test results are illustrated in Table 4 in this paragraph.

TABLE 4.—SAMPLE RESULTS OF HI TESTS

[Tube and Serum Dilution]

	1	2	3	4	5	6	7	8	9	10
	1.5	1:10	1:20	1:40	1:80	1:160	1:320	1:640	1:1280	1:2560
Serum A (HI neg.)	–	+	+	+	+	+	+	+	+	+
Serum B (HI 1:40)	–	–	–	–	+	+	+	+	+	+
Serum C (HI 1:160)	–	–	–	–	–	–	+	+	+	+
Serum D (HI 1:20)	–	–	–	+	+	+	+	+	+	+

+, HA.
–, no HA or HI.

(xi) If serological results from agglutination tests complemented by the HI test are inconclusive, cultural examination, bio-assay, or retesting of samples after an interval of at least 21 days may be indicated.

(e) *Procedure for mycoplasma hemagglutination inhibition test using microtiter technique.* The microtiter mycoplasma HI test was developed from the tube HI test described in § 147.7(c). Refer to these procedures for preparation of materials not listed below.

(1) *Materials needed.* (i) Microtiter equipment (minimal); i.e., microplates, microdiluters, micropipettes, go-no-go diluter delivery tester, (0.05 ml).

(ii) Phosphate-buffered saline (PBS).

(iii) Reagents from NVSL; i.e., HA antigen and negative and positive titered sera for the mycoplasma to be tested.

(iv) Homologous red blood cells (RBC's) suspension 0.5 percent (2 ml of 25 percent RBC's to 98 ml of PBS) obtained from birds free of the mycoplasma to be tested. (See paragraph (d)(1)(iv) of this section for preparation of RBC's.)

(2) *Microtiter hemagglutination (HA) antigen titration.* (i) Mark off two rows of 10 wells each for antigen titer (HA is done in duplicate).

(ii) Mark last well in each row for cell controls.

(iii) Prepare in small test tube (12 x 75 mm) a starting dilution of antigen by combining 0.1 ml antigen with 0.9 ml PBS. This is a 1:10 dilution.

(iv) Add 0.05 ml PBS to all wells, including cell controls.

(v) Add 0.05 ml antigen (1:10 dilution) with diluters to the first well in both rows, mix thoroughly, transfer diluter to second well of each row and mix, continuing through the 10th well of each row. With mixture in diluter from last well, check diluter on go-no-go card, then place diluter in distilled water. If diluter checks out, antigen dilution will be 1:20, 1:40, 1:80, 1:160, 1:320, 1:640, 1:1280, 1:2560, 1:5120.

(vi) Add 0.05 ml of 0.5 percent RBC suspension to all wells using a 0.05 dropper.

(vii) Seal plate (if plate is to be held over 2 hours); shake and allow to stand at room temperature until cells in cell control gather in compact button. The titer is the highest dilution in which agglutination is complete. The dilution contains 1 HA unit in 0.05 ml.

(viii) Prepare a dilution of antigen which contains 8 HA units in 0.05 ml. Example: if the antigen titer is 1:640, then that dilution contains 1 HA unit per 0.05 ml. Then 640 ÷ 8 = 80, or a dilution of 1:80 containing 8 HA units. Or 640÷4=160, a dilution of 1:160 containing 4 HA units per 0.05 ml.

(3) *Microtiter HI test.* (i) Prepare two dilutions of antigen, one containing 8 HA units per 0.05 ml and one containing 4 HA units per 0.05 ml. The 4-unit antigen can be prepared from the 8-unit antigen by mixing with equal parts of PBS.

(ii) Mark off one row of 8 wells for each test.

(iii) Prepare a 1:5 dilution of each sera to be tested in a small test tube (12×75 mm): 0.1 ml serum plus 0.4 ml PBS or 0.05 ml serum plus 0.20 ml PBS.

(iv) Add 0.05 ml PBS with the 0.05 ml dropper to the first well in each row.

(v) Add 0.05 ml of 8-unit antigen to well 2 in each row.

(vi) Add 0.05 ml of 4-unit antigen to well 3 through 8 for each row.

(vii) For each serum to be tested, load 0.05 ml diluter with 1:5 dilution as prepared in paragraph (iii) above and place in first well of row.

(viii) Mix well and transfer loaded diluter to well 2. Continue serial twofold dilutions through well number 8.

(ix) Well 1 (serum dilution of 1:10) is serum control. Well 2=1:20 dilution; well 3=1:40 dilution; well 4=1:80 dilution; well 5=1:160 dilution; well 6=1:320 dilution; well 7=1:640 dilution; and well 8=1:1280 dilution.

(x) *Antigen control.* (*a*) Mark off 6 wells for antigen controls.

(*b*) Add 0.05 ml PBS to wells 2, 3, 4, 5, and 6.

(*c*) Add 0.05 ml 8-unit antigen to wells 1 and 2.

(*d*) With empty diluter, mix contents of well 2. Continue serial twofold dilutions through well 6.

(*e*) Well 1 contains 8 units; well 2 contains 4 units; well 3 contains 2 units; well 4 contains 1 unit; well 5 contains ½ unit; and well 6 contains ¼ unit.

(*f*) Mark off two wells for cell controls and add 0.05 ml PBS to each.

(*g*) After 20–30 minutes at average room temperature (20°–23°C) to permit antibody-antigen reaction, add 0.05 ml of a 0.05 percent suspension of RBC's to all wells.

(*h*) Seal all wells (if wells are to be held over 2 hours). Shake the plate thoroughly.

(*i*) Incubate at room temperature for 30–45 minutes.

(xi) *Interpretation:* The HI titer is the highest serum dilution exhibiting complete inhibition of hemmagglutination as indicated by flowing of cells when the plate is tilted. Serum having a titer of 1:80 or greater is considered positive. A titer of 1:40 or 1:20 is suspicious.

§ 147.22 [Amended]

13. In § 147.22, paragraph (c) is amended by removing the period from the end of the first sentence and adding the phrase "or otherwise sanitized", and, in the second sentence, by replacing the word "fumigated" with the word "sanitized".

14. In § 147.22, paragraph (e) is amended by adding the phrase "or otherwise sanitized" between the words "clean, fumigated," and "used cases".

§ 147.23 [Amended]

15. In § 147.23, paragraph (c) is amended by adding the phrase "or otherwise sanitized" between the words "and fumigated" and "after each".

16. In § 147.23, paragraph (d) is amended by adding, in the second sentence, the phrase "or otherwise sanitized" between the words "be fumigated" and "prior to" and by adding, in the third sentence, the phrase "or otherwise sanitized" between the words "be fumigated" and "after transfer".

17. In § 147.23, paragraph (e) is amended by adding the phrase "or otherwise sanitized" between the words "clean, fumigated," and "egg cases".

§ 147.24 [Amended]

18. In § 147.24, paragraph (a)(2) is amended by adding a final sentence to read as follows:

(a) * * *

(2) * * * Housing where poultry infected with a mycoplasmal disease were kept should remain closed for 7 days before removal of the litter.

* * * * *

19. In § 147.24, paragraph (b)(3) is amended by adding the phrase "or otherwise sanitized" between the words "in § 147.25(e)" and "prior to".

20. In § 147.24, paragraph (c) is amended by deleting the period at the end of the paragraph and adding the phrase "or otherwise sanitized".

§ 147.25 [Amended]

21. In § 147.25, the introductory paragraph is amended by replacing the phrase "is recommended" with the phrase "may be used".

§ 147.44 [Amended]

22. In § 147.44, paragraph (b) is amended by changing the reference contained in this paragraph from "§ 147.43(d)(1)" to "§ 147.43(d)(2)".

Authority: Sec. 101(b), Pub. L. 425, 78th Cong. 58 Stat. 734, as amended, 7 U.S.C. 429, 7 CFR 2.17, 2.51, 371.2(d).

Done at Washington, D.C. this 4th day of May, 1984.

J. K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 84-12589 Filed 5-9-84; 8:45 am]

BILLING CODE 3410-34-M

FEDERAL ELECTION COMMISSION

11 CFR Part 9034

[Notice 1983-3]

Presidential Primary Matching Fund

Correction

In FR Doc. 83-2268 beginning on page 5224 in the issue of Friday, February 4, 1983, make the following correction:

On page 5241, in the middle column, in § 9034.5(e)(2), in the seventh line, after "its" insert "initial determination within 10".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 84-ASW-18; Amdt. 39-4861]

Airworthiness Directives; Herbie Hog Parachutes Approved Under TSO C-23b

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires replacement of plastic ripcord handles on Herbie Hog Parachutes manufactured under TSO C-23b. The AD is needed to replace the plastic handle which is subject to breakage which could result in possible nondeployment of the parachute canopy.

DATES: Effective May 10, 1984. Compliance is required before next parachute deployment after the effective date of the AD, unless already accomplished.

FOR FURTHER INFORMATION CONTACT: Joseph L. Condo, Special Programs Branch, ASW-190, Aircraft Certification Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone No. (817) 877-2567.

SUPPLEMENTARY INFORMATION: The FAA has determined that nondeployment of the parachute canopy has occurred with a Herbie Hog parachute. Investigation following the incident revealed that the plastic handle had separated when deployment force was exerted on the handle. Replacement of the plastic handle with a metal handle is necessary to prevent an unsafe condition.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, and Parachutes.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new AD:

Herb M. Graves, Jr.: Applies to all Herbie Hog parachutes equipped with plastic deployment handles.

To prevent possible nondeployment of the parachute canopy due to separation of the plastic handle when subjected to the deployment force, replace the plastic handle with a metal handle. Rework the parachute by removing the plastic handle and cable assembly and replacing it with a "Martin Baker" type metal handle and cable assembly. Care must be taken to assure that the pin spacing and cable length are compatible with the parachute rigging installation.

Compliance is required prior to making the parachute available for any parachute jump and before the next deployment after the effective date of this AD (unless already accomplished).

This amendment becomes effective on May 10, 1984.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) (Revised, Pub. L. 97-499, January 12, 1983); 14 CFR 11.89)

Note.—The FAA has determined that this regulatory action is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption **FOR FURTHER INFORMATION CONTACT.**

Issued in Fort Worth, Texas, on April 27, 1984.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 84-12597 Filed 5-9-84; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 84-AWA-10]

Alteration of VOR Federal Airways V-139 and V-451

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment realigns VOR Federal Airways V-139 and V-451 in the vicinity of Whitman, MA, due to the loss of lease and aviation safety interests.

DATES: Effective date July 5, 1984. Comments must be received on or before June 22, 1984.

ADDRESSES: Send comments on the rule in triplicate to: Director, FAA, New England Region, Attention: Manager, Air Traffic Division, Docket No. 84-AWA-10, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue SW., Washington, D.C.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Mr. Brent A. Fernald, Airspace and Air Traffic Rules Branch (AAT-230), Airspace—Rules and Aeronautical Information Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves realignment of VOR Federal Airways V-139 and V-451 because of the decommissioning of the Whitman VOR/DME due to loss of lease and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed.

The Rule

The purpose of this amendment to § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to realign V-139 and to revise V-451 by deleting that portion of V-451 that starts from the INT Whitman, MA, 177° and Providence, RI, 118° radials (COSSY) and goes to Whitman. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6 dated January 3, 1984.

Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to realign V-139 and V-451 because of the decommissioning of the Whitman VOR/DME due to loss of lease and aviation safety interests. Therefore, I find that notice or public procedure under 5 U.S.C. 553(b) is contrary to the public interest and that good cause exists for making this amendment effective on the next charting date.

List of Subjects in 14 CFR Part 71

Aviation safety, VOR Federal airways.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t., July 5, 1984, as follows:

V-139 [Amended]

By deleting the words "6 miles wide, Whitman, MA; INT Whitman 041° and Manchester, NH, 130° radials; Kennebunk, ME." and by substituting the words "INT Providence 043° and Kennebunk, ME, 180° radials; Kennebunk."

V-451 [Revised]

From INT Providence, RI, 043° and Boston, MA, 178° radials; INT Providence 043° and Kennebunk, ME, 180° radials; INT Kennebunk 180° and Brunswick, ME, 211° radials; Brunswick.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)) (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on May 2, 1984.

B. Keith Potts,

Manager, Airspace—Rules and Aeronautical Information Division.

[FR Doc. 84-12602 Filed 5-9-84; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Parts 71 and 73

[Airspace Docket No. 84-AWA-11]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Special Use Airspace; Location Name Change, Camp McCoy, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The name Camp McCoy has been changed to Fort McCoy. These amendments substitute the word "Fort" for the word "Camp" in the title and descriptions of the Camp McCoy Transition Area and Restricted Area R-6901; except that the word "Camp" is deleted in references to the McCoy RBN contained in the transition area description.

EFFECTIVE DATE: July 5, 1984.

FOR FURTHER INFORMATION CONTACT: Neil Saunders, Airspace and Air Traffic Rules Branch (AAT-230), Airspace-Rules and Aeronautical Information Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION: The purpose of these amendments to § 71.181 and § 73.69 of Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) is to reflect the name change of Camp McCoy to Fort McCoy in the title and descriptions of the transition area and R-6901. Since these amendments are editorial in nature they are minor matters on which the public would have no particular desire to comment, notice and public procedure thereon is unnecessary. Sections § 71.181 and § 73.69 of Parts 71 and 73 of the Federal Aviation Regulations were republished in Handbook 7400.6 dated January 3, 1984.

List of Subjects in 14 CFR Parts 71 and 73

Aviation safety, Transition areas and restricted areas.

Adoption of the Amendments

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, § 71.181 and § 73.69 of Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) are amended, effective 0901 G.m.t., July 5, 1984, as follows:

§ 71.181 Camp McCoy, WI [Amended]

By changing the title to "Fort McCoy, WI" and be deleting in the description the words "Camp McCoy Army Airfield" and substituting "Fort McCoy Army Airfield" and also by deleting "Camp McCoy RBN" and substituting "McCoy RBN" throughout the description.

PART 73—[AMENDED]

§ 73.69 R-6901 Camp McCoy, WI [Amended]

By changing the title to "R-6901 Fort McCoy, WI" and after the words "Commanding Officer," delete "Camp McCoy" and substitute "Fort McCoy".

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); (49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It.