

maintained was time-sensitive in content, would not benefit from the proposed standard.

Although the Postal Service does not guarantee the delivery of Periodicals publications within a specified time, it handles all such publications, whether designated "NEWS" or "PER," as expeditiously as possible in distribution, dispatch, transportation, and delivery. There are few differences between the ways in which the Postal Service handles publications designated "NEWS" and "PER." In general, those designated "NEWS" are handled first to ensure timely processing and dispatch. Despite that difference, the Postal Service fully supports the invaluable role Periodicals publications play in keeping the American public informed and enlightened. As a consequence, the Postal Service makes every possible attempt to provide similar handling for publications designated "PER" to ensure timely and consistent delivery. The final rule does provide publishers of publications not authorized newspaper treatment, including the publication issued by the commenter, the option of being combined or copalletized with those publications that are authorized "NEWS" treatment.

As a clarification about what constitutes time-sensitive publications, the proposed rule did not address that issue or attempt to discuss or consider criteria other than frequency of publication that would need to be applied for determining the use of "NEWS" and "PER." Since this issue is outside the scope of this rulemaking, the changes discussed in the proposed rule were based on practical operational reasons stemming from mail production that combines publications eligible for "NEWS" with those eligible only for "PER." In view of that situation, mailers and publishers requested standards that specified the criteria under which those two designations could be used.

After full consideration of the comments received and for the reasons cited above, the Postal Service believes it appropriate to adopt the proposed rule for the use of the "NEWS" and "PER" designations for combined mailings and copalletized mailings.

#### 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, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Amend the following sections of the *Domestic Mail Manual* (DMM) as set forth below:

#### E Eligibility

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#### E200 Periodicals

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#### E230 Carrier Route Rates

[Remove 4.0.]

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#### M Mail Preparation and Sortation

#### M000 General Preparation Standards

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#### M030 Containers

#### M031 Labels

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#### 1.0 SACK AND TRAY LABELS

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[Revise 1.7 to read as follows:]

#### 1.7 Periodicals Publications

Except as provided in M230.2.0 for combined mailings, Periodicals publications must use one of the following for Line 2 class information:

a. "PER."

b. "NEWS" if published weekly or more often or if authorized newspaper treatment as of March 1, 1984.

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#### 4.0 PALLET LABELS

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[Revise 4.11 to read as follows:]

#### 4.11 Periodicals Publications

Except as provided in M045.8.0 for copalletized mailings, Periodicals publications must use one of the following for Line 2 class information:

a. "PER."

b. "NEWS" if published weekly or more often or if authorized newspaper treatment as of March 1, 1984.

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#### M032 Barcoded Labels

#### 1.0 BASIC STANDARDS—TRAY AND SACK LABELS

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[Revise 1.3b to read as follows:]

#### 1.3 Content Line (Line 2)

The content line must meet these standards:

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b. *Periodicals.* Except as provided in M045.8.0 for copalletized mailings and in M230.2.0 for combined mailings, Periodicals publications must use one of

the following for Line 2 class information:

(1) "PER."

(2) "NEWS" if published weekly or more often or if authorized newspaper treatment as of March 1, 1984.

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#### M040 Pallets

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#### M045 Palletized Mailings

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[Revise heading of 8.0 to read as follows:]

#### 8.0 COPALLETIZED FLAT-SIZE PIECES—PERIODICALS OR STANDARD MAIL

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[Amend 8.2 by revising 8.2a, adding new 8.2b, and redesignating current 8.2b as 8.2c to read as follows:]

#### 8.2 Periodicals

Additional standards are as follows:

a. Periodicals eligible for preferred rates (In-County, Nonprofit, Classroom, and Science-of-Agriculture) may be combined with Periodicals eligible for Outside-County rates.

b. All pallets in a copalletized mailing are identified on the content line (Line 2) of the label with only "NEWS" (see M031) or "PER" as the class designation under these conditions:

(1) If at least 51% of the total number of copies in the copalletized mailing can qualify for "NEWS" treatment, then all pallets in such a mailing are labeled "NEWS," unless the mailer chooses to use "PER."

(2) If less than 51% of the total number of copies in a copalletized mailing can qualify for "NEWS" treatment, then all pallets in such a mailing are labeled "PER."

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[Revise M230 by amending heading of M230; by amending 1.0; and by redesignating and amending current 2.0 as 2.2, current 3.0 as 2.1, current 4.0 as 2.4, and current 5.0 as 2.5 to read as follows:]

#### M230 Combining Multiple Editions or Publications

#### 1.0 DESCRIPTION

#### 1.1 Purpose

Periodicals publications may be prepared as a combined mailing by merging copies either during production or after finished copies are produced to achieve the finest presort level possible or to reduce the per piece charge.

#### 1.2 Methods

A Periodicals combined mailing may be prepared using either one of these methods: