

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, Parts 510 and 558 are amended as follows:

PART 510—NEW ANIMAL DRUGS

1. The authority citation for 21 CFR Part 510 continues to read as follows:

Authority: Secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-351 (21 U.S.C. 360b, 371(a)); 21 CFR 5.10 and 5.83.

2. Section 510.600 is amended in paragraph (c)(1) by adding a new sponsor entry alphabetically and in paragraph (c)(2) by adding a new entry numerically to read as follows:

§ 510.600 Names, address, and drug labeler codes of sponsors of approved applications.

* * *	
(c) * * *	
(1) * * *	
Firm name and address	
Drug labeler code	
* * *	
Agri-Basics, ConAgra-Westfeeds, 1420 Minnesota Ave., Billings, MT 59101	
023368	
(2) * * *	
Drug labeler code	
Firm name and address	
023368 Agri-Basics, ConAgra-Westfeeds, 1420 Minnesota Ave., Billings, MT 59101	

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

3. The authority citation for 21 CFR Part 558 continues to read as follows:

Authority: Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b); 21 CFR 5.10 and 5.83.

§ 558.630 [Amended]

4. Section 558.630 Tylosin and sulfamethazine is amended in paragraph (b)(10) by inserting numerically the number "023368."

Dated: May 27, 1986.

Gerald B. Guest,
Acting Director, Center for Veterinary Medicine.

[FR Doc. 86-12344 Filed 6-2-86; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 13

[Docket No. R-86-1289; FR-2226]

Procedures for Use of Penalty Mail in the Location and Recovery of Missing Children

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: This rule establishes the procedures under which the Department may use penalty mail to aid in the location and recovery of missing children.

EFFECTIVE DATE: July 21, 1986.

FOR FURTHER INFORMATION CONTACT:

Sandra L. Timbrook, Chief, Mail and Transportation Branch, Office of Administrative and Management Services, Room 5176, Department of Housing and Urban Development, 451 Seventh Street, NW., Washington, DC 20410. Telephone: (202) 755-5703. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Section 1(a) of S. 1195, Pub. L. 99-87, 99 Stat. 290, August 9, 1985, adds to Chapter 32 of title 39, United States Code, new provisions to authorize each executive department and independent establishment of the Government of the United States, to use official mail to aid in the location and recovery of missing children. The passage of S. 1195 reflects an increasing public concern with the problem of missing and exploited children.

Newly added 39 U.S.C. 3220(a)(1) directs the Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the Department of Justice, after consultation with appropriate public and private agencies, to prescribe general guidelines under which penalty mail may be used to assist in the location and recovery of missing children. These guidelines were published on November 8, 1985 (50 FR 46622). In addition, 39 U.S.C. 3220(a)(2) requires each executive department and independent establishment of the Government of the United States to promulgate regulations under which penalty mail sent by such departments and establishments may be used in conformance with the OJJDP guidelines.

This rule is being promulgated in compliance with 39 U.S.C. 3220(a)(2) and in conformance with the OJJDP guidelines. The rule sets forth information on U.S. Postal Service restrictions on the placement of

information on envelopes, "shelf-life" restrictions on the use of missing children information, and other administrative factors which are applicable.

HUD will receive camera-ready photographic and biographical information on missing children through the National Center for Missing and Exploited Children. HUD will then give priority to the use of missing children information in mail addressed to members of the public.

The Secretary has determined that notice and prior public procedure are impracticable and contrary to the public interest and that good cause exists for making this rule effective as soon after publication as possible because of the overwhelming national concern that this rule addresses. Any delay in effectiveness would clearly be counter to the national effort to locate and recover missing children.

Findings and Other Matters

Environment Impact

A Finding of No Significant Impact with respect to the environment is not necessary for this rule in accordance with HUD regulations at 24 CFR Part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. Under 24 CFR 50.20, this rule is categorically exempt because it pertains only to an administrative procedure concerning the dissemination of public information.

Regulatory Impact Analysis

This rule does not constitute a "major rule" as that term is defined in section 1(b) of the Executive Order on Federal Regulations issued by the President on February 17, 1981 (E.O. 12291). Analysis of the rule indicates that it does not: (1) Have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect 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.

Regulatory Flexibility Certification

Under the provisions of 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities because it pertains only to an administrative

procedures concerning the dissemination of public information.

Semiannual Agenda of Regulations

This rule was not listed in the Department's Semiannual Agenda of Regulations published on April 21, 1986 (51 FR 14036) pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

Accordingly, Title 24 of the Code of Federal Regulations is amended by adding a new Part 13 to read as follows:

PART 13—USE OF PENALTY MAIL IN THE LOCATION AND RECOVERY OF MISSING CHILDREN

Sec.

13.1 Purpose.

13.2 Procedure for obtaining and disseminating data.

13.3 Withdrawal of data.

13.4 Reports.

Authority: The Missing Children's Assistance Act of 1984, Pub. L. 98-473, October 12, 1984; S. 1195 "Official Mail Use in the Location and Recovery of Missing Children", Pub. L. 99-87, 39 U.S.C. 3220.

§ 13.1 Purpose.

To support the national effort to locate and recover missing children, the Department of Housing and Urban Development (HUD) joins other executive departments and independent establishments of the Government of the United States in using official mail to disseminate photographs and biographical information on hundreds of missing children.

§ 13.2 Procedures for obtaining and disseminating data.

(a) HUD shall insert, manually and via automated inserts, pictures and biographical data related to missing children in domestic penalty mail directed to members of the public in the United States, its territories and possessions. These include:

- (1) Standard letter-size envelopes (4½" X 9½");
- (2) Document-size envelopes (9½" X 12", 9½" X 11½", 10" X 13"); and
- (3) Other envelopes (miscellaneous size).

(b) Missing children information shall not be placed on the "Penalty Indicia", "OCR Read Area", "Bar Code Read Area", and "Return Address" areas of letter-size envelopes.

(c) Posters containing pictures and biographical data shall be placed on bulletin boards in Headquarters and Field offices.

(d) HUD shall accept camera-ready and other photographic and biographical materials solely from the National Center for Missing and Exploited

Children (National Center). Photographs that were reasonably current as of the time of the child's disappearance shall be the only acceptable form of visual media or pictorial likeness used in penalty mail or posters.

§ 13.3 Withdrawal of data.

HUD shall remove all printed penalty mail envelopes and other materials from circulation or other use within a three month period from the date the National Center receives information or notice that a child, whose picture and biographical information have been made available to HUD, has been recovered or that the parent or guardian's permission to use the child's photograph and biographical information has been withdrawn. The HUD contact person shall be notified immediately and in writing by the National Center of the need to withdraw from circulation penalty mail envelopes and other materials related to a particular child.

§ 13.4 Reports.

HUD shall compile and submit to Office of Juvenile Justice and Delinquency Prevention (OJJDP), by June 30, 1987, a consolidated report on its experience in implementing S. 1195 "Official Mail Use in the Location and Recovery of Missing Children" along with recommendations for future Departmental action.

Dated: May 28, 1986.

Samuel R. Pierce, Jr.,

Secretary.

[FR Doc. 86-12449 Filed 6-2-86; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 754

Navy Affirmative Salvage Claims

AGENCY: Department of the Navy, DOD.

ACTION: Removal of part from CFR.

SUMMARY: This document removes Part 754 from title 32 of the *Code of Federal Regulations*. This action is being taken because the underlying regulation, NAVSEA Instruction 4740.4, Ship salvage operations; U.S. Navy affirmative salvage claims arising from, has been cancelled.

FOR FURTHER INFORMATION CONTACT: Dale Uhler, (202) 697-7386.

PART 754—[REMOVED]

Accordingly, Part 754 is removed from title 32, CFR.

Dated: May 27, 1986.

Harold L. Stoller, Jr.,
CDR, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 86-12392 Filed 6-2-86; 8:45 am]

BILLING CODE 3810-AE-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 211

Appeal of Decisions Concerning the National Forest System

AGENCY: Forest Service, USDA.

ACTION: Final rule.

SUMMARY: This rule makes a technical change in the present Forest Service administrative appeal procedures to make explicit that legible United States Postal Service (USPS) postmarks take precedence in determining time of filing. The change is necessary to achieve consistent interpretation. The final rule is issued after consideration of public comment received on the interim rule published in the *Federal Register* of March 17, 1986 (51 FR 9010).

EFFECTIVE DATE: This rule is effective June 3, 1986.

FOR FURTHER INFORMATION CONTACT: Larry Hill, Acting Staff Assistant, National Forest System Staff, Forest Service, USDA, P.O. Box 2417, DC 20013, (202) 382-9349.

SUPPLEMENTARY INFORMATION:

Background

This amendment to Forest Service appeal procedures makes clear that when officials determine timeliness under 36 CFR 211.18(c)(4), legible USPS postmarks shall take precedence over "other evidence of mailing." Only where the USPS postmark is illegible or missing will "other evidence of mailing" be used to determine timeliness.

This action is basically a technical clarification of the rule and does not represent a change in Agency policy or intended procedures.

Analysis of Public Comment

The interim rule generated only one response concerning clarification of the definition of "filing". It was considered in the final rule language.

The response is available for review at the Office of the Deputy Chief, National Forest System, Forest Service, USDA, Room 4211, South Agriculture Building, 12th and Independence Avenues SW., Washington, DC 20250, telephone (202) 382-9346.

Regulatory Impact

Because of its technical nature, it has been determined that this rule is exempt from review procedures required by E.O. 12291. The rule will have no effect on the Nation's economy, or substantial numbers of individuals or businesses, or on the quality of the human environment. The rule does not contain an information collection or recordkeeping requirement as defined in the Paperwork Reduction Act of 1980.

List of Subjects in 36 CFR Part 211

Administrative practice and procedure, National forests.

**PART 211—ADMINISTRATION
[AMENDED]**

Therefore, for the reasons set forth above, Subpart B—Appeal of Decisions Concerning the National Forest System, of Part 211—Administration of Title 36 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 211 is added to read as follows, and all other authority citations which appear throughout Part 211 are removed:

Authority: 30 Stat. 35, as amended, sec.1, 33 Stat. 628 (16 U.S.C. 551.472).

**Subpart B—Appeal of Decisions
Concerning the National Forest
System**

2. Revise paragraph (c)(4) of § 211.18 to read as follows:

§ 211.18 Appeal of decisions of forest officers.

(c) * * *

(4) When determining time of filing, Reviewing Officers shall give precedence to United States Postal Service (USPS) postmarks over other evidence of timely filing. Filing is defined as either mailing or delivery of the appropriate documents. If documents are delivered by means other than the USPS, date of receipt determines time of filing. If the date of mailing cannot be determined from a legible USPS postmark, the Reviewing Officer may accept other evidence of timely filing. Weekends or Federal holidays are included in computing the time allowed for filing, but when the filing time would expire on a weekend or holiday, the filing time is extended to the end of the next business day.

Dated: May 23, 1986.

Peter C. Myers,

Assistant Secretary, Natural Resources and Environment.

[FR Doc. 86-12367 Filed 6-2-86; 8:45 am]

BILLING CODE 3410-11-M

POSTAL SERVICE**39 CFR Part 111****Domestic Mail Manual; Eligibility To
Mail Issues of a Publication at Second-
Class Rates**

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule change adds a new section to the Domestic Mail Manual to incorporate changes in the Domestic Mail Classification Schedule (DMCS) concerning the eligibility requirements for entry into second-class mail of multiple "issues" of a single publication that are regularly published on the same day. Amendments to other sections of the Domestic Mail Manual are also being implemented to carry forth the intent of the Postal Rate Commission's (Commission) recommended decision in Docket No. C85-1, approved by the Governors of the Postal Service (Governors) on March 3, 1986, that publications identified in the administrative record as "Plus" publications be considered separate publications, whether called "issues" or "editions".

EFFECTIVE DATE: June 8, 1986.

FOR FURTHER INFORMATION CONTACT: Ms. Cheryl Beller, (202) 268-5166.

SUPPLEMENTARY INFORMATION: On April 2, 1986, the Postal Service published in the *Federal Register*, for comment, proposed changes in sections of the Domestic Mail Manual pertaining to issues and editions of second-class publications. 51 FR 11324-27. The changes were proposed to implement new section 200.0123 DMCS which provides that, for purposes of second-class eligibility and postage, an "issue" of a newspaper or other periodical shall be deemed to be a separate publication if it is published at a regular frequency on the same day as another regular "issue" of the same publication, and it is distributed to more than (i) 10 percent nonsubscribers, or (ii) twice as many nonsubscribers as the other issue on that same day, whichever is greater. As explained in the supplementary information, the proposed rule was phrased as "more than (i) . . . and (ii)", for greater ease of understanding. 51 FR 11325. Interested persons were invited to

submit comments on the proposed changes by May 2, 1986.

Written comments were received from one third-class mailer. The commenter supported the proposed changes and also suggested that certain portions of the affected regulations be further refined and clarified to more closely reflect the intent of the DMCS change. Specifically, the commenter suggested simplifying proposed PS Form 3541-CX by including on it instructions to mailers to report the circulation figures for the issue with the lesser nonsubscriber distribution in the portion of Part A pertaining to "Issue #1" and the figures for the issue with the greater nonsubscriber distribution in the portion pertaining to "Issue #2". This would automatically establish Issue #1 as a regular issue and focus attention on the question of whether Issue #2 must be treated as a separate publication. In addition, the commenter suggested that the term "nonsubscriber copies" be defined on the form to conform to the text of DMM section 425.225b.

We have modified the commenter's suggestion and will require designation of Issue #1 as the one with the lesser nonsubscriber distribution. This will automatically identify Issue #2 as the one with the greater nonsubscriber distribution and will simplify the task of identifying the "parent periodical" and determining whether the issue with the greater nonsubscriber circulation should be treated as a separate publication.

We have not gone as far as the commenter has suggested in clarifying the term "nonsubscriber" on PS Form 3541-CX because of our desire to keep the form as uncomplicated as possible. Postal Service personnel are being instructed to interpret the term consistently with DMM section 422.221.

The commenter also suggested that the Postal Service further clarify the regulations pertaining to the records that are necessary to substantiate eligibility for second-class mail privileges of those publications which are determined to be separate publications under the new regulations. We believe that the regulations themselves, and current related DMM regulations pertaining to maintenance and verification of appropriate publisher records, are sufficient to ensure compliance with the intent and purpose of the Commission and the Governors relative to establishing independent second-class eligibility.

Finally, section 425.2 has been revised to make it clear that the restrictions on issues and editions therein apply only to eligibility for second-class rate status.