Scientific or other relevant facts. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533–20 Disclosures; § 13.533–45 Maintain records; § 13.533–45(a) Advertising substantiation. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1710 Qualities or properties; § 13.1740 Scientific or other relevant facts.

List of Subjects in 16 CFR Part 13

Telephones, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 87-36 Filed 1-2-87; 8:45 am]

BILLING CODE 6750-01-M

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16 CFR Part 13

[Docket C-3204]

Viobin Corp.; Prohibited Trade Practices and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent Order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, a Monticello, Ill. manufacturer and seller of wheat germ oil products, as well as its Richmond, Va. parent company, from misrepresenting that their wheat germ oil products can help consumers improve endurance, stamina, vigor, or any aspect of athletic fitness, or that octacosanol, the active ingredient in its products, is in any way related to body reaction time, oxygen debt, or athletic performance. Additionally, respondents are required to run corrective advertising for a specified period of time.

DATE: Complaint and Order issued December 17, 1986.[1]

FOR FURTHER INFORMATION CONTACT: FTC/B-407, Brinley H. Williams, Washington, DC 20580 (202) 376-8720.

SUPPLEMENTARY INFORMATION: On Friday, October 10, 1986, there was published in the **Federal Register**, 51 FR 36406, a proposed consent agreement with analysis In the Matter of Viobin Corporation, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely or Misleadingly: § 13.170 Qualities or properties of product or service; § 13.170–52 Medicinal, therapeutic, healthful, etc. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533–45 Maintain records; § 13.533–45(a) Advertising substantiation. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1710 Qualities or properties.

List of Subjects in 16 CFR Part 13

Wheat germ oil products, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 87-37 Filed 1-2-87; 8:45 am]

BILLING CODE 6750-01-M

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[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th St. and Pa. Ave., NW., Washington, DC 20580.

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 4

[T.D. 87-1]

Customs Regulations Amendment Relating to Foreign Clearances of Vessels

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document advises the public that Cambodia, Iran, Iraq, Laos, Libya, Nicaragua, and South Yemen are being added to the list of countries for which vessels may not be cleared by Customs to proceed to a foreign destination until complete outward foreign manifests and all required shipper's export declarations have been filed with the Customs district director. The document also revises the Customs Regulations pertaining to clearance of vessels with incomplete cargo declarations, incomplete export declarations, and bonds given in lieu thereof. As part of the continuing Customs program to update and revise its regulations, the document also will clarify foreign clearance procedures for carriers, importers and the public, and will greatly aid Customs in its enforcement of the export control regulations.

EFFECTIVE DATE: January 5, 1987.

FOR FURTHER INFORMATION CONTACT: Edward B. Gable, Jr., Carriers, Drawback and Bonds Division (202-566-5732).

SUPPLEMENTARY INFORMATION:

Background

Section 4.75, Customs Regulations (19 CFR 4.75), currently provides the clearance procedures for vessels bound for a foreign port or ports which have incomplete cargo declarations, incomplete export declarations, and bonds given in lieu thereof. In addition, footnote 109 to § 4.75(c) lists the countries for which vessels may not be cleared by Customs to proceed to a foreign destination until complete outward foreign manifests and all shipper's export declarations have been filed with the Customs district director. Such action is necessary as an aid to the enforcement of export laws and regulations by the Customs Service.

Customs is adding Cambodia, Iran, Iraq, Laos, Libya, Nicaragua, and South Yemen to that list of countries. Further, as part of its continuing program to update its regulations, Customs is removing footnote 109 to § 4.75(c) and placing the list of countries contained therein in revised § 4.75(c). In addition to the above changes, this document revises the existing language of § 4.75, and deletes the unnecessary citation to 50 U.S.C. 191 from the section. Footnotes 106, 107 and 108 are also being deleted, as they are unnecessary.

These changes will clarify foreign clearance procedures for carriers, importers and the public, and will greatly aid Customs in its enforcement of the export control regulations.

Executive Order 12291

It has been determined that this amendment is not a "major rule" within the criteria provided in section 1(b) of E.O. 12291, and therefore no regulatory impact analysis is required.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this final rule, the provisions of the Regulatory Flexibility Act (45 U.S.C. 601 *et seq.*) do not apply.

Drafting Information

The principal authors of this document were Glen E. Vereb and Larry L. Burton, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service Headquarters. However, personnel from other offices participated in its development.

Inapplicability of Public Notice and Delayed Effective Date Requirements

Because vessels of Cambodia, Iran, Iraq, Laos, Libya, Nicaragua, and South Yemen pose immediate potential export control risks to the U.S., it is contrary to the public interest to delay implementation of the changes by seeking comments. Because the rest of the amendment merely revises and updates existing sections of the Customs Regulations, it is impracticable and unnecessary to seek public comments. Therefore, it has been determined that good cause exists for dispensing with notice and public procedure pursuant to 5 U.S.C. 553(b)(B). Further, for the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(3).

List of Subjects in 19 CFR Part 4

Customs duties and inspection, Imports, Vessels.

Amendments to the Regulations

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The general authority citation for Part 4, Customs Regulations (19 CFR Part 4), continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1624; 46 U.S.C. 3, 91, 2103.* * * There are no changes in the specific authority citations for Part 4.

2. Section 4.75 is revised to read as follows:

§ 4.75 Incomplete manifest; incomplete export declarations; bond.

(a) *Pro forma manifest.* Except as provided for in § 4.75(c), if a master desiring to clear his vessel for a foreign port does not have available for filing with the district director a complete Cargo Declaration Outward with Commercial Forms, Customs Form 1302–A (see § 4.63) in accordance with 46 U.S.C. 91, or all required shipper's export declarations (see 15 CFR 30.24), the district director may accept in lieu thereof an incomplete manifest (referred to as a pro forma manifest) on the General Declaration, Customs Form 1301, if there is on file in his office a bond on Customs Form 301, containing the bond conditions set forth in § 113.64 of this chapter relating to international carriers, executed by the vessel owner or other person as attorney in fact of the vessel owner. The legend, "This incomplete Cargo Declaration is filed in accordance with § 4.75, Customs Regulations," shall be inserted in item 16 of the General Declaration. The form shall be appropriately modified to indicate that it is an incomplete Cargo Declaration, and the Master's Oath on Entry of Vessel in Foreign Trade, Customs Form 1300 (see § 4.63(a)), shall be executed.

(b) *Time in which to file complete manifest and export declarations.* Not later than the fourth business day after clearance from each port in the vessel's itinerary, the master, or the vessel's agent on behalf of the master, shall deliver to the district director at each port a complete Cargo Declaration Outward with Commercial Forms, Customs Form 1302–A, in accordance with § 4.63, of the cargo laden at such port together with duplicate copies of all required shipper's export declarations for such cargo and a General Declaration on Customs Form 1301. The oath of the master or agent on the Master's Oath on Entry of Vessel in Foreign Trade, Customs Form 1300 (see § 4.63(a)), shall be properly executed before acceptance. The statutory grace period of 4 days for filing the complete manifest and missing export declarations begins to run on the first day (exclusive of any day on which the customhouse is not open for marine business) following the date on which clearance is granted.

(c) *Countries for which vessels may not be cleared until complete manifests and shipper's export declarations are filed.* To aid the Customs Service in the enforcement of export laws and regulations, no vessel shall be cleared for any port in the following countries until a complete outward foreign manifest and all required shipper's export declarations have been filed with the district director:

Albania
Bulgaria
Cambodia
China, People's Republic of
Cuba
Czechoslovakia
Estonia
German Democratic Republic (Soviet Zone of Germany and Soviet Zone sector of Berlin)
Hungary
Iran
Iraq
Laos
Lativia
Libya
Lithuania
Mongolian People's Republic
Nicaragua
North Korea
Polish People's Republic (Including Danzig)
Rumania
South Yemen
Union of Soviet Socialist Republics
Viet Nam

3. Part 4 is amended by removing footnotes 106, 107, 108 and 109.

Alfred R. De Angelus,
Acting Commissioner of Customs.

Approved: November 20, 1986.

Michael H. Lane,
Deputy Assistant Secretary (Enforcement).

[FR Doc. 87-56 Filed 1-2-87; 8:45 am]

BILLING CODE 4820-02-M

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19 CFR Part 24

Current IRS Interest Rate Used in Calculating Interest on Overdue Accounts and Refunds

AGENCY: Customs Service, Treasury.

ACTION: Notice of calculation of interest.

SUMMARY: This notice advises the public that 26 U.S.C. 6621 has been amended by the Tax Reform Act of 1986 (Pub. L. 99–514), to establish a new method of determining the adjusted rate of interest on applicable overpayments or underpayments of Customs duties. The new method provides a two-tier system based on the short-term Federal rate and will be adjusted quarterly. The interest rate, as set by the Internal Revenue Service, will be 9 percent for underpayments and 8 percent for overpayments for the quarter beginning January 1, 1987. It is being published for the convenience of the importing public and Customs personnel.

EFFECTIVE DATE: January 1, 1987.

FOR FURTHER INFORMATION CONTACT: Robert Hamilton, Revenue Branch, National Finance Center, U.S. Customs Service, P.O. Box 68901, Indianapolis, IN 46268 (317) 298–1245.

SUPPLEMENTARY INFORMATION:

Background

By T.D. 85–93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), Customs advised the public that, in order to implement sections 621 and 210 of Pub. L. 98–573, the Trade and Tariff Act of 1984, interest on applicable overpayments or underpayments of Customs duties shall be in accordance with the Internal Revenue Code rate established in 26 U.S.C. 6621 and 6622. Both the rate paid to the Treasury for underpayments, and the rate that Treasury paid for overpayments was the same rate. In addition, the date was determined semi-annually for the 6-month periods ending on September 30 and March 31 of each year. The rate used was the prime rate quoted by large commercial banks as determined by the Board of Governors of the Federal Reserve System.

This determination covered antidumping and countervailing duty payments, and increased or additional Customs duties determined to be due on a liquidation or reliquidation of an entry. In addition, T.D. 85–93 also stated that it has been determined that a uniform interest payment system should be established and that refunds pursuant to a court determination and payable under 28 U.S.C. 2644, and interest on overpayments and underpayments of estimated excise taxes determined at liquidation shall be assessed at the rate prescribed under 26 U.S.C. 6621 and 6622.

The Tax Reform Act of 1986 (Pub. L. 99–514), amended 26 U.S.C. 6621 mandating a new method of determining the interest rate. The new method provides a two-tier system based on the short-term Federal rate. As amended, 26 U.S.C. 6621 provides that the interest rate that Treasury pays on overpayments will be the short-term Federal rate plus 2 percentage points. The interest rate paid to the Treasury for underpayments will be the short-term Federal rate plus 3 percentage points. The rates will be rounded to the nearest full percentage.

The interest rates are determined by the Internal Revenue Service on behalf of the Secretary of the Treasury based on the average market yield on outstanding marketable obligations of the U.S. with remaining periods to maturity of 3 years or less and are to fluctuate quarterly. The rates are determined during the first month of a calendar quarter and become effective for the following quarter.

Determination

It has been determined that the rate of interest for the period of January 1, 1987–April 1, 1987, is 9 percent for underpayments and 8 percent for overpayments. This rate will remain in effect until April 1, 1987, when it is subject to change. Appropriate amendments will be made to the Customs Regulations in a future document.

Dated: December 29, 1986.

William von Raab,

Commissioner of Customs.

[FR Doc. 87-57 Filed 1-2-87; 8:45 am]

BILLING CODE 4820-02-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2644

Collection of Withdrawal Liability; Adoption of New Interest Rate

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This is an amendment to the Pension Benefit Guaranty Corporation's regulation on Notice and Collection of Withdrawal Liability. That regulation incorporates certain interest rates published by another Federal agency. The effect of this amendment is to add to the appendix of that regulation a new interest rate to be effective from January 1, 1987, to March 31, 1987.

EFFECTIVE DATE: January 1, 1987.

FOR FURTHER INFORMATION CONTACT: John Foster, Attorney, Regulations Division, Corporate Policy and Regulations Department (35100), Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, DC 20006; telephone 202-778-8850 (202-778-8859 or TTY and TDD). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: Under section 4219(c) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the Pension Benefit Guaranty Corporation ("the PBGC") promulgated a final regulation on Notice and Collection of Withdrawal Liability. That regulation, codified at 29 CFR Part 2644, deals with the rate of interest to be charged by multiemployer pension plans on withdrawal liability payments that are overdue or in default, or to be credited by plans on overpayments of wihdrawal liability. The regulation allows plans to set rates, subject to certain restrictions. Where a plan does not set the interest rate, § 2644.3(b) of the regulation provides that the rate to be charged or credited for any calendar quarter is the average quoted prime rate on short-term commercial loans for the fifteenth day (or the next business day if the fifteenth day is not a business day) of the month preceding the beginning of the quarter, as reported by the Board of Governors of the Federal Reserve System in Statistical Release H.15 ("Selected Interest Rates").

Because the regulation incorporates interest rates published in Statistical Release H.15, that release is the authoritative source for the rates that are to be applied under the regulations. As a convenience to persons using the regulation, however, the PBGC collects the applicable rates and republishes them in an appendix to Part 2644. This amendment adds to this appendix the interest rate of 7½ percent, which will be effective from January 1, 1987, through March 31, 1987. This rate is the same rate as was in effect for the last quarter of 1986. See 51 FR 34597 (September 30, 1986). This rate is based on the prime rate in effect on December 15, 1986.

The appendix to 29 CFR Part 2644 does not prescribe interest rates under the regulation; the rates prescribed in the regulation are those published in Statistical Release H.15. The appendix merely collects and republishes the rates in a convenient place. Thus, the interest rates in the appendix are informational only. Accordingly, the PBGC finds that notice of and public comment on this amendment would be unnecessary and contrary to the public interest. For the above reasons, the PBGC also believes that good cause exists for making this amendment effective immediately.

The PBGC has determined that this amendment is not a "major rule" within the meaning of Executive Order 12291, because it will not have an annual effect on the economy of $100 million or more; nor create a major increase in costs or prices for consumers, individual industries, or geographic regions, nor have significant adverse effects on competition, employment, investment, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

List of Subjects in 29 CFR Part 2644

Employee benefit plans, Pensions.

In consideration of the foregoing, Part 2644 of Subchapter F of Chapter XXVI of Title 29, Code of Federal Regulations, is amended as follows:

PART 2644—NOTICE AND COLLECTION OF WITHDRAWAL LIABILITY

1. The authority citation for Part 2644 continues to read as follows:

Authority: Secs. 4002(b)(3) and 4219(c), Pub. L. 93-496, as amended by secs. 403(1) and 104 (respectively), Pub. L. 96-364, 94 Stat. 1208, 1302 and 1236-1238 (29 U.S.C. 1302(b)(3) and 1399(c)(6)).

2. Appendix A is amended by adding to the end of the table of interest rates therein the following new entry: