

QUARTERLY REPORT—Continued

District docket	Location	Type	Effective date
08-97-023	Oakmont, PA	Special Local	7/26/97
08-97-036	Kaskaskia River, M. 28 to M. 29	Special Local	9/6/97
09-97-017	Tonawanda, NY	Safety Zone	7/4/97
09-97-022	Tonawanda, NY	Safety Zone	7/27/97
09-97-024	Lake Michigan	Safety Zone	7/19/97
09-97-025	Lake Michigan	Security Zone	7/21/97
09-97-026	Lake Michigan	Security Zone	7/23/97
09-97-027	Lake Michigan and Chicago River	Security Zone	8/1/97
13-97-020	Portland, OR	Safety Zone	8/15/97
13-97-021	Tacoma, WA	Safety Zone	8/15/97
13-97-024	Willamette River, Portland, OR	Safety Zone	9/8/97
13-97-025	Bremerton, WA	Safety Zone	8/30/97
17-97-001	Beaufort Sea	Safety Zone	8/13/97

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COTP docket	Location	Type	Effective date
Honolulu 97-001	Honolulu, HI	Safety Zone	7/2/97
Honolulu 97-004	Waimanalo Bay, Waimanalo, HI	Safety Zone	9/7/97
Houston-Galveston 97-006	Clear Lake, Houston, TX	Safety Zone	7/4/97
Houston-Galveston MSU 97-005	Galveston, TX	Safety Zone	7/15/97
Huntington 97-003	Ohio River, M. 175.5 to M. 176.5	Safety Zone	8/24/97
Huntington 97-005	Ohio River, M. 163 to M. 164	Safety Zone	9/14/97
LA/LB 97-008	Purisima Point, CA	Safety Zone	9/29/97
Mobile 97-012	Gulf of Mexico, FL	Safety Zone	7/9/97
Mobile 97-17	Destin, FL	Safety Zone	8/30/97
New Orleans 97-014	Mississippi River, M. 94 to M. 95	Safety Zone	7/4/97
New Orleans 97-015	Lake Pontchartrain, Kenner, LA	Safety Zone	7/4/97
New Orleans 97-016	LWR Mississippi River, M. 92 to M. 83.5	Safety Zone	7/25/97
New Orleans 97-017	LWR Mississippi River, M. 94 to M. 95	Safety Zone	7/26/97
Port Arthur 97-002	Neches River, Beaumont, TX	Safety Zone	7/4/97
San Diego Bay 97-002	Copper Canyon, Lake Havasu, Colorado River	Safety Zone	7/3/97
San Diego Bay 97-003	San Diego Bay, CA	Safety Zone	7/25/97
San Francisco Bay 97-009	San Francisco Bay, CA	Safety Zone	7/13/97
San Francisco Bay 97-010	Sacramento River, CA	Safety Zone	9/7/97
San Juan 97-034	San Juan, Puerto Rico	Safety Zone	7/7/97
San Juan 97-036	San Juan, Puerto Rico	Safety Zone	7/23/97
San Juan 97-037	San Juan, Puerto Rico	Safety Zone	7/24/97
San Juan 97-038	Mona Island, Puerto Rico	Safety Zone	7/26/97
San Juan 97-044	San Juan, Puerto Rico	Safety Zone	9/4/97
San Juan 97-049	San Juan, Puerto Rico	Safety Zone	9/28/97
Western Alaska 97-003	Resurrection Bay, Seward, AK	Safety Zone	7/24/97
Western Alaska 97-005	Beaufort Sea	Safety Zone	8/13/97

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BILLING CODE 4910-14-M

**POSTAL SERVICE**

**39 CFR Part 111**

**Ancillary Service Endorsements for Perishable Contents**

**AGENCY:** Postal Service.  
**ACTION:** Final rule; request for comments.

**SUMMARY:** This final rule extends the use of the endorsement "Change Service Requested" to Priority Mail pieces containing perishable articles (excluding live animals) under two conditions: the mail participates in

Address Change Service (ACS) and the pieces bear the proper ACS codes, and the pieces bear the appropriate endorsement for change service and the endorsement "Perishable." This final rule also precludes use of the endorsement "Change Service Requested" with matter mailed at First-Class rates that contains live animals.

**DATES:** This final rule is effective on November 7, 1997. Comments must be received on or before December 8, 1997.

**ADDRESSES:** Mail or deliver written comments to the Manager, Address Management, National Customer Support Center, 6060 Primacy Pkwy STE 201, Memphis TN 38188-0001. Copies of all written comments will be available at the above address for

inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Audrey Conley, (901) 681-4474.

**SUPPLEMENTARY INFORMATION:** Under Domestic Mail Manual (DMM) F010.5.1, electronic Address Change Service (ACS) mailers may opt to receive a notice of new address or reason for nondelivery by placing the endorsement "Change Service Requested" on prescribed subclasses of First-Class Mail. Consistent with DMM F010.5.1, undeliverable as addressed (UAA) pieces bearing this endorsement are disposed of by the Postal Service. Under present standards, the "Change Service Requested" endorsement is available

only for First-Class Mail letters and sealed parcels and stamped and postcard subclass mail for which electronic ACS service has been elected. DMM F010.5.1 expressly provides that this endorsement option is not available in conjunction with Priority Mail.

Since the implementation of the "Change Service Requested" option on July 1, 1997, the Postal Service has received requests from mailers of perishable articles, such as fruits, to have the "Change Service Requested" endorsement apply to Priority Mail pieces. Some mailers of such items indicate that they would prefer that UAA pieces whose contents include perishables be destroyed, rather than returned or forwarded, because such items may spoil before reaching the addressee at a new address or the sender if returned. This measure would, moreover, improve customer satisfaction for these mailers, in that they would acquire the information that they need to send a fresh replacement to an addressee at a new address, if appropriate, in lieu of having spoiled contents forwarded to the addressee or returned to sender. This measure also benefits the Postal Service by eliminating the need to forward or return pieces containing perishable items which would be of no use or value to either the sender or the recipient.

To accommodate mailers of perishable items, the Postal Service has determined to extend the availability of

the "Change Service Requested" endorsement option to Priority Mail pieces that also bear the marking "Perishable" and for which electronic ACS service has been elected. Since this option is available only to ACS mailers and only for Priority Mail pieces bearing the additional "perishable" marking, and given that the use of this endorsement is already permitted for pieces sent via letters and sealed parcels, it is reasonable to conclude that all mailers who elect this option will be aware of the nature of the service provided and the consequences in the event a piece bearing the endorsement is undeliverable as addressed. This change is accordingly effective immediately.

The Postal Service is also amending DMM F010.5.1 for consistency with DMM C022.3.10 and C022.3.12, which establish procedures for acceptance and handling of mail-pieces containing mailable live animals. The Postal Service does not intend that the handling procedures for the endorsement "Change Service Requested" replace those established for accepting, marking, and handling, of mail containing live animals; consequently, DMM F010.5.1 is amended to preclude mailers from electing the "Change Service Requested" option for mail pieces containing live, mailable animals.

The Postal Service is soliciting comments on this final rule.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites comments on the following revisions of the Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR part 111.

**List of Subjects in 39 CFR Part 111**

Postal service.

**PART 111—[AMENDED]**

1. The authority citation for 39 CFR part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the following sections of the Domestic Mail Manual as set forth below:

**F FORWARDING AND RELATED SERVICES**

**F010 Basic Information**

\* \* \* \* \*

**5.0 CLASS TREATMENT FOR ANCILLARY SERVICES**

**5.1 Priority Mail and First-Class Mail**

[Revise the "Change Service Requested" portion of the table in 5.1 to read as follows:]

\* \* \* \* \*

"Change Service Requested" .....

Separate notice of new address or reason for nondelivery provided; in either case, address correction fee charged, piece disposed of by USPS. Use of this endorsement is limited to mail participating in electronic Address Change Service (ACS). It may be used only for: (1) pieces mailed at First-Class rates (excluding live animals) that bear the proper ACS codes, and (2) mail pieces mailed at Priority Mail rates that contain perishable matter (excluding live animals), bear the proper ACS codes, and that bear the endorsement "Perishable." This endorsement must not be used for mail with special services (e.g., certified or registered mail) or for Priority Mail containing non-perishable matter, or for any mail that contains live animals.

\* \* \* \* \*

**F030 Address Correction, Address Change, FASTforward<sup>SM</sup>, and Return Services**

\* \* \* \* \*

**5.0 RETURNING MAIL**

\* \* \* \* \*

**5.3 Express Mail, Priority Mail, First-Class Mail**

[Amend 5.3 to read as follows:]

Undeliverable-as-addressed mail pieces sent as Express Mail, Priority Mail, and First-Class Mail (including stamped cards and postcards) that cannot be forwarded or delivered as addressed are returned when possible to the sender at no additional charge. Exception: First-Class Mail pieces, and Priority Mail pieces containing perishable contents, that bear the endorsement "Change Service Requested" and that cannot be forwarded or delivered as addressed and

that do not contain live animals are disposed of by the USPS. Mail of all other classes may be returned to the sender if appropriately endorsed to guarantee return postage.

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An appropriate amendment to 39 CFR 111.3 will be published to reflect these changes.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

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