

available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Categories A and B (debris removal and emergency protective measures) under the Public Assistance program, and Hazard Mitigation in the designated areas, and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Marianne C. Jackson of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of New York to have been affected adversely by this declared major disaster:

Categories A and B (debris removal and emergency protective measures) for the counties of Cayuga, Fulton, Madison, and Onondaga.

All counties within the State of New York are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.)

**James L. Witt,**

*Director.*

[FR Doc. 98-25716 Filed 9-24-98; 8:45 am]

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## FEDERAL MARITIME COMMISSION

### Fact Finding Investigation No. 23— Ocean Common Carrier Practices in the Transpacific Trades; Order of Investigation

Pursuant to the Shipping Act of 1984, 46 U.S.C. app. 1701 *et seq.* ("Act"), the Federal Maritime Commission ("Commission") is responsible for administering a nondiscriminatory regulatory process for the common carriage of goods by water in the foreign commerce of the United States. Section 10 of the Act contains specific prohibitions against conduct which

would conflict with this system of common carriage.

During the past few weeks, the Commission has received information and allegations that ocean common carriers in the eastbound Transpacific trades have engaged in activities that may be inconsistent with their obligations as common carriers, and that may be in violation of certain section 10 prohibitions. The activities are said to include various forms of refusals of space for cargo unless the shipper agrees to significantly increase rates or charges, and/or the imposition of novel charges such as an "Additional Space Protection Surcharge" or "Container Repositioning Charge." Ocean carriers engaged in this activity appear to include conference lines as well as independents, and may include carrier actions taken individually or collectively. There are some indications that these activities are targeted solely toward small and medium sized shippers and non-vessel-operating common carriers. Large, "champion" accounts are said to be exempt from these pressures to pay additional or increased charges to obtain bookings.

The current situation in the inbound Transpacific trades is reported to be one of excess cargo and insufficient vessel space. The primary causes of this situation are said to be weak Asian economies, a strong U.S. dollar, and the holiday cargo surge. Exacerbating this inbound surplus of cargo is a significant decline in westbound shipments, causing an imbalance in cargo and in the need for carrier equipment. Nevertheless, ocean common carriers operating in U.S. trades have an obligation to treat shippers in a fair and non-discriminatory manner in the acceptance, handling and carriage of cargo. If there is insufficient space for the amount of cargo tendered, carriers may not refuse to accept cargo or bookings because of the level of revenue to be achieved by the particular shipment.

In *Banana Distributors, Inc. v. Grace Line*, 5 FMB 615, 620 (1959), the Commission was faced with a situation in which the amount of cargo exceeded the carrier's available space. The Commission found that: "Where the demand for space exceeds the supply, the law is clear: a common carrier must equitably prorate its available space among shippers. *Penna. R.R. Co. v. Puritan Coal Co.*, 237 U.S. 121 (1915); *Patrick Lumber Co. v. Calmar S.S. Corp.*, 2 U.S.M.C. 494 (1941)." *Id.* at 625. While that decision was rendered under the Shipping Act, 1916, nothing contained in the 1984 Act, or in subsequent case law, would appear to

alter this obligation of common carriers subject to regulation by the Commission to "equitably prorate" available space.

In view of these allegations and information, the Commission has determined to commence this nonadjudicatory investigation to gather facts related to recent practices by ocean common carriers in the transpacific trades. Specifically, the Investigative Officer named herein is to develop a record on various practices allegedly engaged in by ocean common carriers in recent weeks, either individually or collectively, to obtain, or attempt to obtain, higher rates or charges for carrying cargo in the inbound trades from the Far East to the United States, including:

1. Demands for rates other than those set forth in applicable tariffs or service contracts;
2. Refusals to accept cargo or provide service absent payment of higher rates;
3. Demands for renegotiation or amendment of service contracts under threat of non-acceptance of cargo;
4. Improper termination of service contracts and application of higher tariff rates;
5. Acceptance of low rated cargo as misdescribed higher rated cargo;
6. "Voluntary" rate increases;
7. Unlawful preference or discrimination by exempting large shippers or "champion accounts" from rate increases or service refusals;
8. The imposition of unreasonable increases in rates or charges; and
9. Other, similar, practices which may be violative of the Act or Commission regulations.

The Investigative Officer is to report to the Commission within the time specified herein, with recommendations for any further Commission action, including any formal adjudicatory, injunctive or rulemaking proceedings, warranted by the factual record developed in this proceeding.

Interested persons are invited and encouraged to contact the Investigative Officer named herein, at (202) 523-5721 (Phone) or (202) 523-0298 (Fax), should they wish to provide testimony or evidence, or to contribute in any other manner to the development of a complete factual record in this proceeding.

*Therefore it is ordered,* That pursuant to sections 6, 10, 11, 12 and 15 of the Shipping Act of 1984, 46 U.S.C. app. 1705, 1709, 1710, 1711 and 1714, and Part 502, Subpart R of Title 46 of the Code of Federal Regulations, 46 CFR 502.281, *et seq.*, a nonadjudicatory investigation is hereby instituted into practices of ocean common carriers in the Transpacific trades, to develop the

issues set forth above and to provide a basis for any subsequent regulatory, adjudicatory or injunctive action by the Commission.

*It is further ordered,* That the Investigative Officer shall be Commissioner D.J.H. Won of the Commission. The Investigative Officer shall be assisted by staff members as may be assigned by the Commission's Managing Director and shall have full authority to hold public or non-public sessions, to resort to all compulsory process authorized by law (including the issuance of subpoenas ad testificandum and duces tecum), to administer oaths, to require reports, and to perform such other duties as may be necessary in accordance with the laws of the United States and the regulations of the Commission;

*It is further ordered,* That the Investigative Officer shall issue a report of findings and recommendations no later than 90 days after publication of this Order in the **Federal Register**, and interim reports if it appears that more immediate Commission action is necessary, such reports to remain confidential unless and until the Commission provides otherwise;

*It is further ordered,* That this proceeding shall be discontinued upon acceptance of the final report of findings and recommendations by the Commission, unless otherwise ordered by the Commission; and

*It is further ordered,* That notice of this Order be published in the **Federal Register**.

By the Commission.

**Joseph C. Polking,**  
Secretary.

[FR Doc. 98-25636 Filed 9-24-98; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Safety and Occupational Health Study Section; NIOSH Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the following committee meeting:

*Name:* Safety and Occupational Health Study Section (SOHSS), National Institute for Occupational Safety and Health (NIOSH).

*Times and Dates:* 8 a.m.-5:30 p.m., October 29, 1998; 8 a.m.-5:30 p.m., October 30, 1998.

*Place:* Holiday Inn, 5520 Wisconsin Ave., Washington, DC 20815.

*Status:* Open 8 a.m.-8:30 a.m. October 29, 1998; Closed 8:30 a.m.-5:30 p.m. October 29, 1998; Closed 8 a.m.-5:30 p.m. October 30, 1998.

*Purpose:* The Safety and Occupational Health Study Section will review, discuss, and evaluate grant application(s) received in response to the Institute's standard grants review and funding cycles pertaining to research issues in occupational safety and health and allied areas. The Study Section will also consider grant applications received in response to the Institute's numbered solicitations as follows:

*Request for Application Number 98030* entitled, "Occupational Radiation and Energy-Related Health Research Grants," which pertains to the following endeavors: (a) research to identify and investigate the relationships between health outcomes and occupational exposure to radiation and other hazardous agents; (b) epidemiological methods research relevant to energy-related occupational health research; and (c) research related to assessing occupational exposures. The focus of the proposed research should reflect the following topical areas, emphasizing field research: (1) retrospective exposure assessment; (2) radiation measurement issues; (3) non-cancer morbidity and mortality outcomes; (4) meta-analysis and combined analysis methodologies; (5) uncertainty analysis; (6) effects of measurement error on risk estimates; (7) studies of current workers; and (8) risk communication and worker outreach.

*Request for Application Number 98056* entitled, "Mining Occupational Safety and Health Research Grants," which pertains to the following endeavors: (a) research to develop knowledge that can be used to prevent occupational diseases and injuries to miners; (b) hypothesis-testing research to identify and quantify occupational health and safety hazards to miners; (c) methods and technology development to measure and control mining related safety hazards; and (d) strategies to translate research findings so that they might be applied to solve health and safety problems in mines. The focus of the proposed grants should emphasize research in the following topical areas, which are in priority order: (1) hearing loss prevention; (2) mining injury prevention; (3) dust and toxic substance control; (4) social and economic consequences of mining illness and injury; and (5) surveillance.

It is the intent of NIOSH to support broad-based research endeavors in keeping with the Institute's program goals which will lead to improved understanding and appreciation for the magnitude of the aggregate health burden associated with occupational injuries and illnesses, as well as to support more focused research projects which will lead to improvements in the delivery of occupational safety and health services and the prevention of work-related injury and illness. It is anticipated that research funded will promote these program goals.

*Matters To Be Discussed:* The meeting will convene in open session from 8-8:30 a.m. on October 29, 1998, to address matters related to the conduct of Study Section business.

The remainder of the meeting will proceed in closed session. The purpose of the closed sessions is for the Safety and Occupational Health Study Section to consider safety and occupational health related grant applications. These portions of the meeting will be closed to the public in accordance with provisions set forth in section 552(c)(4) and (6) title 5 U.S.C., and the Determination of the Associate Director for Management and Operations, CDC, pursuant to Pub. L. 92-463. Agenda items are subject to change as priorities dictate.

*Contact Person for More Information:* Pervis C. Major, Ph.D., Scientific Review Administrator, Office of Extramural Coordination and Special Projects, Office of the Director, NIOSH, 1095 Willowdale Road, Morgantown, West Virginia 26505. Telephone 304/285-5979.

Dated: September 18, 1998.

**Carolyn J. Russell,**  
*Director, Management Analysis and Services Office, Centers for Disease Control and Prevention (CDC).*

[FR Doc. 98-25670 Filed 9-24-98; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. 98N-0335]

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Good Laboratory Practices (GLP) Regulations for Nonclinical Studies

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that the proposed collection of information listed below has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (the PRA).

**DATES:** Submit written comments on the collection of information by October 26, 1998.

**ADDRESSES:** Submit written comments on the collection of information to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA.

**FOR FURTHER INFORMATION CONTACT:** JonnaLynn P. Capezzuto, Office of Information Resources Management (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-4659.

**SUPPLEMENTARY INFORMATION:** In compliance with section 3507 of the