

in pulp and paper mills utilizing RH-287 for slime control, and for paper coatings, wet lap, and dispersed pigment preservation in accordance with its FIFRA labeling.

F. International Tolerances

There are no Codex maximum residue levels (MRLs) established for residues of RH-287.

G. Estrogenic Effects

RH-287 is judged not to be an estrogenic material for the following reasons:

1. RH-287 is not structurally related to any known estrogenic materials.

Although RH-287 contains two chlorine atoms, these chlorine atoms are readily released as chloride ions upon environmental degradation;

2. An extensive toxicology database on RH-287 and other isothiazolones indicates that these materials do not cause direct systemic toxicity.

Relatively high concentrations of these materials are only toxic to the site of application;

3. Histopathologic examination in our RH-287 three-month dietary study summarized above indicated no toxicity to reproductive organs; and

4. Our developmental toxicity study summarized above indicated no reproductive toxicity.

Thus, based on structure activity analysis and on toxicology studies conducted with RH-287, there is no scientific evidence that indicates, or even suggests, that RH-287 is estrogenic. (Karen Levy)

[FR Doc. 98-25448 Filed 9-22-98; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL MARITIME COMMISSION

[Docket No. 98-16]

Eastern Mediterranean Shipping Corp. d/b/a Atlantic Ocean Line and Anil K. Sharma Possible Violations of Sections 10(a)(1), 10(b)(1) and 10(d)(1) of the Shipping Act of 1984; Order of Investigation and Hearing

Eastern Mediterranean Shipping Corp. ("Eastern"), also doing business as Atlantic Ocean Line,¹ is a tariffed and bonded NVOCC located at 990 Avenue of the Americas, Suite 6E, New York, NY 10018. Eastern holds itself out as an

¹ Although Eastern currently uses Atlantic Ocean Line as a d/b/a, the principal of Eastern started Atlantic Ocean Line Corp., ATFI org. number 014201, in 1996 as a separately tariffed and bonded NVOCC. It appears that Atlantic Ocean Line Corp. operated, until recently, from the same office as Eastern.

NVOCC pursuant to its ATFI tariff FMC No. 013236-001, effective December 12, 1995. Eastern currently maintains an NVOCC bond, No. 8941330, in the amount of \$50,000 with the Washington International Insurance Company, located in Schaumburg, Illinois.

Eastern was incorporated in 1994, and Anil (a.k.a. "Andy") K. Sharma, who owns 100% of the company stock, is the President and Chief Executive Officer. Sharma currently manages Eastern, and is actively involved in the company's day to day operations as an NVOCC.

Section 10(a)(1) of the Shipping Act of 1984 ("1984 Act"), 46 U.S.C. app. § 1709(a)(1), prohibits any person knowingly and willfully, directly or indirectly, by means of false billings, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, to obtain or attempt to obtain ocean transportation for property at less than the rates or charges that would otherwise be applicable. It appears that Eastern has knowingly and willfully misdeclared cargo shipments in order to obtain favorable rates under a service contract entered into with Zim Israel Navigation Co. Ltd. ("Zim"). For the shipments at issue, Eastern's house bills of lading properly declared the commodity being shipped. However, the master bills of lading issued by the carrier show that Eastern declared a different commodity for the same shipment. Zim rated the commodities in accordance with the inaccurate description furnished by Eastern. In each instance, Eastern changed the declaration from a commodity not listed in the service contract, to a commodity that was contained therein. Eastern was named as shipper on all of Zim's bills of lading, and therefore had knowledge of the actual commodity for which transportation was obtained. Other documentation, such as invoices, rate quotes, booking confirmations and shipper's export declarations reflect that Eastern and its principals were apparently cognizant that the shipments actually consisted of commodities different from those listed on Zim's bills of lading.

Section 10(b)(1), 46 U.S.C. app. § 1709(b)(1), prohibits a common carrier from charging, collecting or receiving greater, less or different compensation for the transportation of property than the rates and charges set forth in its tariff. It appears that Eastern did not charge the rates set forth in its tariff on numerous shipments, filed tariff amendments subsequent to the shipment taking place, and in other instances failed to file a commodity rate at all. Eastern also filed commodity rates

under the wrong commodity description, making them inapplicable to the shipments involved. It further appears Eastern also improperly assessed surcharges not filed in its tariff.

Section 10(d)(1), 46 U.S.C. app. § 1709(d)(1), states that no common carrier may fail to establish, observe and enforce just and reasonable regulations and practices relating to or connected with receiving, handling, storing, or delivering property. It appears Eastern has failed to establish and observe reasonable practices in receiving and delivering property entrusted to it by its customers. The Commission's Office of Informal Inquiries and Complaints and Informal Dockets, has received over 40 complaints in the last two years from shippers and freight forwarders who have dealt with Eastern. The complaints include instances such as Eastern failing to pay ocean freight to the ocean common carrier, failing to respond to requests for information about shipments, as well as failing to release bills of lading once freight has been paid. Furthermore, it appears that Eastern repeatedly fails to notify shippers regarding sailing schedules and vessel names, provides deceptive information about the location of cargo and fails to deliver cargo as promised. As a direct result of Eastern's failure to perform its duties as an NVOCC, shippers experience frustration and anxiety over losing their business reputation as well as lost revenue in correcting the problems caused by Eastern.

Under section 13 of the 1984 Act, 46 U.S.C. app. § 1712, a person is subject to a civil penalty of not more than \$25,000 for each violation knowingly and willfully committed, and not more than \$5,000 for other violations.² Section 13 further provides that a common carrier's tariff may be suspended for violations of section 10(b)(1) for a period not to exceed one year, while section 23 of the 1984 Act, 46 U.S.C. app. § 1721 provides for a similar suspension in the case of violations of section 10(a)(1) of the 1984 Act.

Now therefore, it is ordered, That pursuant to sections 10, 11, 13, and 23 of the 1984 Act, 46 U.S.C. app. §§ 1709, 1710, 1712 and 1721, an investigation is instituted to determine:

(1) Whether Eastern Mediterranean Shipping Corp. and/or Anil K. Sharma violated section 10(a)(1) of the 1984 Act by directly or indirectly obtaining

² The maximum penalties are raised by 10 percent for violations occurring after November 7, 1996. See Inflation Adjustment of Civil Monetary Penalties, 276 S.R.R. 809 (1996).

transportation at less than the rates and charges otherwise applicable through the means of misdescription of the commodities actually shipped;

(2) Whether Eastern Mediterranean Shipping Corp. violated section 10(b)(1) of the 1984 Act by charging, demanding, collecting or receiving less or different compensation for the transportation of property than the rates and charges shown in its NVOCC tariff;

(3) Whether Eastern Mediterranean Shipping Corp. violated section 10(d)(1) of the 1984 Shipping Act by failing to establish, observe and enforce just and reasonable regulations and practices relating to or connected with receiving, handling, storing, or delivering property;

(4) Whether, in the event violations of sections 10(a)(1), 10(b)(1) and 10(d)(1) of the 1984 Act are found, civil penalties should be assessed against Eastern Mediterranean Shipping Corp. and/or Anil K. Sharma and, if so, the amount of penalties to be assessed;

(5) Whether, in the event violations of sections 10(a)(1) or 10(b)(1) of the 1984 Act are found, the tariff of Eastern Mediterranean Shipping Corp. should be suspended; and

(6) Whether, in the event violations are found, an appropriate cease and desist order should be issued.

It is further ordered, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges in compliance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Administrative Law Judge only after consideration has been given by the parties and the Presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statement, affidavits, depositions, or other documents or that the nature of the matters in issue in such that an oral hearing and cross-examination are necessary for the development of an adequate record.

It is further ordered, That Eastern Mediterranean Shipping Corp. and Anil K. Sharma are designated as Respondents in this proceeding;

It is further ordered, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

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

Register, and a copy be served on parties of record;

It is further ordered, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

It is further ordered, That all further notices, orders and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be service on parties of record;

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in accordance with Rule 118 of the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on parties of record; and

It is further ordered, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by September 18, 1999 and the final decision of the Commission shall be issued by January 18, 2000.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 98-25405 Filed 9-22-98; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Proposed Collection; Comment Request; Correction

This notice corrects a notice (FR Doc. 98-24553) published on pages 49122-49123 of the issue for Monday, September 14, 1998.

Under 1. Report title: Recordkeeping and Disclosure Requirements Associated with Securities Transactions Pursuant to Regulation H, is revised to read as follows:

Frequency:

development of policy statement: one-time;

trust company report: quarterly;

transactions recordkeeping: on occasion;

disclosure: on occasion;

Comments on this application must be received by November 16, 1998.

Board of Governors of the Federal Reserve System, September 17, 1998.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 98-25353 Filed 9-22-98; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 8, 1998.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *John W. Allison and Robert H. Adcock, Jr.*, both of Conway, Arkansas; to acquire voting shares of Holly Grove Bancshares, Inc., Holly Grove, Arkansas, and thereby indirectly acquire voting shares of Bank of Holly Grove, Holly Grove, Arkansas.

Board of Governors of the Federal Reserve System, September 18, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-25440 Filed 9-22-98; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the