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## PART I

### HIGHLIGHTS OF THIS ISSUE

- OIL AND GAS LEASING**—Interior Department calls for nominations for Outer Continental Shelf areas off South Texas ..... 33423
- NUCLEAR POWER PLANTS**—AEC notice of draft of general environmental siting guides; comments by 1-18-73.. 33412
- PETROLEUM**—Interior Department notice of preferential allocation for Postal Service ..... 33428
- FULL-SIZE CRIBS**—Consumer Product Safety Commission proposes compliance labeling; comments by 12-19-73.... 33405
- INCOMPLETE MOTOR VEHICLES**—DoT proposes certification labeling by manufacturers; comments by 1-3-74.. 33404
- IMPORT QUOTAS**—USDA proposes limitations on sweetened chocolate, candy and confectionery for 1974; comments by 12-19-73 ..... 33400
- CABLE TV**—FCC relaxes certificate of compliance rules for existing systems; effective 12-5-73..... 33398
- COAL MINE SAFETY**—Bureau of Mines rule on fire drills held prior to approval of firefighting and evacuation plans.. 33397
- PESTICIDES**—EPA establishes tolerances for herbicide on corn; effective 12-4-73..... 33398
- FOOD ADDITIVES**—FDA notice of petition for use of additional simicide in food packaging articles. .... 33411
- ANTIDUMPING**—Treasury Department notice of investigation on tapered roller bearings from Japan..... 33408

(Continued Inside)

#### PART II:

**EFFLUENT LIMITATIONS**—EPA proposes guidelines for grain mills; comment by 1-4-74..... 33437

No. 232—Pt. I—1

countries on such basis as the Secretary determines to be fair and reasonable, taking into consideration the past importations or entries from such countries. For purposes of this subsection the Secretary shall accept statistical data of the United States Department of Commerce as to the quantity of sweetened chocolate and confectionery of United States manufacture sold in the United States.

**Bases and considerations.** The average annual quantity of products entered, or withdrawn from warehouse, for consumption under the Tariff Schedules of the United States (TSUS) items 156.30 and 157.10 for the calendar years 1970, 1971, and 1972 amounted to 148,804,615 pounds. That quantity was determined from data published by the Bureau of Census, U.S. Department of Commerce, in the annual reports FT 246 under the TSUSA reporting numbers 156.3020, 156.3040, 157.1020 and 157.1040.

The quantity of sweetened chocolate and confectionery of United States manufacture sold in the United States in 1972 amounted to 3,793,232,000 pounds as shown in "Confectionery Manufacturers' Sales and Distribution 1972" published by the Domestic and International Business Administration, U.S. Department of Commerce. Five percent of that quantity amounts to 189,661,650 pounds.

Accordingly, the quantity of sweetened chocolate, candy, and confectionery which may be imported for consumption under TSUS items 156.30 and 157.10 during the calendar year 1974 shall be limited to 189,661,650 pounds which is the larger of the two alternatives as provided in sec. 206(d) of the Sugar Act, i.e., the 1970-72 average imports or five percent of 1972 confectionery sales.

Pursuant to section 206(d) of the Act the total quantity permitted to be imported may be allocated to countries on such basis as the Secretary determines to be fair and reasonable taking into consideration the past importations or entries from such countries. This regulation does not establish import quotas for any individual countries but makes the total quota available for all countries as a group on a first-come, first-served basis.

The import limitations for 1974 are about 26 percent greater than imports classified under 156.30 and 157.10 in 1972 and 27 percent greater than the average annual imports from 1970 through 1972.

A global quota has been in effect for 1973, the second year of confectionery quotas, and through October 27, just over 108 million pounds of the global quota has been imported. This is only 61 percent of the 1973 global quota with 82 percent of the year gone. This compares with 106 million pounds imported through October 28, in 1972. In 1970 and 1971 the annual imports under global quotas were 127 and 120 million pounds, respectively. The quantities referred to in this paragraph include only confectionery imports for consumption at retail to which this proposal applies and exclude items imported under Tariff Schedules of the United States (TSUSA), 156.3040, which are not for consumption at retail and imports of which are limited

under Section 22 of the Agricultural Adjustment Act (7 U.S.C. 624).

In view of 1973 imports thus far and imports in past years, it is likely that total 1974 import limits will not be approached by actual imports. On the assumption that imports will not reach the liberal import limits, a global quota will provide the least impediment to commerce and to the play of economic factors and the least burden on Customs Service. A global quota will also eliminate the possibility of limiting imports from some countries when there is little likelihood that the total quota will be filled.

A portion of the global quota, representing 30 percent, is reserved for entry during the last quarter of the year. Recent import history indicates about 30 percent of such imports normally occur during the last quarter of each year.

The provision to exempt each shipment of articles with an aggregate value of not more than \$25 from import quotas is necessary so that tourists will be able to bring in small quantities of candy and confectionery for personal use.

The regulation provides that a quantity of the quota equivalent to the quota for "chocolate crumb" established pursuant to section 22 of the Agricultural Adjustment Act, as amended, shall be reserved solely for the importation subject to the section 22 quota under licenses issued pursuant to regulations of the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture.

Sec.

818.20 Confectionery quotas for foreign countries.

818.21 Import requirements.

818.22 Restrictions on importation.

818.23 Revision of quota.

818.24 Delegation of authority.

**Authority:** 818.20 to 818.24 issued under Sec. 206, 403; 61 Stat. 927, as amended, 932, as amended; (7 U.S.C. 1116, 1153).

§ 818.20 Confectionery quotas for foreign countries, 1974.

(a) For the calendar year 1974, the quantity of sweetened chocolate, candy, and confectionery provided for in items 156.30 and 157.10 of Part 10, Schedule 1, of Tariff Schedules of the United States which may be entered, or withdrawn from warehouse, for consumption in the United States and Puerto Rico is 189,661,650 pounds. Of the total quota 21,680,000 pounds are reserved solely for the importation of sweetened chocolate for other than consumption at retail as candy or confectionery (TSUS item 156.3040). This quantity is subject to quotas established pursuant to section 22 of the Agricultural Adjustment Act, as amended (items 950.15 and 950.16 of Part 3 of the Appendix to TSUS), and may be imported only under licenses issued pursuant to regulations of the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture as follows: Ireland—13,200,000 (9,450,000 under TSUS 950.15 and 3,750,000 under TSUS 950.16); United Kingdom—8,380,000 (7,450,000 under TSUS 950.15 and 930,000 under TSUS 950.16) and

Netherland—100,000 (all under TSUS 950.15).

Of the remaining quantity of 167,931,650 pounds (189,661,650—21,680,000) a quantity not to exceed 117,587,155 pounds may be entered or withdrawn from warehouse for consumption in the United States and Puerto Rico on or before September 30, 1974.

(b) The quota established by paragraph (a) of this section shall not apply to articles with an aggregate value of \$25 or less in any shipment.

§ 818.21 Import requirements.

Articles subject to quota limitations pursuant to § 818.20 shall be entered on a first-come, first-served basis under the control of the Bureau of Customs, except articles subject to quotas established pursuant to section 22 of the Agricultural Adjustment Act, as amended.

§ 818.22 Restrictions on importations.

Subject to the exception in § 818.20(b) all persons are prohibited from entering or withdrawing from warehouse, for consumption in the United States and Puerto Rico any article provided for in TSUS items 156.30 and 157.10 after the applicable quotas set forth in § 818.20(a) have been filled.

§ 818.23 Revision of quotas.

The quota established under this order may be revised to reflect the substitution of revised or corrected data used in the quota determination.

§ 818.24 Delegation of authority.

The Director of the Sugar Division (or any person in such division designated by the Director) of the Agricultural Stabilization and Conservation Service of the Department is hereby authorized to act on behalf of the Secretary in administering §§ 818.20 through 818.22 except as otherwise provided for in §§ 818.20 and 818.21.

Signed at Washington, D.C., on November 30, 1973.

GLENN A. WEIR,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 73-25675 Filed 11-30-73; 11:35 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[ 25 CFR Part 60 ]

USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Notice of Public Hearing

Proposed rules for the implementation of the Act of October 19, 1973 (Pub. L. 93-134, 87 Stat. 466, 467, 468) known as the Use or Distribution of Indian Judgment Funds Act of 1973, were published on pages 31430 through 31432 of the November 14, 1973, issue of the FEDERAL REGISTER. The Act provides that a public hearing be held on the proposed rules no later than thirty days prior to their promulgation as rules and regula-

tions, which rules and regulations must be promulgated within sixty days of the publication of the proposed rules. Accordingly, such hearing shall be held at the Federal Post Office Building, Room 269, 1823 Stout Street, Denver, Colorado on December 13, 1973, between 9:00 a.m. and 5:00 p.m. All interested parties are invited to attend; but in lieu of actual attendance or in addition to attendance, written comments, suggestions, or objections regarding the proposed rules may be submitted to the Division of Tribal Government Services, Bureau of Indian Affairs, Washington, D.C. 20245. Written comments should be submitted by December 14, 1973, but will be accepted and considered if post-marked no later than January 5, 1974.

Dated: November 28, 1973.

MARVIN L. FRANKLIN,  
Assistant to the  
Secretary of the Interior.

[FR Doc.73-25585 Filed 12-3-73; 3:45 am]

### [ 25 CFR Part 153 ]

## NAVAJO-HOPI JOINT-USE AREA GRAZING REGULATIONS

### Notice of Proposed Rulemaking

Notice is hereby given that it is proposed to add a new Part 153 to Subchapter N, Chapter I, of Title 25 of the Code of Federal Regulations. This addition is proposed pursuant to the authority contained in 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

The purpose of the new Part 153 is to establish regulations governing grazing on the Navajo-Hopi Joint Use Area.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding these proposed regulations to the Associate Solicitor for Indian Affairs, Office of the Solicitor, Department of the Interior, Washington, D.C. 20240, on or before January 3, 1974.

It is proposed to add a new Part 153 to Subchapter N, Chapter I, of Title 25 of the Code of Federal Regulations to read as follows:

### PART 153—NAVAJO-HOPI JOINT-USE AREA GRAZING REGULATIONS

Sec.	
153.1	Definitions.
153.2	Authority.
153.3	Purpose.
153.4	Establishment of range units.
153.5	Grazing capacity.
153.6	Grazing on range units authorized by permit.
153.7	Kind of livestock.
153.8	Grazing fees.
153.9	Duration of grazing permits.
153.10	Assignment, modification and cancellation of permits.
153.11	Conservation and land use provisions.
153.12	Range improvements, ownership, and new construction.
153.13	Payment of tribal fees.

Sec.	
153.14	Special permit requirements and provisions.
153.15	Violations.
153.16	Fences.
153.17	Livestock trespass.
153.18	Control of livestock diseases.
153.19	Impoundment and disposal of unauthorized livestock.

AUTHORITY: (5 U.S.C. 301 and 25 U.S.C. 2 and 9).

#### § 153.1 Definitions.

As used in this Part 153, terms shall have the meanings set forth in this section.

(a) "Joint-Use Committee" means a committee composed of three representatives selected by the Hopi Tribal Council and three representatives selected by the Navajo Tribal Council, to whom have been delegated the authority of each governing body to exercise the powers of each tribe in the Joint-Use Area. A representative of the Joint-Use Administrative Office, Flagstaff, Arizona 86001, shall be a non-voting representative. Rules of procedure shall be established by the Committee except the chairmanship of each successive meeting of the Committee shall be alternated between each tribal delegation and the individual delegate serving as chairman of any one meeting shall not have a vote.

(b) "Project Officer" means the Special Project Officer of the Bureau of Indian Affairs Joint-Use Administrative Office, Flagstaff, Arizona 86001, to whom has been delegated the authority of the Commissioner to act in all matters respecting the Joint-Use Area.

(c) "Joint-Use Area" means the area established by the United States District Court for the District of Arizona in the case entitled *Healing v. Jones*, 210 F. Supp. 125 (1962), which is inside the Executive Order Area (Executive Order of December 16, 1882) but outside Land Management District 6, and held and to be used by both the Navajo and Hopi Tribes jointly.

(d) "Range unit" means a tract of range land designated as a management unit for administration of grazing.

(e) "Permit" means a revocable privilege granted in writing limited to entering on and utilizing forage by domestic livestock on a specified tract of land.

(f) "Animal Unit" means the ratio established between livestock such as cattle, horses and sheep according to the rate of range forage consumption of such animals.

#### § 153.2 Authority.

It is within the authority of the Secretary of Interior to protect Tribal lands against waste and to prescribe rules and regulations under which these lands may be leased or permitted for grazing.

#### § 153.3 Purpose.

These regulations are issued to carry out the Secretary's trust responsibility of conserving range resources, promoting their proper use and affording equal utilization of these resources by both tribes according to the judgment in Civil No. 579 U.S.D.C. Arizona.

#### § 153.4 Establishment of range units.

The Project Officer will establish range units on the Joint-Use Area to allow for a program of surface land use aimed at restoring the land to its full potential and maintaining this potential.

#### § 153.5 Grazing capacity.

The Project Officer shall prescribe the maximum number of livestock which may be grazed on each range unit and the season, or seasons, of use to achieve the objectives of the land recovery program. Stocking rates shall be reviewed on a continuing basis and adjusted as conditions warrant.

#### § 153.6 Grazing on range units authorized by permit.

Grazing use of range units is authorized only by a grazing permit. The Special Project Officer shall allocate grazing privileges to each tribe so that each may have not more than one-half the grazing capacity of the Joint-Use Area. The Joint-Use Committee will then, within 60 days, determine use by members of each tribe without competitive bidding. Grazing use by tribal enterprises will be permitted and permits may be issued in the name of the tribe. The eligibility requirements for receiving a permit shall be set forth by the Joint-Use Committee. The Project Officer shall issue permits based on the determination by the Joint-Use Committee.

#### § 153.7 Kind of livestock.

The Joint-Use Committee may determine, subject to the grazing capacity, the kind of livestock that may be grazed on the range units.

#### § 153.8 Grazing fees.

(a) The respective tribal governing bodies may determine whether grazing fees will be charged and the rate to be charged for the use of their respective shares of the Joint-Use Area by their members, and the proceeds therefrom shall inure to the benefit of the respective tribe charging fees.

(b) Annual grazing fees, if any, shall be paid in advance and payment shall be made to the Project Officer for immediate disbursement to the appropriate tribal treasurer.

#### § 153.9 Duration of grazing permits.

The Joint-Use Committee may determine the maximum duration of grazing permits not to exceed 5 years per permit period and subject to § 153.10(b).

#### § 153.10 Assignment, modification and cancellation of permits.

(a) Grazing permits shall not be assigned, subpermitted or transferred without the consent of the delegates to the Joint-Use Committee from the tribe involved and the Project Officer.

(b) The Project Officer may revoke or withdraw all or any part of the grazing permit by cancellation or modification on 30 days written notice of violation of permit or special conditions affecting the land or the safety of the livestock thereon, as may result from flood, disaster,