

ing delivery of such grain the applicant shall execute and deliver to any officer authorized to enforce this part written assurances as follows:

(a) That grain made available to him under this part will be used exclusively for the prevention and abatement of crop damage by migratory waterfowl and that no portion of such grain will be sold, donated, exchanged, or used as feed for livestock or other domestic animals or for any other purpose;

(b) That consent is granted to any officer authorized to enforce this part, to inspect, supervise or direct the placement and distribution of grain made available under this part for the prevention of crop damage at all reasonable times;

(c) That free and unrestricted access over the premises on which feeding operations have been or are to be conducted shall be permitted at all reasonable times, by any officer authorized to enforce this part and that such information as may be required by the officer will be promptly furnished; and

(d) That the applicant will not take, nor permit his agents, employees, invitees, or other persons under his control to take migratory game birds on or over any lands or waters subject to his control, during the time such grain is placed, exposed, deposited, distributed, scattered, or present upon such lands or waters, nor for a period of 10 days immediately following the consumption or removal of such grain from such lands or waters.

§ 90.17 Compliance with other regulations.

Nothing in this subpart shall be construed to supersede or modify any regulations relating to the hunting of migratory game birds, nor to permit the transportation, installation or use of grain contrary to any applicable Federal, State, or local laws or regulations.

PART 91—MIGRATORY BIRD HUNTING AND CONSERVATION STAMP CONTEST

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AUTHORITY: 5 U.S.C. 301, 31 U.S.C. 483a.

SOURCE: 40 FR 25826, June 19, 1975, unless otherwise noted.

Subpart A—Introduction

§ 91.1 Purpose of regulations.

The regulations contained in this part set forth the rules and procedures governing the annual Migratory Bird Hunting and Conservation Stamp Contest through which a design is chosen for the Migratory Bird Hunting and Conservation Stamp.

[42 FR 34885, July 7, 1977]

§ 91.2 Definitions.

For the purpose of this part, the following terms shall be construed, respectively, to mean and to include:

“Contest Coordinator” means the contest official responsible for facili-

tating the judging process and tabulating the Judges' scores for each entry advanced into preliminary or final consideration. The contest coordinator will be named by the Secretary and will not be a past or present employee of the Fish and Wildlife Service.

"Qualifying entry" means each drawing or original work submitted in the contest which satisfies the technical requirements of design and submission procedures, as outlined in Subpart B of this part.

"Reproduction rights agreement" means the agreement that each contestant must sign and submit which certifies the originality of the entry and acknowledges the entrant's acceptance of the terms and conditions governing the right of the Fish and Wildlife Service to use and reproduce the winning design for the purpose set forth in the agreement.

[47 FR 26636, June 21, 1982]

Subpart B—Contest Entry Submission Procedures

§ 91.11 Contest deadlines.

(a) The contest to select the design for the annual Federal Migratory Bird Hunting and Conservation Stamp will officially open on July 1 of each year.

(b) All persons intending to submit an entry in the contest may request a copy of the contest's regulations and Reproduction Rights Agreement by writing to "Migratory Bird Hunting and Conservation Stamp Contest," Fish and Wildlife Service, United States Department of the Interior, Washington, D.C. 20240. Entries accompanied by the non-refundable remittance required by § 91.12 may be received any time after July 1, but must be received or postmarked no later than midnight of October 1.

[47 FR 26636, June 21, 1982]

§ 91.12 Contestant eligibility.

United States citizens, nationals, or resident aliens shall be eligible to participate in the contest. However, any person who has won the contest during the preceding three years shall be ineligible to submit an entry in the current year's contest. Members of the contest judging panel and their rela-

tives are also ineligible to submit an entry. To be eligible, all entrants must submit a non-refundable fee of \$20.00. Checks and money orders should be made payable to the Fish and Wildlife Service.

[40 FR 25826, June 19, 1975, as amended at 47 FR 26636, June 21, 1982]

§ 91.13 Technical requirements for design and submission of entry.

The design must be a horizontal drawing or painting five inches high and seven inches wide. Each entry may be drawn in any medium desired by the contestant and may be in either multicolor or black and white. No scroll work, lettering, signature, or initials may appear on the design. Each entry must be matted, (over or under) with an eight inch by ten inch mat (color optional) and protected by a covering of acetate or cellophane. Entries must not be framed or under glass.

[47 FR 26636, June 21, 1982]

§ 91.14 Restrictions on subject matter of entry.

A portrayal of live, non-extinct North American migratory ducks, geese, or swans (Family Anatidae) must be the dominant feature of the design. No such species shall be portrayed which has been selected for the Migratory Bird Hunting and Conservation Stamp during the preceding five years. The design must be the contestant's own original creation and may not be copied or duplicated from previously published art, including photographs. An entry submitted in a prior contest which was not selected for the stamp design, may be resubmitted in the present contest at the contestant's discretion.

[42 FR 34885, July 7, 1977, as amended at 45 FR 47690, July 16, 1980; 47 26636, June 21, 1982]

§ 91.15 Suitability of entry for engraving.

All entries should be rendered with fullest possible attention to tone and detail. These are important prerequisites in engraving for printing, as they determine texture and directions of lining. The wing and feather construc-

tion must be particularly well defined as an engraver is reliant on the art of the naturalist for details. Carefully detailed wash drawings using black ink or watercolor best meet these requirements. Dashing applications of watercolor are too indefinite for an engraver to render into line. Careful pencil renderings are nearly as effective as wash drawings but they often fail to define the needed degree of contrast. Etchings can be successfully adapted to engraving when they are sufficiently detailed.

§ 91.16 Submission procedures for entry.

(a) Contestants may submit only one entry. Each entry must be accompanied by a non-refundable entrance fee and a completed Reproduction Rights Agreement. The lower detachable portion of the contestant's Reproduction Rights Agreement must be completed and attached to the back of the entry.

(b) Each contestant must sign and clearly print his or her name, and submit the top portion of the Reproduction Rights Agreement.

(c) Each entry should be protectively wrapped and mailed first class registered to: "Migratory Bird Conservation Stamp Contest," Fish and Wildlife Service, United States Department of the Interior, Washington, D.C. 20240.

[47 FR 26636, June 21, 1982]

§ 91.17 Property insurance for entries.

All contestants are hereby notified of the advisability of obtaining adequate property insurance coverage for their respective entry. The Department of the Interior will not so insure the entries it receives. The Department and the Fish and Wildlife Service are not responsible for damage in the mails or loss by fire or theft.

[42 FR 34885, July 7, 1977]

§ 91.18 Failure to comply with contest regulations.

Any entry which fails to comply with any of the requirements of this Subpart shall be disqualified from the contest and will not be considered by the judging panel.

Subpart C—Contest Procedures

§ 91.21 Section and qualification of contest Judges.

Five Judges will be selected annually by the Secretary. The Judges will be recognized experts in the fields of ornithology, conservation, and/or art, to include waterfowling. Current employees of the Fish and Wildlife Service and their relatives are ineligible to serve as Judges for the contest. The Judges selected by the Secretary will serve without compensation, except for reasonable travel expenses. Identification of the members of the judging panel will be announced on the date that the judging takes place.

[47 FR 26636, June 21, 1982]

§ 91.22 Date and location of contest.

The selection of the winning entry will take place as soon as possible after the closing date of the contest but in no event will it be later than Nov. 10 of each year. The exact date, time and location of the contest will be announced a reasonable period of time prior to November 10 through the publication of a notice in the FEDERAL REGISTER.

[42 FR 34885, July 7, 1977]

§ 91.23 Display of entries for contest selection.

Entries chosen by the panel of judges under the procedures of § 91.25 of this part will be displayed chronologically, based on the date of receipt of the entry. The only visible identification mark on each displayed entry will be the number assigned to the entry by the Contest Coordinator (or authorized representative).

[45 FR 47690, July 16, 1980]

§ 91.24 Scoring criteria for contest.

Entries will be judged on the basis of anatomical accuracy and artistic composition and will receive a score of between one and ten.

§ 91.25 Scoring procedure for contest.

Prior to the judging of the entries, the entire panel of judges will be briefed by a printing and engraving

expert on the requisite characteristics which make a design suitable for engraving. All qualified entries will be shown one at a time to the panel of judges by the Contest Coordinator. The judges will vote on each entry, those entries receiving a majority vote will receive further consideration. This screening process will continue until 400 or fewer entries remain in the competition. These remaining entries will be placed together on display for public viewing and further judging. Each Judge will then be allowed to nominate an unlimited number of qualifying entries for preliminary consideration by the entire panel of Judges. When the Judges have completed this nomination process, the entries so nominated for preliminary consideration will be silently voted on by written ballot by the panel of Judges. The entries receiving the five highest scores will be advanced into the final round of consideration. The entire panel of Judges will again silently vote on all of the entries remaining for final consideration and will use the same scoring system and criteria for selection as employed in the preliminary round of consideration. The Contest Coordinator will

tabulate the final votes and announce the winning entry which received the highest total of points and the second and third runner-ups. In case of a tie vote for first place in the final round of consideration, the entire panel of Judges will silently vote again on the deadlocked entries, with each Judge voting for only that entry believed to be most qualified to win. The selection of the winning entry by the Judges will be final. Each contestant will be notified of the name of the winning artist and design.

[40 FR 25826, June 19, 1975, as amended at 45 FR 47690, July 16, 1980]

§ 91.26 Public attendance at contest.

All phases of the nomination and voting process will be open for viewing by the general public.

Subpart D—Post-Contest Procedures

§ 91.31 Return of entries after contest.

All entries will be returned by certified mail to the participating artists within 90 days of completion of the contest.

[47 FR 26636, June 21, 1982]