

toxicity. When *in vivo* testing is necessary, a sequential testing strategy is recommended to reduce the number of test animals. The method of testing the dermal corrosivity and primary irritation of substances referred to in §§ 1500.3(c)(3) and (4), respectively, is a patch-test technique on the abraded and intact skin of the albino rabbit, clipped free of hair. * * *

5. Amend section 1500.42 by adding introductory text, adding a sentence at the beginning of paragraph (a)(1), and revising paragraph (c) to read as follows:

§ 1500.42 Test for eye irritants.

Guidelines for *in vivo* and *in vitro* testing of ocular irritation of substances, including testing that does not require animals, are presented in the CPSC's animal testing policy set forth in 16 CFR 1500.232. A weight-of-evidence analysis is recommended to evaluate existing information before *in vivo* tests are considered. This analysis should include any of the following: Existing human and animal data on ocular or dermal irritation, structure activity relationships, physicochemical properties, and chemical reactivity. When *in vivo* testing is necessary, a sequential testing strategy is recommended to reduce the number of test animals. Additionally, the routine use of topical anesthetics, systemic analgesics, and humane endpoints to avoid or minimize pain and distress in ocular safety testing is recommended.

(a)(1) In the method of testing the ocular irritation of a substance referred to in § 1500.3(c)(4), six albino rabbits are used for each test substance * * *

(c) To assist testing laboratories and others interested in interpreting ocular irritation test results, the CPSC animal testing policy Web page at <http://www.cpsc.gov/businfo/animaltesting.html> will contain the scoring system defined in the U.S. EPA's Test Guideline, OPPTS 870.2400: Acute Eye Irritation³ or the OECD Test Guideline 405: Acute Eye Irritation/Corrosion.⁴

³ EPA. 1998. Health Effects Test Guidelines, OPPTS 870.2400 Acute Eye Irritation. EPA 712-C-98-195. Washington, DC: U.S. Environmental Protection Agency. (Available: http://iccvam.niehs.nih.gov/SuppDocs/FedDocs/EPA/EPA_870_2400.pdf).

⁴ OECD. 2002. OECD Guideline for the Testing of Chemicals 405: Acute Eye Irritation/Corrosion. Paris: Organisation for Economic Co-operation and Development. (Available: <http://iccvam.niehs.nih.gov/SuppDocs/FedDocs/OECD/OECDtg405.pdf>).

Dated: June 25, 2012.

Todd A. Stevenson,

Secretary, U.S. Consumer Product Safety Commission.

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DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 5

[Docket No. TTB-2012-0002; Notice No. 127A; Re: Notice No. 127]

RIN 1513-AB33

Proposed Amendment to the Standards of Identity for Distilled Spirits; Comment Period Extension

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) is extending the comment period for Notice No. 127, Proposed Amendment to the Standards of Identity for Distilled Spirits, for an additional 10 days. In Notice No. 127, a notice of proposed rulemaking published in the **Federal Register** on April 30, 2012, TTB proposes to amend the standards of identity regulations for distilled spirits to include "Cachaça" as a type of rum distinctive to Brazil.

DATES: Written comments on Notice No. 127 are now due on or before July 9, 2012.

ADDRESSES: You may send comments on Notice No. 127 to one of the following addresses:

- <http://www.regulations.gov>: To submit comments via the Internet, use the comment form for Notice No. 127 as posted within Docket No. TTB-2012-0002 on "Regulations.gov," the Federal e-rulemaking portal;

- *U.S. Mail:* Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044-4412.

- *Hand Delivery/Courier in Lieu of Mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 200-E, Washington, DC 20005.

See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of all rulemaking documents, supporting materials, and any comments related to

this proposal within Docket No. TTB-2012-0002 at <http://www.regulations.gov>. A link to the docket is posted on the TTB Web site at http://www.ttb.gov/regulations_laws/all_rulemaking.shtml under Notice No. 127. You also may view copies of all related rulemaking documents, supporting materials, and any comments related to this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. Please call 202-453-2270 to make an appointment.

FOR FURTHER INFORMATION CONTACT:

Christopher M. Thiemann, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 200E, Washington, DC 20005; telephone 202-453-1039, ext. 138.

SUPPLEMENTARY INFORMATION: In Notice No. 127, published in the **Federal Register** on April 30, 2012, at 77 FR 25382, the Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to amend its regulations concerning the standards of identity for distilled spirits at 27 CFR 5.22 to include "Cachaça" as a type of rum and as a distinctive product of Brazil. TTB undertook this rulemaking action in response to a petition from the Government of Brazil, and in response to an agreement between the United States and Brazil setting out a procedure that could lead each party to recognize certain distinctive distilled spirits produced in the other party's territory. The agreement provides in part that if, following the publication of a notice of proposed rulemaking, the United States publishes a final rule that lists Cachaça as a type of rum distinctive to Brazil, then Brazil, within 30 days thereafter, will recognize Bourbon Whiskey and Tennessee Whiskey as distinctive products of the United States.

The 60-day comment period for Notice No. 127 originally was set to close on June 29, 2012. On June 15, 2012, TTB received a comment from the European Union requesting an extension of the comment period "in order to have time to analyze and prepare comments" on the proposal (see Comment 4 within Docket No. TTB-2012-0002). In response to this request, TTB is extending the comment period for an additional 10 days, and, therefore, comments on Notice No. 127 are now due on or before July 9, 2012.

Drafting Information

Michael D. Hoover of the Regulations and Rulings Division drafted this notice.

Signed: June 26, 2012.

John J. Manfreda,

Administrator.

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Copyright Royalty Board

37 CFR Part 381

[Docket No. 2011-2 CRB NCEB II]

Determination of Reasonable Rates and Terms for Noncommercial Broadcasting

Correction

In proposed rule document 2012-15538, appearing on pages 38022-38024, in the issue of Tuesday, June 26, 2012, make the following correction:

§ 381.8 [Corrected]

1. On page 38023, column three, § 381.8 is being reprinted in its entirety for corrections to (b)(1)(i) and (ii).

§ 381.8 Terms and rates of royalty payments for the use of published pictorial, graphic, and sculptural works.

* * * * *

(b) *Royalty rate.* (1) The following schedule of rates shall apply to the use of works within the scope of this section:

(i) For such uses in a PBS-distributed program:

	2013-2017
(A) For featured display of a work	\$70.75
(B) For background and montage display	34.50
(C) For use of a work for program identification or for thematic use	139.46
(D) For the display of an art reproduction copyrighted separately from the work of fine art from which the work was reproduced irrespective of whether the reproduced work of fine art is copyrighted so as to be subject also to payment of a display fee under the terms of the schedule	45.82

(ii) For such uses in other than PBS-distributed programs:

	2013-2017
(A) For featured display of a work	\$45.82
(B) For background and montage display	23.48
(C) For use of a work for program identification or for thematic use	93.65

	2013-2017
(D) For the display of an art reproduction copyrighted separately from the work of fine art from which the work was reproduced irrespective of whether the reproduced work of fine art is copyrighted so as to be subject also to payment of a display fee under the terms of the schedule	23.49

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[FR Doc. C1-2012-15538 Filed 6-28-12; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

New Pallet Preparation Standards for Periodicals

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service is proposing to revise the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®), to align pallet preparation standards for Periodicals with those currently required for Periodicals prepared in sacks and similar containers.

DATES: Submit comments on or before July 30, 2012.

ADDRESSES: Mail or deliver written comments to the manager, Product Classification, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 4446, Washington, DC 20260-5015. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza SW., 11th Floor North, Washington, DC, by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday. Call 1-202-268-2906 in advance for an appointment. Email comments, containing the name and address of the commenter, may be sent to: MailingStandards@usps.gov, with a subject line of "Periodicals Pallet Standards." Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Craig Vance at 202-268-7595, or Kevin Gunther at 202-268-7208.

SUPPLEMENTARY INFORMATION: Prior to January 22, 2012, mailers were required to prepare bundles of flat-size Periodicals in mixed area distribution center (ADC) sacks (or similar containers), labeled according to labeling list L009; and in origin mixed ADC (OMX) sacks (or similar

containers), labeled according to labeling list L201. These standards assured that the OMX and the mixed ADC separations were always made, and the sacks that were prepared could then be presented directly for acceptance or placed on pallets in accordance with DMM 705.8.10.2.

The separation of mail destined within the "OMX" surface reach of the mailer's plant (or entry point) from the remaining mixed ADC mail is crucial for maintaining acceptable service performance, for the benefit of both Periodicals customers and USPS® processing operations.

On January 22, 2012, the Postal Service revised DMM 705.8.10.2 to allow mailers to place bundles of flat-size Periodicals directly onto mixed area distribution center (ADC) and origin mixed ADC (OMX) pallets, but retained the existing language describing these pallet levels as optional. The long-standing language that required the mixed ADC pallet to be labeled in accordance with labeling list L004 was also retained. As a result of this change, some mailers have discontinued the practice of making the mixed ADC and OMX separations when placing bundles of flat-size Periodicals directly on pallets.

It was not the intent of the January 22, 2012 revision to eliminate the requirement to perform the OMX and mixed ADC separations. The Postal Service therefore proposes to revise DMM 705.8.10.2 to provide the option for mailers to prepare both the OMX and mixed ADC pallet at no minimum volume threshold. The Postal Service proposes to require the preparation of both pallets at volumes of 100 pounds or more, and require sacking of these separations if the mailer elects not to form either pallet level below the 100-pound threshold. The Postal Service also proposes that the mixed ADC pallet will be prepared in accordance with labeling list L009 instead of L004, as is currently required. If these new standards are adopted, they will be effective January 28, 2013.

Although these changes are intended to be effective January 28, 2013, to provide for the most expeditious processing of their mixed ADC and OMX Periodicals mailpieces in USPS® networks, mailers are strongly encouraged to begin using these new standards immediately.

Although the Postal Service is exempted by 39 U.S.C. 410(a) from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C 553(b), (c)), we invite public comments on the following proposed revisions to *Mailing Standards of the United States*