

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 17—CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

Amendments to Lists of Endangered Fish and Wildlife

By notice of proposed rulemaking published in the FEDERAL REGISTER dated January 15, 1973 (38 FR 1521), notice was given that it was proposed to amend appendixes A and D to part 17 of title 50, Code of Federal Regulations.

Typographical errors in that proposed rulemaking were corrected in the FEDERAL REGISTER of January 22, 1973 (38 FR 2178).

Interested persons were invited to submit their views, data, or arguments regarding the proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240, prior to March 16, 1973. All relevant matters presented have been considered.

Action is being temporarily deferred on listing the red kangaroo *Megaleia rufa*, the western gray kangaroo *Macropus fuliginosus*, and the eastern gray kangaroo *Macropus giganteus* except for the subspecies *Macropus giganteus tasmaniensis*, pending: (1) receipt of additional information requested from the Australian Government on current management practices in each of the five mainland Australian states and the northern territory; (2) development and implementation of a new kangaroo management plan being prepared by the Australian Government; and (3) obtaining firsthand observation of the effectiveness of current management practices as modified by the new management plan. In the interim, careful surveillance of the Australian kangaroo situation will be maintained to assure that the present level of exploitation is not increased and that no other imminent threat to kangaroo populations is implemented or exists. Should any of the conditions above not be met or should they offer substantial evidence that one or more of the three species of kangaroos concerned are endangered now or are imminently threatened with becoming endangered, the Secretary of the Interior will promptly list as "endangered" the species concerned by appropriate amendment published in the FEDERAL REGISTER.

Accordingly, appendix A of part 17 of 50 CFR is amended by adding the following species to the "U.S. List of Endangered Foreign Fish and Wildlife." Information in the "where found" columns below is provided only for informative and advisory purposes, is not exhaustive nor inclusive and has no legal effect.

Common name	Scientific name	Where found
Yellow-footed rock wallaby	<i>Petrogale zanthopus</i>	Australia.
Tasmanian forest.	<i>Macropus giganteus tasmaniensis</i>	Do.
Desert bandicoot	<i>Perameles eremiana</i>	Do.
Gaimards rat-kangaroo	<i>Bettongia gaimardi</i>	Do.
Quokka	<i>Setonix brachyurus</i>	Do.
Stick-nest rat	<i>Leporillus conditor</i>	Do.
Queensland hairy-nosed wombat	<i>Lasionotus gilvipes</i>	Do.
Eastern native-cat	<i>Dasyurus rirerrius</i>	Do.
Numbat	<i>Myrmecobius fasciatus</i>	Do.
Gould's mouse	<i>Pseudomys gouldii</i>	Do.
Ground parrot	<i>Pezoporus wallicus</i>	Do.
Plain Wanderer	<i>Pedionomus torquatus</i>	Do.
Aquatic box turtle	<i>Terrapene coahuila</i>	Mexico.

Consistent with the foregoing, and in recognition of the fact that by listing the species the law will apply to their subspecies as well, the "U.S. List of Endangered Foreign Fish and Wildlife" is further amended by deleting the following subspecies of the species named above:

Common name	Scientific name	Where found
Rusty numbat	<i>Myrmecobius fasciatus rufus</i>	Australia.

Appendix D to part 17, of title 50, Code of Federal Regulations is amended by adding the following species or subspecies to the United States List of Endangered Native Fish and Wildlife:

MAMMALS

Common name	Scientific name
Utah prairie dog	<i>Cynomys parvidens</i> .
Northern Rocky Mountain wolf.	<i>Canis lupus irremotus</i> .
Eastern cougar	<i>Felis concolor cougar</i> .

BIRDS

Common name	Scientific name
Mississippi sandhill crane	<i>Grus canadensis pulla</i> .
Puerto Rican whip-poor-will.	<i>Caprimulgus noctitherus</i> .
Santa Barbara song sparrow	<i>Melospiza melodia graminea</i> .

AMPHIBIANS

Common name	Scientific name
Desert slender salamander	<i>Batrachoseps aridus</i> .

FISH

Common name	Scientific name
Oklaloosa darter	<i>Etheostoma okaloosae</i> .

It is determined that these amendments to appendixes A and D should be implemented without delay in order to minimize the threats to the continued existence of these animals. Consequently, for good cause found, it is determined

that this amendment shall be effective on June 4, 1973.

SPENCER H. SMITH,
Director.

MAY 30, 1973.

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Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

COLOR ADDITIVES

The Commissioner of Food and Drugs is amending "Part 2—Administrative Functions, Practices, and Procedures" (21 CFR pt. 2) to update the redelegation of the final authority of the Commissioner relating to certification of color additives by correcting the Office and Division titles which were changed by a reorganization of the Bureau of Foods. Further redelegation of the authority redelegated hereby is not authorized. Authority redelegated hereby to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him as "acting" or unless not legally permissible.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), part 2 is amended in § 2.120 by revising paragraph (f) to read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

(f) *Delegations regarding certification of color additives.*—The Director and Deputy Director of the Bureau of Foods, the Director and Deputy Director of the Office of Technology of that Bureau, and the Director and Deputy Director of the Division of Color Technology of that Office and Bureau are authorized to certify batches of color additives for use in foods, drugs, or cosmetics, pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

Effective date.—This order shall be effective on June 4, 1973.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a).)

Dated May 25, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.73-11094 Filed 6-1-73;8:45 am]