

## Title 44—PUBLIC PROPERTY AND WORKS

### Chapter IV—Business and Defense Services Administration, Depart- ment of Commerce

[Foreign Excess Property Order 1]

#### PART 401—FOREIGN EXCESS PROPERTY

##### Importations for Public and Quasi-Public Use

On page 10805 of the FEDERAL REGISTER of July 30, 1968, there was published a notice of proposed rule making to revise § 401.7 of Foreign Excess Property Order No. 1 governing the importations of foreign excess property for public and quasi-public use. Interested persons were given twenty (20) days in which to submit written comments, suggestions, or objections regarding the proposed regulation.

No objections have been received and the proposed regulation is hereby adopted without change and is set forth below.

*Effective date.* This regulation shall be effective upon publication in the FEDERAL REGISTER.

RODNEY L. BORUM,  
*Administrator.*

NOVEMBER 20, 1968.

#### § 401.7 Importations for public and quasi-public use.

The importation of foreign excess property:

(a) Which is the subject of a firm contract of sale and delivery to the Federal Government, or

(b) Which is the subject of a firm contract of sale and delivery to, or is offered for importation by, any State or any agency of a State, or tax-supported or other nonprofit medical institutions, hospitals, clinics, health centers, schools, school systems, colleges or universities, schools for the mentally retarded, schools for the physically handicapped, and radio or television stations licensed by the Federal Communications Commission as educational radio or educational television stations (nonprofit institutions must be exempt from taxation under section 501(c)(3) of Title 26, Internal Revenue Code of 1954) and public libraries, for purposes of education or public health or for research for any such purposes; or for civil defense purposes including research;

shall be deemed to be beneficial to the economy of the United States. No application need to be filed with the FEPO for such importation, but the importer of such property shall submit evidence acceptable to the District Director of Customs at the port of entry of such property either: (1) That the importer of such property has entered into a firm contract of sale and

delivery thereof to a purchaser or an agent of a purchaser designated as an eligible purchaser thereof in this section, or (2) that the importer of such property is itself an eligible purchaser of such property.

(63 Stat. 398; 40 U.S.C. sec. 512)

[F.R. Doc. 68-14294; Filed, Dec. 2, 1968;  
8:45 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Department of Transportation

[Docket No. HM-11; Amdts. 171-2, 173-4,  
174-2, 175-2, 176-1, 177-4, 178-2, 179-1, 180-1]

#### PART 171—GENERAL INFORMATION AND REGULATIONS

##### PART 173—SHIPPERS

##### PART 174—CARRIERS BY RAIL FREIGHT

##### PART 175—CARRIERS BY RAIL EXPRESS

##### PART 176—RAIL CARRIERS IN BAGGAGE SERVICE

#### PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUB- LIC HIGHWAY

##### PART 178—SHIPPING CONTAINER SPECIFICATIONS

##### PART 179—SPECIFICATIONS FOR TANK CARS

##### PART 180—CARRIERS BY PIPELINE

##### Change of Reference

The purpose of this amendment is to convert certain references in the Hazardous Materials Regulations from "Interstate Commerce Commission" and "Commission" to "Department of Transportation" and "Department" respectively and "ICC" to "DOT" while permitting continued use of "ICC" as a specification marking on newly manufactured packagings for a reasonable period of time.

The Hazardous Materials Regulations (49 CFR Parts 170-190) refer in many places to the use of "ICC" in specification markings. Since conversion from "ICC" to "DOT" on newly manufactured packagings would require the changing of numerous marking devices, it is reasonable to authorize the use of either "ICC" or "DOT" as markings on newly manufactured packagings for an additional period of time. Under this amendment either marking may be used until January 1, 1970. On and after that date all newly manufactured packagings must be marked "DOT" as required. However, packagings with the previously required ICC specification markings which are manufactured before January 1, 1970, may be continued in service as marked.

Since this amendment is concerned with a name conversion and authorizes immediate voluntary conversion to a new marking system but imposes no immediate burden on any person, notice and public procedure thereon are unnecessary and good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended, effective on date of publication in the FEDERAL REGISTER as follows:

(A) By striking out the words "Interstate Commerce Commission" and "Commission" wherever they appear in Parts 171 through 180 and by inserting the words "Department of Transportation" and "Department" respectively in place thereof.

(B) By striking out the letters "ICC" wherever they appear in Parts 171, 173, 174, and 177 through 179 and by inserting the letters "DOT" in place thereof except in the following sections: §§ 173.23(b), 173.32(b), (b)(3), (c), and (d); 173.33(e)(1); 173.34(e)(10) in the table each cylinder to which footnote one applies; 173.124(a)(5) each specification to which footnote one applies; 173.301(h) in the table each cylinder to which footnote one applies; 173.304(d)(3)(ii) in the table each container to which footnote one applies; and in 173.314(c) in the table each tank car to which footnote one applies.

I. Part 171 is amended as follows:

(A) Section 171.14 is added in the Table of Contents to read as follows:

Sec.  
171.14 Specification markings.

(B) Section 171.14 is added to read as follows:

§ 171.14 Specification markings.

(a) Notwithstanding any other requirements of Parts 171 through 179 of this chapter, the letters "ICC" may continue to be placed on any packaging requiring specification markings until January 1, 1970.

(b) Packagings with the specification markings "ICC" placed thereon before January 1, 1970, may be continued in service as marked.

(Title 18 U.S.C. sec. 831-835; sec. 9, Department of Transportation Act; 49 U.S.C. 1657; Title VI, sec. 902(h), Federal Aviation Act of 1958; 49 U.S.C. 1421-1430, 1474(h))

Issued in Washington, D.C., on November 27, 1968.

SAM SCHNEIDER,  
*Board Member, for the  
Federal Aviation Administration.*

P. E. TRIMBLE,  
*Acting Commandant,  
United States Coast Guard.*

LOWELL K. BRIDWELL,  
*Administrator,  
Federal Highway Administration.*

A. SCHEFFER LANG,  
*Administrator,  
Federal Railroad Administration.*

[F.R. Doc. 68-14437; Filed, Dec. 2, 1968;  
8:47 a.m.]