FEDERAL REGISTER

VOLUME 31 • NUMBER 133

Tuesday, July 12, 1966 • Washington, D.C.

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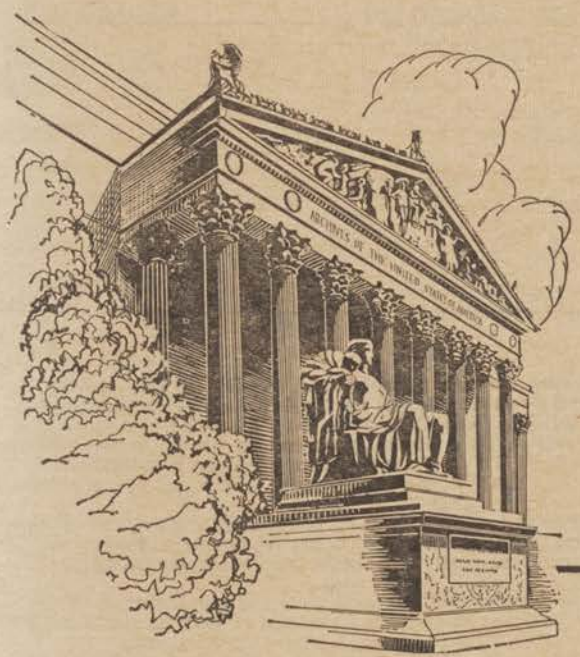

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

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Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 58—GRADING AND INSPECTION, MINIMUM SPECIFICATIONS FOR APPROVED PLANTS, AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

Subpart N—U.S. Standards for Grades of Swiss Cheese, Emmentaler Cheese [1]

A proposed amendment to the U.S. Standards for Grades of Swiss Cheese was published in the FEDERAL REGISTER of May 5, 1966, under proposed rule making and afforded interested parties 30 days to submit written data, views, or arguments for consideration therewith.

Statement of considerations. The proposed amendment provides criteria for grading rindless type Swiss cheese, "Emmentaler cheese" not adequately covered in the standards as published in January 1953. The proposed amendment as published included a description of the type of packaging for rindless- and rind-type cheese to distinguish between the two types. Also, it provided for differences in the finish and appearance characteristics as they relate to rindless-type Swiss cheese. Two replies were received, both of which emphasized the same opinion expressed by others that some mold on current Swiss rindless cheese was unavoidable in the present state of the industry and should be considered in the different grade levels. Another view expressed was that the grading of sliced cheese should not be included within the scope of this standard but that separate standards should be prepared to cover Swiss cheese packed in sliced form in consumer packages.

After considering all relative matters presented, it was decided to allow for mold under the wrapper or covering on current Swiss cheese as well as the cured classification and delete the reference to slices. Also, for clarity purposes the word "Emmentaler" is being included as being interchangeable with the word Swiss. Other minor editorial changes were made also. Therefore, the Amendment to the Standards for Grades of Swiss Cheese is hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946, as amended (60 Stat. 1087 as amended, 7 U.S.C. 1621–1627). It has been determined that it would be in the best interest of all concerned that the standard be reprinted including the Amendment as promulgated to become effective 30 days after publication in the FEDERAL REGISTER. These standards shall supersede the U.S. Standards for Grades of Swiss Cheese effective January 1953.

The standards as amended are as follows:

DEFINITION

DEFINITION

§ 58.2570 Swiss cheese, Emmentaler cheese.

"Swiss cheese," "Emmentaler cheese" is the cheese defined and identified in § 19.540 of the Definitions and Standards of Identity for Food and Food Products of the Food and Drug Administration (21 CFR Part 19).

(a) For the purposes of this subpart the words "Swiss" and "Emmentaler" are interchangeable.

(b) The Swiss cheese in these standards shall mean cheese of the rind or rindless type.

§ 58.2571 Types of packaging.

The following are the types of packaging for Swiss cheese:

(a) *Rind.* The cheese in wheel or block form is completely covered by a thick rind sufficient to protect the interior of the cheese. The cheese may or may not be paraffined.

(b) *Rindless.* The cheese in rindless form is properly enclosed in a wrapper or covering or by any other means of handling which will not impart any objectionable flavor, odor or color to the cheese. The wrapper or covering is of sufficiently low permeability to water vapor and air as to protect the surface, prevent the formation of rind, and prevent the entrance of air and further drying of the surface during curing and holding periods.

U.S. GRADES

§ 58.2572 Nomenclature of U.S. Grades.

The nomenclature of the U.S. Grades is as follows:

(a) U.S. Grade A.
(b) U.S. Grade B.
(c) U.S. Grade C.
(d) U.S. Grade D.

§ 58.2573 Basis for determination of U.S. Grades.

The U.S. Grades of Swiss cheese shall be determined on the basis of flavor, body, eyes and texture, finish and appearance, salt and color. From a drum type cheese, at least two full trier plugs, one from each flat face of the cheese at opposite points on circles located approximately one-half the distance from the center of the flat face to the edge of the same shall be drawn with a No. 8 trier from each cheese. If necessary, the drum cheese may be tried elsewhere to determine the correct grade, but not more than four full trier plugs shall be drawn. Not more than two triers from the opposite sides of the cheese shall be taken from other styles of rind type cheese of rindless type cheese.

(a) *U.S. Grade A.* U.S. Grade A Swiss cheese conforms to the following requirements:

(1) *Flavor.* Is free from off-flavors.

(i) *Current make.* May be lacking in characteristic Swiss cheese flavor.

(ii) *Cured.* Has a characteristic Swiss cheese flavor.

(2) *Body.* Is uniform, firm, and smooth, and is not dry and coarse, spongy, weak, pasty, or gassy.

(i) *Current make.* Is flexible and resilient.

(ii) *Cured.* Is flexible.

(3) *Eyes and texture.* A full plug drawn from the cheese appears free from glass, pinholes, and overdeveloped eyes; may have picks and checks within 1 inch from the surface; may have a limited number of picks and checks beyond 1 inch from the surface; shows not less than one and not more than eight eyes indicated to a trier. The eyes are round or slightly oval; majority of the eyes are at least one-half inch in diameter and are evenly distributed.

(i) *Current make.* May have an occasional dull glossy or shell eye. Shall be free from dead eyes.

(ii) *Cured.* May have dull glossy or shell eyes. May have some dead eyes.

(4) *Finish and appearance.* Rindless type cheese shall be well shaped. The wrapper or covering shall fully envelop the cheese, conform closely to its shape and adequately protect the surface, but may be wrinkled to a slight degree. The cheese shall be reasonably free from mold under the wrapper or covering in the current classification but may have slight mold under the wrapper or covering in the cured classification provided it can be removed without injuring the commercial value of the cheese. There shall be no evidence that mold has entered the cheese. Wrapped institutional cuts shall be free from mold.

(5) *Salt.* Is uniform.

(i) *Current make.* May be deficient in salt.

(ii) *Cured.* Is not deficient in salt.

(6) *Color.* Is uniform.

(b) *U.S. Grade B.* U.S. Grade B Swiss cheese conforms to the following requirements:

[1] Compliance with these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(1) *Flavor.* May possess off-flavors.

(i) *Current make.* May be lacking in characteristic Swiss cheese flavor; may have only slight off-flavors. Is free from objectionable flavors.

(ii) *Cured.* Has a characteristic Swiss cheese flavor; may lack the fineness in flavor required in Grade A, and may have definite off-flavors. Is free from objectionable flavors.

(2) *Body.* Is not dry and coarse, spongy, pasty, or gassy.

(i) *Current make.* Is flexible and resilient; may be slightly weaker than Grade A.

(ii) *Cured.* Is flexible; may be slightly weak.

(3) *Eyes and texture.* A full plug drawn from the cheese appears free from glass, pinholes, overdeveloped eyes, and may be moderately overset and have a limited amount of picks and checks; is not blind. The majority of the eyes are not less than five-sixteenths of an inch in diameter.

(i) *Current make.* May have dull glossy or shell eyes. May have occasional dead eyes.

(ii) *Cured.* May have dull glossy or shell eyes. May have some dead eyes.

(4) *Finish and appearance.* Rindless type cheese may be slightly uneven in shape. The wrapper or covering shall fully envelop the cheese, conform closely to its shape and adequately protect the surface, but may be wrinkled and soiled to a slight degree. The cheese shall be reasonably free from mold under the wrapper or covering in the current classification but may have slight mold under the wrapper or covering in the cured classification, provided it can be removed without injuring the commercial value of the cheese. There shall be no evidence that mold has entered the cheese. Wrapped institutional cuts shall be free from mold.

(i) *Current make.* Surface may be slightly rough.

(ii) *Cured.* Surface may be rough.

(5) *Salt.* Is uniform.

(i) *Current make.* May be deficient in salt.

(ii) *Cured.* May be deficient in salt or slightly over-salted.

(6) *Color.* Is uniform.

(c) *U.S. Grade C.* U.S. Grade C Swiss cheese conforms to the following requirements:

(1) *Flavor.* May possess off-flavors.

(i) *Current make.* May be lacking in characteristic Swiss cheese flavor; may have definite off-flavors. Is free from offensive flavors.

(ii) *Cured.* Has a characteristic Swiss cheese flavor; but may have pronounced off-flavors that are not offensive.

(2) *Body.* May be slightly dry and coarse. May be slightly gassy, but is not bloated or spongy. May be weak.

(3) *Eyes and texture.* A plug drawn from the cheese may be overset, shell or dead-eyed; have glass, picks, checks, pinholes; may have overdeveloped eyes, but they must not be more than three inches in diameter. It is not totally blind or totally pinholey.

(4) *Finish and appearance.* Rindless type cheese may be definitely uneven in shape. The wrapper or covering shall envelop the cheese and protect the surface but may be wrinkled and soiled to a definite degree. The cheese may have slight mold under the wrapper or covering in the current classification and definite mold under the wrapper or covering in the cured classification but show no indication that the mold has entered the cheese.

(5) *Salt.* Is uniform.

(i) *Current make.* May be flat or deficient in salt.

(ii) *Cured.* May be flat or deficient in salt or may be oversalted.

(6) *Color.* May be slightly uneven in color.

(d) *U.S. Grade D.* U.S. Grade D Swiss cheese conforms to the following requirements:

(1) *Flavor.* May posses off-flavors. Is free from offensive flavors.

(2) *Body.* May be dry and coarse or spongy and weak.

(3) *Eyes and texture.* May be totally blind or totally pinholey; may have glass, picks and checks, and may have overdeveloped eyes.

(4) *Finish and appearance.* Rindless-type cheese may be uneven in shape. The wrapper or covering shall envelop the cheese substantially protect the surface but may have tears or breaks and may be wrinkled and soiled to a pronounced degree. May have definite mold under the wrapper or covering in the current and cured classification but show no evidence that mold has entered the cheese.

(5) *Salt.* May be uneven, deficient, or oversalted.

(6) *Color.* May be definitely wavey or mottled or otherwise uneven in color.

EXPLANATION OF TERMS

§ 58.2574 **Explanation of terms.**

(a) *General*—(1) *Current make.* Not less than 60 days old.

(2) *Cured.* Usually more than 6 months old.

(3) *Institutional cuts.* Multipound, wrapped portions of cheese cut from a larger piece.

(b) *With respect to flavor*—(1) *Slight.* Detected only upon critical examination.

(2) *Definite.* Not intense but detectable.

(3) *Pronounced.* So intense as to be easily identified.

(4) *Objectionable flavors.* Flavors, such as, fruity, sour, and yeasty.

(5) *Offensive flavors.* Weed flavors, such as peppergrass, french weed, wild onion, or garlic and other off-flavors such as fruity, sour, and yeasty to a pronounced degree.

(6) *Fruity.* A sweetish fruit flavor.

(7) *Sour.* Strong acid flavor.

(8) *Yeasty.* Indicating yeast fermentation.

(c) *With respect to body*—(1) *Dry and coarse.* Feels rough and sandy.

(2) *Firm and smooth.* Feels solid; not soft or weak; not rough.

(3) *Flexible.* Not dry or brittle.

(4) *Gassy.* Undesirable gas formation.

(5) *Pasty.* When worked between the fingers, becomes sticky; a paste-like consistency.

(6) *Resilient.* Springs back to its original form when compressed.

(7) *Spongy.* A predominance of open eyes or holes, having characteristics of a sponge.

(8) *Weak.* Requires little pressure to mash, not firm.

(b) *With respect to eyes and texture*—

(1) *Indicated.* A whole eye or a part or fraction of an eye.

(2) *Limited amount.* May appear on two triers.

(3) *Limited number.* Appears on not more than one trier.

(4) *Occasional.* Not more than one on a trier.

(5) *Blind.* No eye formation present.

(6) *Checks.* Small short cracks.

(7) *Dead eyes.* Developed eyes that have completely lost their glossy or velvety appearance; may be rough.

(8) *Dull glossy.* Eyes that have lost some of their bright shiny luster.

(9) *Glass.* Sizeable cracks, usually in parallel layers and usually clean cut.

(10) *Overdeveloped eyes.* Large holes, commonly known as blow holes, usually in excess of 2 inches in diameter.

(11) *Overset.* Too many eyes.

(12) *Picks.* Small irregular or ragged openings.

(13) *Pinholes; pinholey.* So-called because the holes are numerous and very small and give the appearance of pinholes.

(14) *Shell.* Nutshell appearance on wall surface of the eyes.

(c) *With respect to finish and appearance*—(1) *Sound rind.* Free of checks or cracks that enter the body of the cheese.

(2) *Wrapper or covering.* Flexible material placed next to the surface of the cheese used as an enclosure or covering of the cheese.

(3) *Fully envelop.* Wrapper or covering properly closed and entirely covering the cheese to prevent it from contamination and desiccation.

(4) *Mold under wrapper or covering.* Mold spots or areas that have formed under the wrapper or on the cheese.

(60 Stat. 1090; 7 U.S.C. 1624)

Done at Washington, D.C., this 5th day of July 1966.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 66-7543; Filed, July 11, 1966; 8:47 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 1]

PART 722—COTTON

Subpart—Marketing Quotas for the 1966 and Succeeding Crops of Upland Cotton and Extra Long Staple Cotton

1966 RATES OF PENALTY

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to establish the 1966 rates of penalty for excess upland cotton and extra long staple cotton.

It is essential that the penalty rates be made available to producers and cotton buyers as soon as possible. Establishment of such rates involves a mathematical computation in accordance with the statutory formula. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.100 of the regulations for Marketing Quotas for the 1966 and Succeeding Crops of Upland Cotton and Extra Long Staple Cotton (31 F.R. 6573) is amended by adding the following new paragraph at the end thereof:

§ 722.100 Penalty rate for each crop year.

* * * * *

(a) *1966 crop.*—(1) *Upland cotton.* The parity price for upland cotton effective as of June 15, 1966, is 42.59 cents per pound. The rate of penalty for upland cotton produced in 1966 as calculated on the basis of 50 percent of such parity price in accordance with § 722.79 shall be 21.3 cents per pound of upland lint cotton.

(2) *Extra long staple cotton.* (i) The parity price for ELS cotton effective as of June 15, 1966, is 75.9 cents per pound and 50 percent thereof is 37.9 cents per pound. The support price of ELS cotton effective as of June 15, 1966, is 49.25 cents per pound. Since 50 percent of the parity price is higher than 50 percent of the support price so determined, the rate of penalty shall be such higher amount in accordance with § 722.79.

(ii) Such rate of penalty shall be 37.9 cents per pound of ELS lint cotton.

(Secs. 346, 347, 375, 63 Stat. 674, as amended, 63 Stat. 675, as amended, 52 Stat. 66, as amended, 7 U.S.C. 1346, 1347, 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on July 7, 1966.

H. D. GODFREY,
Administrator.

[F.R. Doc. 66-7578; Filed, July 11, 1966; 8:50 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lemon Reg. 221, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.521 (Lemon Reg. 221, 31 F.R. 9113) are hereby amended to read as follows:

(ii) District 2: 418,500 cartons.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 7, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-7575; Filed, July 11, 1966; 8:50 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1427—COTTON

Subpart—1966-Crop Supplement to Cotton Loan Program Regulations

Correction

The correction to F.R. Doc. 66-6833, which correction appeared at page 9270 of the issue for Thursday, July 7, 1966, is corrected to read as follows:

In F.R. Doc. 66-6833, appearing at page 8860 of the issue for Saturday, June 25, 1966, the following correction is made in § 1427.1506: A center heading reading "New Mexico" should be inserted immediately following the entry for Arden, Clark County, Nev.

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. D]

PART 204—RESERVES OF MEMBER BANKS

Reserve Percentages

The document amending § 204.5 (Supplement to Regulation D) published in the FEDERAL REGISTER of July 2, 1966 (31 F.R. 9103), is corrected by changing "(See § 262.1(e) of the Board's Rules of Procedure (12 CFR 262.1(e)).)" to read "The effective dates were deferred for less than the 30-day period referred to in section 4(c) of the Administrative Procedure Act because the Board found that the general credit situation and the public interest compelled it to make the action effective no later than the dates adopted."

Dated at Washington, D.C., this 5th day of July 1966.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-7534; Filed, July 11, 1966; 8:46 a.m.]

[Reg. P]

PART 216—HOLDING COMPANY AFFILIATES; VOTING PERMITS

Termination

1. Effective July 1, 1966, Part 216 is terminated.

2 a. This action results from enactment of Public Law 89-485. Section 13 of that Act (80 Stat. 236) amended section 2 of the Banking Act of 1933 (12 U.S.C. 221a), section 5144 of the Revised Statutes (12 U.S.C. 61), and related statutes so as to eliminate therefrom the provisions pertaining to holding company

affiliates and voting permits on which Part 216 was based.

b. The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act were not followed in connection with this action because such procedures would serve no useful purpose.

(Public Law 89-485; 80 Stat. 236)

Dated at Washington, D.C., this 6th day of July 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-7535; Filed, July 11, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7483; Amdt. 39-259]

PART 39—AIRWORTHINESS DIRECTIVES

de Havilland Model DHC-2 Series (Mk 1, 2, and 3) Airplanes

There have been cracks in the top and bottom flange radii of the wing ribs between the front and rear spars on de Havilland Model DHC-2 Series airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require repetitive inspection of the wing ribs and repair as necessary until modification on de Havilland Model DHC-2 Series airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

DE HAVILLAND. Applies to Model DHC-2 Series (Mk 1, 2, and 3) airplanes.

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished within the last 400 hours' time in service, and thereafter at intervals not to exceed 500 hours' time in service from the last inspection until the incorporation of Modification 2/1497, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

To detect cracks in the wing ribs, accomplish the following:

(a) Inspect by radiographic technique or by incorporating a special inspection panel in the wing bottom skin and inspecting visually or with dye penetrant or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, the wing ribs at Stations 15.50, 29.00, and 42.50 for cracks in the rib web in the upper and lower rib flanges between the front and rear spars in accordance with de Havilland Engineering Bulletin, Series "B," No. 35, Modification 2/1497, dated March 18, 1966, for Mk 1 and 2 airplanes; de Havilland Engineering Bulletin Series "T.B.," No. 3, Modification 2/1497, dated March 18, 1966, for Mk 3 airplanes; or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(b) Repair cracks before further flight in accordance with the applicable Engineering Bulletin specified in paragraph (a) or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment becomes effective July 22, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on July 6, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-7518; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-46]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Marion, Ohio, 700-foot floor transition area (31 F.R. 2218).

The Marion, Ohio, ADF instrument approach procedure was amended recently. This procedural change will permit a reduction in the size of the Marion, Ohio, transition area extension for the procedure turn area.

Since the proposed amendment is less restrictive in nature, the Administrator finds that notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulation is hereby adopted upon publication in the FEDERAL REGISTER as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Marion, Ohio, 700-foot floor transition area by deleting all after "longitude 83°03'55" W." and insert in lieu thereof, "within 2 miles each side of a 328° bearing from the Marion RBN extending from the 5-mile radius area to 8 miles NW of the RBN."

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on June 24, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-7564; Filed, July 11, 1966; 8:49 a.m.]

[Airspace Docket No. 66-EA-47]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Findlay, Ohio, 700-foot floor transition area (31 F.R. 2187).

A review of the currently designated 700-foot floor transition area disclosed that there is no longer a requirement for the extension based on the 178° bearing due to the procedure turn altitude being increased from 2,100 feet MSL to 2,500 feet MSL. The control zone extension based on the Findlay 178° bearing will provide the required airspace protection for the ADF-1 procedure.

Since the proposed amendment is minor in nature, the Administrator finds that notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulation is hereby adopted upon publication in the FEDERAL REGISTER as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Findlay, Ohio, 700-foot floor transition area by deleting in the text after the words, "Findlay Airport;" the phrase, "within 5 miles W and 8 miles E of the Findlay RBN 178° bearing, extending from the RBN to 12 miles S of the RBN;".

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on June 24, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-7565; Filed, July 11, 1966; 8:49 a.m.]

[Airspace Docket No. 65-SO-87]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On June 23, 1966, Federal Register Document No. 66-6842 was published in the FEDERAL REGISTER (31 F.R. 8379) amending Part 71 of the Federal Aviation Regulations. In the amendment, a portion of the Goldsboro, N.C., 1,200-foot transition area was described as "* * * thence clockwise along the 15-mile radius circle to a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, thence SW along this line to 4 NM S of the Fayetteville, N.C., VOR 098° radial * * *." A portion of the 2,700-foot transition area was described as "* * * on the E by a line 4 NM NW of and parallel to the Kinston, N.C., VORTAC 214° radial, on the S by a line extending from latitude 34°17'45" N., longitude 78°25'30" W., to latitude 34°18'30" N., longitude 79°00'00" W., on the W by a line extending from latitude 34°18'30" N., longitude 79°00'00" W., to the intersection of the S boundary of V-525 and longitude 78°30'00" W. * * *."

These portions were planned to coincide with the airway boundary. However, refined plotting by Coast and Geodetic Survey revealed that small gaps and/or small overlaps existed as described.

Subsequent to the publication of the rule, it was determined that this portion of the 1,200-foot transition area should have been described as "* * * thence clockwise along the 15-mile radius circle to the W boundary of V–1W, thence SW along the W boundary of V–1W to latitude 35°11'25" N., thence W along latitude 35°11'25" N., to the W boundary of V–213, thence SW along the W boundary of V–213 to the INT of a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial * * *" and the 2,700-foot portion should have been described as "* * * on the E by V–213, on the S by the 1,200-foot portion of the Myrtle Beach, S.C., transition area, on the W by a line extending from latitude 34°18'30" N., longitude 79°00'00" W, to the INT of a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial and longitude 78°30'00" W. * * *."

Since these amendments are either editorial or minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Federal Register Document No. 66–6842 is amended by deleting the description of the Goldsboro, N.C., 1,200- and 2,700-foot transition areas and substituting the following therefor.

GOLDSBORO, N.C.

Including that airspace extending upward from 1,200 feet above the surface bounded on the N by the arc of a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W., on the E by a line extending along the W boundary of V–1 until intercepting an arc of a 15-mile radius circle centered at the Kinston, N.C., VORTAC, thence clockwise along the 15-mile radius circle to the W boundary of V–1W, thence SW along the W boundary of V–1W to latitude 35°11'25" N., thence W along latitude 35°11'25" N. to the W boundary of V–213, thence SW along the W boundary of V–213 to the INT of a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the S by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the W by a line extending along longitude 78°30'00" W., and on the NW by a line extending through latitude 35°30'00" N., longitude 78°30'00" W. and latitude 36°38'15" N., longitude 77°19'15" W.; including that airspace extending upward from 2,700 feet MSL bounded on the N by a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial, on the E by V–213, on the S by the 1,200-foot portion of the Myrtle Beach, S.C., transition area, on the W by a line extending from latitude 34°18'30" N., longitude 79°00'00" W., to the INT of a line 4 NM S of and parallel to the Fayetteville, N.C., VOR 098° radial and longitude 78°30'00" W.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 1, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. doc. 66–7519; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 65–SO–88]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On June 23, 1966, Federal Register Document No. 66–6843 was published in the FEDERAL REGISTER (31 F.R. 8679) amending Part 71 of the Federal Aviation Regulations. In the amendment, a portion of the Wilmington, N.C., 1,200-foot transition area was described as "* * * thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V–213, thence NE along the E boundary of V–213 to its intersection with a 55-mile radius circle centered at latitude 36°57'44" N. * * *."

Subsequent to the publication of the rule, it was determined that this portion should have been described as "* * * thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V–1, thence NE along the E boundary of V–1 to its intersection with a 55-mile radius circle centered at latitude 36°57'44" N. * * *."

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Federal Register Document No. 66–6843 is amended as follows:

Beginning on line 38 of the Wilmington, N.C., transition area description "* * * thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V–213, thence NE along the E boundary of V–213 to its intersection with a 55-mile radius circle centered at latitude 36°47'44" N. * * *" is deleted and "* * * thence counterclockwise along this 15-mile radius arc to its intersection with the E boundary of V–1, thence NE along the E boundary of V–1 to its intersection with a 55-mile radius circle centered at latitude 36°57'44" N. * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 1, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66–7520; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–33]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On May 25, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7528) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Memphis, Tenn., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., September 15, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Memphis, Tenn., transition area (31 F.R. 4839) is amended as follows:

The portion "* * * within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°-14'00" W.) * * *" is deleted and "* * * within an 8-mile radius of the West Memphis Airport (latitude 35°08'24" N., longitude 90°14'00" W.); within 2 miles each side of the Memphis VORTAC 311° radial, extending from the 8-mile radius area to 31 miles NW of the Memphis VORTAC * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 1, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66–7521; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–34]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On May 25, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7528) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Columbus, Miss., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

In § 71.171 (31 F.R. 2065) the Columbus, Miss., control zone is amended to read:

COLUMBUS, MISS.

Within a 5-mile radius of Columbus AFB, Miss. (latitude 33°38'38" N., longitude 88°-26'39" W.); within 2 miles each side of the Columbus AFB localizer NW course, extending from the 5-mile radius zone to 6 miles NW of the airport; within 2 miles each side of the Caledonia VOR 311° radial, extending from the 5-mile radius zone to 8.5 miles NW of the VOR; within 2 miles each side of the Caledonia TACAN 310° radial, extending from the 5-mile radius zone to 6.5 miles NW of the TACAN; and within 2 miles each side of the Caledonia TACAN 142° radial, extending from the 5-mile radius zone to 6 miles SE of the TACAN.

In § 71.181 (31 F.R. 2149) the Columbus, Miss., 700-foot transition area is amended to read:

COLUMBUS, MISS.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Columbus AFB, Miss. (latitude 33°38'38" N., longitude 88°26'39" W.); within a 6-mile radius of Columbus-Lowndes County Airport, Miss. (latitude 33°27'52" N., longitude 88°22'50" W.); within a 5-mile radius of Oktibbeha Airport, Miss. (latitude 33°29'45" N., longitude 88°41'00" W.); within 2 miles each side of the Columbus VORTAC 275° radial, extending from the 5-mile radius area to the VORTAC; within 2 miles each side of the Columbus VORTAC 101° radial, extending from the 6-mile radius area to the VORTAC; within 2 miles each side of the 179° bearing from the Columbus radio beacon (latitude 33°27'30" N., longitude 88°23'00" W.), extending from the 6-mile radius area to 8 miles S of the radio beacon.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 1, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-7522; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-59]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Moultrie, Ga., transition area.

The Moultrie, Ga, transition area is described in § 71.181 (31 F.R. 2149). A portion of the transition area is described as "That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sunset Airport * * *."

Because the name of the Sunset Airport was changed to Moultrie-Thomasville Airport, it is necessary to redescribe a portion of the transition area.

Since this change is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the Moultrie, Ga., transition area is amended by substituting "Moultrie-Thomasville Airport" for "Sunset Airport."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 5, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-7523; Filed, July 11, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-87]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS

Designation of Transition Area and Alteration of Control Area

Correction

In F.R. Doc. 66-7255, appearing at page 9109 of the issue for Saturday, July 2, 1966, the effective date in the third paragraph should read "August 18, 1966" instead of "August 1, 1966".

[Regulatory Docket No. 7482; Amdt. No. 77-2]

PART 77—OBJECTS AFFECTING NAVIGABLE AIRSPACE

Form and Time of Notice

The purpose of this amendment is to establish an Agency policy applicable to proposals filed under § 77.13 of the Federal Aviation Regulations for any construction or alteration in excess of 2,000 feet above ground. This amendment is a general statement of policy and is procedural in nature. Therefore notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days after publication.

The Federal Aviation Agency has analyzed the recent trend of competitively taller television antenna towers to determine its effect on safety in air navigation. It has long been recognized by this Agency that antenna towers of adequate height are necessary to serve the public interest in a nationwide broadcasting system. However, there has been a proliferation of antenna towers accompanied by a progressive increase in heights over 1,000 feet above the ground that now presents hazardous conditions to the safety of air navigation. The Agency is of the firm belief that the reasonable interests of the communications industry and the aviation community can be accommodated concurrently. To this end, the Federal Communications Commission recently declared in Public Notice FCC 65-455 that "the public interest in broadcast service, may in some instances call for an antenna tower higher than any particular maximum imposed." However, the FCC was "nevertheless convinced that the public interest requires a specific ceiling to halt the upward trend in antenna tower heights, and that 2,000 feet above ground is both realistic and appropriate."

The Federal Aviation Agency, within the limits of its jurisdiction, has attempted to find a remedy for air safety problems inherent in the conflicting demands for a fair and reasonable sharing of airspace by tall towers and aircraft. Part 77 of the Federal Aviation Regulations established procedures for reporting to the Agency proposed construction that may constitute potential obstructions or hazards to safe air navigation as determined by the application of criteria stated therein. Under these regulations, the FAA advises the construction proponent whether his proposal would constitute a hazard to air navigation. During the time the regulation has been in effect, hundreds of proposed television and radio towers have been considered. Procedures permitting such analysis by the Agency have been of considerable value to the aviation community and to the broadcasting industry in eliminating both geographic and airspace conflicts created by their competing requirements.

In spite of steps already taken to ensure the accommodation of these competing interests, it has been determined that the cumulative effect of heights and locations of towers, both actual and proposed, have created a situation that is hazardous to safe air navigation.

On February 18-19, 1965, the Agency made the following statement to the House Committee on Interstate and Foreign Commerce concerning H.J. Res. 261, which would limit the height of certain radio and television towers:

> The FCC has allocated the TV channels of the Nation on the basis of maximum power television broadcasting at a height of 2,000 feet. Whenever a television tower exceeds this 2,000-foot limitation in most areas (it is 1,000 feet for VFH TV stations in the eastern part of the United States) the power must be reduced to compensate for the increased height.
>
> Therefore, there is no compelling need for any tower to be in excess of 2,000 feet. Although there may be a need for 2,000-foot television towers, under some conditions we would be derelict in our duty as the allocator of the airspace if we permitted all towers to be constructed to a height of 2,000 feet wherever the broadcaster desired.
>
> The 2,000-foot tower with its problems of visibility is inherently hazardous to air navigation.

The Agency therefore considers that it is necessary to take steps to minimize the construction of any antenna tower to a height of more than 2,000 feet above ground unless it is fully justified in accordance with this part. This action applies equally to any other structure whose height is proposed to exceed 2,000 feet above ground, even though the most pressing current problem relates to antenna towers. It is expected that this action will encourage proponents of tower or other type construction to formulate realistic plans, thereby avoiding unnecessary and costly proceedings before the Federal Aviation Agency. In addition, the regulation will be flexible enough to accomodate a proposal for a tower or other type construction more than 2,000 feet high in the event the proponent can demonstrate that it would not be a present or reasonable foreseeable hazard to safe air navigation.

It is of course recognized that towers or other structures with heights of less than 2,000 feet above the ground may be hazardous to air navigation, especially where they are located near airports, Federal airways or VFR routes. However, the problems engendered by those situations are totally different from the potential hazards precipitated by the taller towers. Proposed tall towers and other type structures of less than 2,000 feet will continue to be studied carefully

on an individual basis to determine whether they present any adverse effects on safe air navigation or cause an inefficient utilization of navigable airspace. The Agency is convinced that from an air safety standpoint the designation of a specific ceiling is needed to halt the upward trend in heights of various type structures. As a general policy, this Agency considered 2,000 feet above the ground to be the maximum height of structures that may be acceptable for maintaining safe navigation. Any structure proposed in excess of 2,000 feet above the ground will be considered to be, inherently, a hazard to air navigation and an inefficient utliziation of the airspace. It will be incumbent upon the proponent to overcome this technical assumption by demonstrating to the Agency that such a proposal will not create an inefficient use of airspace or constitute a hazard to air navigation.

In consideration of the foregoing, Part 77 of the Federal Aviation Regulations is amended, effective July 12, 1966, as hereinafter set forth.

Section 77.17 is amended by redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c) to read as follows:

§ 77.17 **Form and time of notice.**

* * * * *

(c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this Part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make an existing structure exceed that height, must contain a detailed showing, directed to meeting this burden. Only in exceptional cases, where the Agency concludes that a clear and compelling showing has been made that it would not result in an inefficient utilization of the airspace and would not result in a hazard to air navigation, will a determination of no hazard be issued.

* * * * *

(Secs. 307, 313, 1101, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354, 1510)

Issued in Washington, D.C., on July 6, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7524; Filed, July 11, 1966; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1074]

PART 13—PROHIBITED TRADE PRACTICES

Aluminum Shingle Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* 13.15-55 Direct dealing advantages; § 13.155 *Prices:* 13.155-100 Usual as reduced, special, etc.; § 13.170 *Qualities or properties of product or service:* 13.170-30 Durability or permanence. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1405 *Direct dealing advantages;* Misrepresenting oneself and goods—Goods: § 13.1710 *Qualities or properties.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Aluminum Shingle Co., Inc., et al., Great Bend, Kans., Docket C-1074, June 14, 1966]

In the Matter of Aluminum Shingle Co., Inc., a Corporation, and Robert K. Marmie and John R. Soden, Individually and as Officers of Said Corporation

Consent order requiring a Great Bend, Kans., home improvement firm, to cease using deceptive pricing and savings claims and other misrepresentations to sell its residential siding, roofing, and other products to the public.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Aluminum Shingle Co., Inc., a corporation, and its officers, and Robert K. Marmie and John R. Soden, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of residential siding, roofing, or other products and services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, representing, directly or by implication, that:

1. Any price for respondents' products is a special or reduced price, unless such price constitutes a significant reduction from an established selling price at which such products have been sold in substantial quantities by respondents in the recent, regular course of their business or misrepresenting, in any manner the savings available to purchasers.

2. Respondents' customers, under the terms of respondents' supplemental contract or by any other means, are able to obtain respondents' products at little or no cost.

3. Respondents' customers will receive bonuses or commissions or compensation in any amount; provided, however, that it shall be a defense in any enforcement proceeding instituted hereunder, for respondents to establish that said customers have regularly and consistently received earnings or compensations in such amount in the regular course of respondents' business.

4. The home of any of respondents' customers or prospective customers has been selected to be used or will be used as a model home or otherwise for advertising purposes.

5. Any allowance, discount or commission is granted by respondents to purchasers in return for permitting the premises in which respondents' products are to be installed to be used for model homes or demonstration purposes.

6. The products sold by respondents will last a lifetime or will never require repainting or repairs; or misrepresenting, in any manner, the efficacy, durability, or efficiency of respondents' products.

7. Respondents' salesmen or representatives are representatives of the Kaiser Aluminum & Chemical Corp. or that purchasers are or will be dealing directly with the manufacturer; or misrepresenting, in any manner, the status or affiliation of respondents' salesmen or the manufacturer or the source of any of respondents' products.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 14, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-7536; Filed, July 11, 1966; 8:46 a.m.]

[Docket No. 8678]

PART 13—PROHIBITED TRADE PRACTICES

Ideal Cement Co.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets:* 13.5-20 *Federal Trade Commission Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Order of divestiture, Ideal Cement Co., Denver, Colo., Docket 8678, May 19, 1966]

Consent order requiring the second largest portland cement manufacturing company in the country with headquarters in Denver, Colo., to divest itself within 2 years of a Houston, Tex., ready-mix concrete company, acquired in March 1965, in violation of the Federal Trade Commission Act.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That respondent Ideal Cement Co. (hereinafter "Ideal") divest, unto a purchaser or purchasers approved by the Federal Trade Commission, all stock and/or assets acquired by Ideal as the result of its acquisition of Builder's Supply Co. of Houston, together with all additions thereto and replacements thereof. *Provided, however,* That Ideal may, at its option, retain ownership of the approximately 31-acre site on which the acquired Chimney Rock ready-mix concrete plant is situated, and the improvements to this real property that are unrelated to the production and distribution of ready-mix concrete: *Provided further,* That if Ideal elects to retain said real property and improvements, it shall lease to the purchaser of the Chimney Rock plant so much of said real property

as is necessary for the efficient operation of the Chimney Rock plant for a term, which, if all renewal options are exercised, will extend for a period of at least 10 years. It is further ordered that Ideal begin to make good faith efforts to divest said stock and/or assets promptly after the effective date of this order, and that it continue such efforts to the end that the divestiture thereof be accomplished within two (2) years.

II. *It is further ordered,* That, pending divestiture, Ideal not make any changes in any of the aforesaid stock and/or assets which would impair their present capacity for the production and sale of ready-mixed concrete, or other products produced, or their market value.

III. *It is further ordered,* That, in the aforesaid divestiture, none of the stock and/or assets be sold or transferred, directly or indirectly, to any person who is at the time of divestiture an officer, director, employee or agent of, or under the control or direction of, Ideal or any of its subsidiaries or affiliates, or to any person who owns or controls, directly or indirectly, more than one (1) percent of the outstanding shares of common stock of Ideal or any of its subsidiaries or affiliates.

IV. *It is further ordered,* That Ideal, within sixty (60) days of the effective date of this order, and every sixty (60) days thereafter until it has fully complied with the provisions of Paragraphs I through III of this order, submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which it intends to comply, is complying, and/or has complied with this order. All compliance reports shall include, among other things that will be from time to time required, a summary of all contacts and negotiations with potential purchasers of the stock and/or assets to be divested under this order, the identity of all such potential purchasers, and copies of all written communications to and from such potential purchasers.

Issued: May 19, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7537; Filed, July 11, 1966; 8:47 a.m.]

[Docket No. 8676]

PART 13—PROHIBITED TRADE PRACTICES

Midwest Hosiery Incorporated et al.

Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-80 Textile Fiber Products Identification Act; § 13.1295 *Quality or grade.* Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1400 *Dealer as manufacturer;* Misrepresenting oneself and goods—Goods: § 13.1715 *Quality.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-70 Textile Fiber Products Identification Act; § 13.1886 Quality, grade or type. Subpart—Using misleading name—Vendor: § 13.2385 *Identity.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Midwest Hosiery Inc., et al., Chicago, Ill., Docket 8676, June 16, 1966]

In the Matter of Midwest Hosiery Inc., Formerly Known as Midwest Hosiery Mills, Inc., a Corporation, and Sidney Leibowitz, Solomon Kopman, and Ann Gruber, Individually and as Officers of Said Corportion

Order requiring a Chicago, Ill., wholesaler of men's and children's hosiery to cease misbranding, falsely labeling, and failing to disclose the true quality of its products, and stop misrepresenting itself as a manufacturer.

The order to cease and desist is as follows:

It is ordered, That respondents Midwest Hosiery Inc., a corporation, and its officers, and Sidney Leibowitz, Solomon Kopman, and Ann Gruber, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or in the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products:

A. By failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. By failing to set forth all parts of the required information conspicuously and separately on the same side of the label in such a manner as to be clearly legible and readily accessible to the prospective purchaser.

C. By setting forth nonrequired information or representations on the label or elsewhere on the product in such a manner as to minimize, detract from, or conflict with information required by the said Act and the rules and regulations promulgated thereunder.

It is further ordered, That respondents Midwest Hosiery Inc., a corporation, and its officers, and Sidney Leibowitz, Solomon Kopman, and Ann Gruber, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery, or other related "industry products," which are "irregulars," "seconds," or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Selling or distributing any such product without clearly and conspicuously marking thereon the words "irregular" or "second," as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and of such conspicuousness as to be easily observed and read by the purchasing public.

B. Using any advertisement or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second," as the case may be.

C. Using the words "first in quality" or words of similar import on the package in which such product is sold or in reference to any such product in any advertisement or promotional material.

D. Representing in any other manner, directly or by implication, that such products are first quality or perfect quality.

It is further ordered, That respondents Midwest Hosiery Inc., a corporation, and its officers, and Sidney Leibowitz, Solomon Kopman, and Ann Gruber, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery or other textile products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or indirectly that the respondents are manufacturers of hosiery or other textile products unless respondents own and operate, or directly and absolutely control a mill, factory or manufacturing plant wherein said hosiery or other textile products are manufactured.

By "Final Order" further order requiring report of compliance is as follows:

It is further ordered, That respondents, Midwest Hosiery Inc., a corporation, Sidney Leibowitz, Solomon Kopman, and Ann Gruber, individually and as officers of said corporation, shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by such respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Issued: June 16, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7538; Filed, July 11, 1966; 8:47 a.m.]

[Docket No. 7542]

PART 13—PROHIBITED TRADE PRACTICES

The Procter & Gamble Co. and Procter & Gamble Distributing Co.

Subpart—Advertising falsely or misleadingly: § 13.90 *History of product or offering;* § 13.110 *Indorsements, approval and testimonials.* Subpart—Claiming or using indorsements or testimonials falsely or misleadingly: § 13.330 *Claiming or using indorsements or testimonials falsely or misleadingly:* 13.330–57 Manufacturers, well-known. Subpart—Dealing on exclusive and tying basis: § 13.670 *Dealing on exclusive and tying basis:* 13.670–20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Modified order to cease and desist, the Procter & Gamble Co. et al., Docket 7542, April 11, 1966]

In the Matter of the Procter & Gamble Co., a Corporation, and the Procter & Gamble Distributing Co., a Corporation

Order reopening and modifying an existent cease and desist order of June 30, 1960, 25 F.R. 8031, against a major soap and detergent manufacturer by broadening the prohibitions against false advertising.

The modified order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the proceeding be, and it hereby is, reopened.

It is further ordered, That the cease and desist order entered herein on June 30, 1960, be, and it hereby is, modified by striking from said order the paragraph numbered 2 and substituting therefor the following:

2(a) Representing, or causing the representation to be made, in any advertisement or commercial, either directly or by implication, that any manufacturer of appliances for washing clothes or dishes has made the determination or judgment that any of Respondents' soap, detergent, or bleach products is more suitable for use in its machines than a product or products of the same type produced or sold by others; or otherwise misrepresenting the nature or extent of any endorsement of Respondents' products by an appliance manufacturer or marketer: *Provided, however,* That it shall be a defense to any enforcement proceeding hereunder for Respondents to establish that such manufacturer or marketer has made such determination or judgment.

2(b) Representing, or causing the representation to be made, directly or by implication, in any advertisement or commercial prepared and furnished by Respondents under an agreement between Respondents and any manufacturer or marketer of appliances for washing clothes or dishes, that such manufacturer or marketer endorses or recommends the use of, or packs a sample of, Respondents' soaps, detergent or bleach products in its appliances, unless Respondents clearly, conspicuously and explicitly disclose that pursuant to an agreement, Respondents have (1) supplied sample products to such manufacturer or marketer for packing in its appliances; (2) agreed to feature or mention such appliances, in commercials or advertisements, or (3) agreed to pay such manufacturer or marketer other valuable consideration, as the case may be.

2(c) Representing, or causing the representation to be made, in any advertisement or commercial, either directly or by implication, that one or more manufacturers or marketers of appliances for washing clothes or dishes packs a sample of Respondents' product in its appliances unless Respondents clearly, conspicuously and explicitly disclose the fact that such sample products are supplied by Respondents.

It is further ordered, That the respondents, the Procter & Gamble Co., a corporation, and the Procter & Gamble Distributing Co., a corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the aforesaid order as modified hereby.

Issued: April 11, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66–7539; Filed, July 11, 1966; 8:47 a.m.]

[Docket No. C–1072]

PART 13—PROHIBITED TRADE PRACTICES

Edward H. Manz, Jr., and Ed Manz Hosiery Co.

Subpart—Misbranding or mislabeling: § 13.1295 *Quality or grade.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1715 *Quality.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1886 *Quality, grade or type.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Edward H. Manz, Jr., trading as Ed Manz Hosiery Co., Chattanooga, Tenn., Docket C–1072, June 7, 1966]

Consent order requiring a Chattanooga, Tenn., finisher and wholesaler of men's and children's hosiery, to cease misrepresenting imperfect hosiery as first or perfect quality, failing to disclose their true quality, and misbranding such products in violation of the Textile Fiber Products Identification Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Edward H. Manz, Jr., an individual trading as Ed Manz Hosiery Co. or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or in the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by failing to affix labels to such textile fiber products showing each element of information required to be disclosed by Section 4(b) of the Textile Fiber Products Identification Act;

It is further ordered, That respondent Edward H. Manz, Jr., an individual trading as Ed Manz Hosiery Co. or under any other name, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery, or other related "industry products," which are "irregulars," "seconds," or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Selling or distributing any such product without clearly and conspicuously marking on each stocking, sock or other unit the words "irregular" or "second," as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and of such conspicuousness as to be easily observed and read by the purchasing public.

B. Using any advertisement or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second," as the case may be.

C. Using the words "first in quality" or words of similar import on the package in which such product is sold or in reference to any such product in an advertisement or promotional material.

D. Representing in any other manner, directly or by implication, that such products are first quality or perfect quality.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the man-

ner and form in which he has complied with this order.

Issued: June 7, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7558; Filed, July 11, 1966; 8:48 a.m.]

[Docket No. 8675]

PART 13—PROHIBITED TRADE PRACTICES

Holiday Products, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits:* 13.20-20 Competitors' products; § 13.170 *Qualities or properties of product or service:* 13.170-34 Economizing or saving. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1710 *Qualities or properties.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Holiday Products, Inc., et al., South Minneapolis, Minn., Docket 8675, May 19, 1966]

In the Matter of Holiday Products, Inc., a corporation, and Bernard Hermsen, and Elizabeth Michelson, Individually and as Officers of Said Corporation

Order requiring a South Minneapolis, Minn., distributor of stainless steel cooking utensils, to cease using false health claims and other misrepresentations to sell its products.

The order to cease and desist is as follows:

It is ordered, That respondents Holiday Products, Inc., a corporation, and its officers, and Bernard Hermsen, individually and as an officer of said corporation, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cooking utensils made of stainless steel or of any other product of substantially similar composition, design, construction or purpose, do forthwith cease and desist from:

I. Representing directly or by implication:

A. That use of respondents' cooking utensils will enable the user to:

(1) Cook foods more quickly than with other cooking utensils.

(2) Spend less money on food.

(3) Spend less money on fuel or electricity.

(4) Keep food hot for hours after the heat is turned off, or that food will remain hot, under such conditions, for any length of time not in accordance with the facts.

B. That the use of respondents' cooking utensils:

(1) Is more conducive to good health than the use of cooking utensils manufactured from materials other than stainless steel.

(2) Will prevent disease.

(3) Will cause the food cooked therein to retain more vitamins, minerals and other nutrients than will be retained in similar foods efficiently cooked in utensils manufactured from materials other than stainless steel.

C. That the use of cooking utensils manufactured from materials other than stainless steel is injurious to health.

II. Misrepresenting the construction, efficacy or any other feature of respondents' products.

III. Supplying to or placing in the hands of any distributor, dealer or salesman brochures, sales manuals, charts, pamphlets, or any other advertising materials which are displayed, or may be displayed, to the purchasing public which contain any of the false or misleading representations prohibited in Paragraphs I and II hereof.

IV. Furnishing or supplying to distributors, dealers or salesmen such products for resale to the public when such distributors, dealers or salesmen refuse to, or do not comply with, all of the prohibitions set forth in Paragraphs I, II and III of this order.

It is further ordered,[1] That the complaint herein be dismissed as to Elizabeth Michelson, in her individual capacity and as an officer of Holiday Products, Inc.

By "Final Order" further order requiring report of compliance is as follows:

It is further ordered, That respondent Holiday Products, Inc., a corporation, and Bernard Hermsen, individually and as an officer of said corporation, shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by each respondent named in this order, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Issued: May 19, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7559; Filed, July 11, 1966; 8:48 a.m.]

[Docket No. C-1071]

PART 13—PROHIBITED TRADE PRACTICES

Amos Osborne and Osborne Hosiery Co.

Subpart—Misbranding or mislabeling: § 13.1295 *Quality or grade.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1715 *Quality.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1886 *Quality, grade or type.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Amos Osborne, trading as Osborne Hosiery Co., Dallas, Ga., Docket C-1071, June 7, 1966]

Consent order requiring a Dallas, Ga., finisher and wholesaler of men's and children's hosiery, to cease misrepresenting imperfect hosiery as first or perfect quality, failing to disclose their true quality, and misbranding such products in violation of the Textile Fiber Products Identification Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Amos Osborne, an individual trading as Osborne Hosiery Co. or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportaton or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act;

It is further ordered, That respondent Amos Osborne, an individual trading as Osborne Hosiery Co. or under any other name, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery, or other related "industry products," which are "irregulars," "seconds," or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Selling or distributing any such product without clearly and conspicuously marking on each stocking, sock or other unit the words "irregular" or

[1] This further paragraph of the order is not in derogation of the rest of the order, which applies generally to all officers, agents, employees, etc., including Elizabeth Michelson, in any such capacity now or in the future.

"second," as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and of such conspicuousness as to be easily observed and read by the purchasing public.

B. Using any advertisement or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second" as the case may be.

C. Using the words "first in quality" or words of a similar import on the package in which such product is sold or in reference to any such product in any advertisement or promotional material.

D. Representing in any other manner, directly or by implication, that such products are first quality or perfect quality.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: June 7, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7560; Filed, July 11, 1966; 8:49 a.m.]

[Docket No. C-1073]

PART 13—PROHIBITED TRADE PRACTICES

Bobby G. Osborne and Bobby Osborne

Subpart—Misbranding or mislabeling: § 13.1295 *Quality or grade.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1715 *Quality.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1886 *Quality, grade or type.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Bobby G. Osborne trading as Bobby Osborne, Dallas, Ga., Docket C-1073, June 7, 1966]

Consent order requiring a Dallas, Ga., finisher and wholesaler of men's and children's hosiery, to cease misrepresenting imperfect hosiery as first or perfect quality, failing to disclose their true quality, and misbranding such products in violation of the Textile Fiber Products Identification Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Bobby G. Osborne, an individual trading as Bobby Osborne or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or in the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its orginal state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act;

It is further ordered, That respondent Bobby G. Osborne, an individual trading as Bobby Osborne or under any other name, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hoisery, or other related "industry products," which are "irregulars," "seconds," or otherwise imperfect, as such terms are defined in Rule 4(c) of the Amended Trade Practice Rules for the Hosiery Industry (16 CFR 152.4(c)), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Selling or distributing any such product without clearly and conspicuously marking on each stocking, sock or other unit the words "irregular" or "second," as the case may be, in such degree of permanency as to remain on the product until the consummation of the consumer sale and of such conspicuousness as to be easily observed and read by the purchasing public.

B. Using any advertisement or promotional material in connection with the offering for sale of any such product unless it is disclosed therein that such article is an "irregular" or "second," as the case may be.

C. Using the words "First in quality" or words of similar import on the package in which such product is sold or in reference to any such product in any advertisement or promotional material.

D. Representing in any other manner, directly or by implication, that such products are first quality or perfect quality.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: June 7, 1966.

By the Commission.

JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-7561; Filed, July 11, 1966; 8:49 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

DDT AND TOXAPHENE; TOLERANCES FOR COMBINED RESIDUES

1. Petitions were filed with the Food and Drug Administration by Hercules Powder Co., Inc., Wilmington, Del. 19899, requesting a tolerance of 1.5 parts per million for residues of DDT (PP 5F0435) and 2 parts per million for residues of toxaphene (PP 5F0436) in or on soybeans.

The Secretary of Agriculture has certified that these pesticide chemicals are useful for the purpose for which tolerances are being established.

After consideration of the data submitted in the petitions and other relevant material, it is concluded that the tolerances established in this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), Part 120 is amended in the following respects:

a. In § 120.3, the introductory text of paragraph (e) is amended to read as follows:

§ 120.3 **Tolerances for related pesticide chemicals.**

* * * * *

(e) Except as noted in subparagraphs (1) and (2) of this paragraph, where residues from two or more chemicals in the same class are present in or on a raw agricultural commodity the tolerance for the total of such residues shall be the same as that for the chemical having the lowest numerical tolerance in this class, unless a higher tolerance level is specifically provided for the combined residues by a regulation in this part.

* * * * *

b. Section 120.138 is amended by adding, in numerical sequence, tolerances for residues in or on soybeans, as follows:

§ 120.138 Toxaphene; tolerances for residues.

* * * * *

3.5 parts per million combined residues of DDT and toxaphene in or on soybeans (dry form), of which residues DDT shall not exceed 1.5 parts per million and toxaphene shall not exceed 2 parts per million.

* * * * *

2 parts per million in or on soybeans (dry form).

c. Section 120.147 is amended by inserting after "3.5 parts per million in or on fresh vegetable * * *" two new tolerances, as follows:

§ 120.147 DDT; tolerances for residues.

* * * * *

3.5 parts per million combined residues of DDT and toxaphene in or on soybeans (dry form), of which residues DDT shall not exceed 1.5 parts per million and toxaphene shall not exceed 2 parts per million.

1.5 parts per million in or on soybeans (dry form).

* * * * *

2. The Commissioner of Food and Drugs, having evaluated the data submitted in petitions for residues of DDT (FAP 5H1772) and of toxaphene (FAP 5H1773) filed by Hercules Powder Co., Inc., Wilmington, Del. 19899, and other relevant material, has concluded that the food additive regulations should be amended as set forth below with respect to residues of the insecticides DDT and toxaphene in soybean oil. Such residues have been shown to occur in crude soybean oil from application of the pesticide chemicals to the growing agricultural crop under agricultural uses provided for by concurrent regulations (21 CFR Part 120) issued under section 408 of the act. However, recent studies show that these residues are substantially removed in commercial refining. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (1), (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1), (4)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 121 is amended by revising § 121.1093 and by adding to Subpart D a new section, as follows:

§ 121.1093 DDT.

Tolerances are established for residues of the insecticide DDT (a mixture of 1, 1, 1-trichloro-2,2-bis(*p*-chlorophenyl) ethane and 1, 1, 1-trichloro-2-(*o*-chlorophenyl)-2-(*p*-chlorophenyl)ethane) in or on the following processed foods, when present therein as a result of the application of this insecticide to growing crops:

100 parts per million in or on peppermint oil and spearmint oil.
6 parts per million in or on crude soybean oil.

§ 121.1196 Toxaphene.

A tolerance of 6 parts per million is established for residues of the insecticide toxaphene (chlorinated camphene containing 67–69 percent chlorine) in crude soybean oil when present therein as a result of the application of this insecticide to the growing soybean crop.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 408(d)(2), 409(c) (1), (4), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348 (c)(1), (4))

Dated: July 5, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7540; Filed, July 11, 1966; 8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6889]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Rules for Determining Stock Ownership

On May 11, 1965, notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6486) regarding the amendment of the Income Tax Regulations (26 CFR Part 1) to conform to section 958 of the Internal Revenue Code of 1954, as added by section 12(a) of the Revenue Act of 1962 (76 Stat. 1006). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the changes set forth below. The amendment shall apply with respect to taxable years of foreign corporations beginning after December 31, 1962, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

PARAGRAPH 1. The historical note to § 1.958, as set forth in the notice of proposed rule making, is revised.

PAR. 2. Section 1.958–1, as set forth in the notice of proposed rule making, is amended by revising paragraph (c)(2), by revising example (3) of paragraph (d), and by adding an example (4) to paragraph (d).

PAR. 3. Section 1.958–2, as set forth in the appendix to the notice of proposed rule making, is amended by revising paragraph (d)(1)(iii) and example (3) of paragraph (g).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: June 30, 1966.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) to section 958 of the Internal Revenue Code of 1954, as added by section 12(a) of the Revenue Act of 1962 (75 Stat. 1006), such regulations are amended as follows effective with respect to taxable years of foreign corporations beginning after December 31, 1962, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end:

§ 1.958 Statutory provisions; rules for determining stock ownership.

SEC. 958. *Rules for determining stock ownership*—(a) *Direct and indirect ownership*—(1) *General rule.* For purposes of this subpart (other than sections 955(b)(1) (A) and (B), 955(c)(2)(A)(ii), and 960(a)(1)), stock owned means—

(A) Stock owned directly, and

(B) Stock owned with the application of paragraph (2).

(2) *Stock ownership through foreign entities.* For purposes of subparagraph (B) of paragraph (1), stock owned, directly or indirectly, by or for a foreign corporation, foreign partnership, or foreign trust or foreign estate (within the meaning of section 7701 (a)(31)) shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries. Stock considered to be owned by a person by reason of the application of the preceding sentence shall, for purposes of applying such sentence, be treated as actually owned by such person.

(3) *Special rule for mutual insurance companies.* For purposes of applying paragraph (1) in the case of a foreign mutual insurance company, the term "stock" shall include any certificate entitling the holder to voting power in the corporation.

(b) *Constructive ownership.* For purposes of sections 951(b), 954(d)(3), and 957, section 318(a) (relating to constructive ownership of stock) shall apply to the extent that the effect is to treat any United States person as a United States shareholder within the meaning of section 951(b), to treat a person as a related person within the meaning of section 954(d)(3), or to treat a foreign corporation as a controlled foreign corporation under section 957, except that—

(1) In applying paragraph (1)(A) of section 318(a), stock owned by a nonresident alien individual (other than a foreign trust or foreign estate) shall not be considered as owned by a citizen or by a resident alien individual.

(2) In applying subparagraphs (A), (B), and (C) of section 318(a)(2), if a partnership, estate, trust, or corporation owns, directly or indirectly, more than 50 percent of the total combined voting power of all classes of stock entitled to vote of a corporation, it shall be considered as owning all the stock entitled to vote.

(3) In applying subparagraph (C) of section 318(a)(2), the phrase "10 percent" shall be substituted for the phrase "50 percent" used in subparagraph (C).

(4) Subparagraphs (A), (B), and (C) of section 318(a)(3) shall not be applied so as to consider a United States person as owning stock which is owned by a person who is not a United States person.

[Sec. 958 as added by sec. 12(a), Rev. Act 1962 (76 Stat. 1006); as amended by sec. 4(b)(5), Act of Aug. 31, 1964 (Pub. Law 88-554, 78 Stat. 763)]

§ 1.958-1 Direct and indirect ownership of stock.

(a) *In general.* Section 958(a) provides that, for purposes of sections 951 to 964 (other than sections 955(b)(1)(A) and (B), 955(c)(2)(A)(ii), and 960(a)(1)), stock owned means—

(1) Stock owned directly; and

(2) Stock owned with the application of paragraph (b) of this section.

The rules of section 958(a) and this section provide a limited form of stock attribution primarily for use in determining the amount taxable to a United States shareholder under section 951(a). These rules also apply for purposes of other provisions of the Code and regulations which make express reference to section 958(a).

(b) *Stock ownership through foreign entities.* For purposes of paragraph (a)(2) of this section, stock owned, directly or indirectly, by or for a foreign corporation, foreign partnership, or foreign trust or foreign estate (within the meaning of section 7701(a)(31)) shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries, respectively. Stock considered to be owned by reason of the application of this paragraph shall, for purposes of reapplying this paragraph, be treated as actually owned by such person. Thus, this rule creates a chain of ownership; however, since the rule applies only to stock owned by a foreign entity, attribution under the rule stops with the first United States person in the chain of ownership running from the foreign entity. The application of this paragraph may be illustrated by the following example:

Example. Domestic corporation M owns 75 percent of the one class of stock in foreign corporation R, which in turn owns 80 percent of the one class of stock in foreign corporation S, which in turn owns 90 percent of the one class of stock in foreign corporation T. Under this paragraph, R Corporation is considered as owning 80 percent of the 90 percent of the stock which S Corporation owns in T Corporation, or 72 percent. Corporation M is considered as owning 75 percent of such 72 percent of the stock in T Corporation, or 54 percent. Since M Corporation is a domestic corporation, the attribution under this paragraph stops with M Corporation, even though, illustratively, such corporation is wholly owned by domestic corporation N.

(c) *Rules of application*—(1) *Special rule for mutual insurance companies.* For purposes of applying paragraph (a) of this section in the case of a foreign mutual insurance company, the term "stock" shall include any certificate entitling the holder to voting power in the corporation.

(2) *Amount of interest in foreign corporation, foreign partnership, foreign trust, or foreign estate.* The determination of a person's proportionate interest in a foreign corporation, foreign partnership, foreign trust, or foreign estate will be made on the basis of all the facts and circumstances in each case. Generally, in determining a person's proportionate interest in a foreign corporation, the purpose for which the rules of section 958(a) and this section are being applied will be taken into account. Thus, if the rules of section 958(a) are being applied to determine the amount of stock owned for purposes of section 951(a), a person's proportionate interest in a foreign corporation will generally be determined with reference to such person's interest in the income of such corporation. If the rules of section 958(a) are being applied to determine the amount of voting power owned for purposes of section 951(b) or 957, a person's proportionate interest in a foreign corporation will generally be determined with reference to the amount of voting power in such corporation owned by such person. However, any arrangement which artificially decreases a United States person's proportionate interest will not be recognized. See §§ 1.951-1 and 1.957-1.

(d) *Illustration.* The application of this section may be illustrated by the following examples:

Example (1). United States persons A and B own 25 percent and 50 percent, respectively, of the one class of stock in foreign corporation M. Corporation M owns 80 percent of the one class of stock in foreign corporation N, and N Corporation owns 60 percent of the one class of stock in foreign corporation P. Under paragraph (b) of this section, M Corporation is considered to own 48 percent (80 percent of 60 percent) of the stock in P Corporation; such 48 percent is treated as actually owned by M Corporation for the purpose of again applying paragraph (b) of this section. Thus, A and B are considered to own 12 percent (25 percent of 48 percent) and 24 percent (50 percent of 48 percent), respectively, of the stock in P Corporation.

Example (2). United States person C is a 60-percent partner in foreign partnership X. Partnership X owns 40 percent of the one class of stock in foreign corporation Q. Corporation Q is a 50-percent partner in foreign partnership Y, and partnership Y owns 100 percent of the one class of stock in foreign corporation R. By the application of paragraph (b) of this section, C is considered to own 12 percent (60 percent of 40 percent of 50 percent of 100 percent) of the stock in R Corporation.

Example (3). Foreign trust Z was created for the benefit of United States persons D, E, and F. Under the terms of the trust instrument, the trust income is required to be divided into three equal shares. Each beneficiary's share of the income may either be accumulated for him or distributed to him in the discretion of the trustee. In 1970, the trust is to terminate and there is to be paid over to each beneficiary the accumulated income applicable to his share and one-third of the corpus. The corpus of trust Z is composed of 90 percent of the one class of stock in foreign corporation S. By the application of this section, each of D, E, and F is considered to own 30 percent (⅓ of 90 percent) of the stock in S Corporation.

Example (4). Among the assets of foreign estate W are Blackacre and a block of stock, consisting of 75 percent of the one class of stock of foreign corporation T. Under the terms of the will governing estate W, Blackacre is left to G, a nonresident alien, for life, remainder to H, a nonresident alien, and the block of stock is left to United States person K. By the application of this section, K is considered to own the 75 percent of the stock of T Corporation, and G and H are not considered to own any of such stock.

§ 1.958-2 Constructive ownership of stock.

(a) *In general.* Section 958(b) provides that, for purposes of sections 951(b), 954(d)(3), and 957, the rules of section 318(a) as modified by section 958(b) and this section shall apply to the extent that the effect is to treat a United States person as a United States shareholder within the meaning of section 951(b), to treat a person as a related person within the meaning of section 954(d)(3), or to treat a foreign corporation as a controlled foreign corporation under section 957. The rules contained in this section also apply for purposes of other provisions of the Code and regulations which make express reference to section 958(b).

(b) *Members of family*—(1) *In general.* Except as provided in subparagraph (3) of this paragraph, an individual shall be considered as owning the stock owned, directly or indirectly, by or for—

(i) His spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance); and

(ii) His children, grandchildren, and parents.

(2) *Effect of adoption.* For purposes of subparagraph (1)(ii) of this paragraph, a legally adopted child of an individual shall be treated as a child of such individual by blood.

(3) *Stock owned by nonresident alien individual.* For purposes of this paragraph, stock owned by a nonresident alien individual (other than a foreign trust or foreign estate) shall not be considered as owned by a United States citizen or a resident alien individual. See section 958(b)(1).

(c) *Attribution from partnerships, estates, trusts, and corporations*—(1) *In*

general. Except as provided in subparagraph (2) of this paragraph—

(i) *From partnerships and estates.* Stock owned, directly or indirectly, by or for a partnership or estate shall be considered as owned proportionately by its partners or beneficiaries.

(ii) *From trusts—(a) To beneficiaries.* Stock owned, directly or indirectly, by or for a trust (other than an employees' trust described in section 401(a) which is exempt from tax under section 501(a)) shall be considered as owned by its beneficiaries in proportion to the actuarial interest of such beneficiaries in such trust.

(b) To owner. Stock owned, directly or indirectly, by or for any portion of a trust of which a person is considered the owner under sections 671 to 678 (relating to grantors and others treated as substantial owners) shall be considered as owned by such person.

(iii) *From corporations.* If 10 percent or more in value of the stock in a corporation is owned, directly or indirectly, by or for any person, such person shall be considered as owning the stock owned, directly or indirectly, by or for such corporation, in that proportion which the value of the stock which such person so owns bears to the value of all the stock in such corporation. See section 958 (b)(3).

(2) *Rules of application.* For purposes of subparagraph (1) of this paragraph, if a partnership, estate, trust, or corporation owns, directly or indirectly, more than 50 percent of the total combined voting power of all classes of stock entitled to vote in a corporation, it shall be considered as owning all the stock entitled to vote. See section 958(b)(2).

(d) *Attribution to partnerships, estates, trusts, and corporations*—(1) *In general.* Except as provided in subparagraph (2) of this paragraph—

(i) *To partnerships and estates.* Stock owned, directly or indirectly, by or for a partner or a beneficiary of an estate shall be considered as owned by the partnership or estate.

(ii) *To trusts—(a) From beneficiaries.* Stock owned, directly or indirectly, by or for a beneficiary of a trust (other than an employees' trust described in section 401(a) which is exempt from tax under section 501(a)) shall be considered as owned by the trust, unless such beneficiary's interest in the trust is a remote contingent interest. For purposes of the preceding sentence, a contingent interest of a beneficiary in a trust shall be considered remote if, under the maximum exercise of discretion by the trustee in favor of such beneficiary, the value of such interest, computed actuarially, is 5 percent or less of the value of the trust property.

(b) From owner. Stock owned, directly or indirectly, by or for a person who is considered the owner of any portion of a trust under sections 671 to 678 (relating to grantors and others treated as substantial owners) shall be considered as owned by the trust.

(iii) *To corporations.* If 50 percent or more in value of the stock in a corporation is owned, directly or indirectly, by or for any person, such corporation shall be considered as owning the stock owned, directly or indirectly, by or for such person. This subdivision shall not be applied so as to consider a corporation as owning its own stock.

(2) *Limitation.* Subparagraph (1) of this paragraph shall not be applied so as to consider a United States person as owning stock which is owned by a person who is not a United States person. See section 958(b)(4).

(e) *Options.* If any person has an option to acquire stock, such stock shall be considered as owned by such person. For purposes of the preceding sentence, an option to acquire such an option, and each one of a series of such options, shall be considered as an option to acquire such stock.

(f) *Rules of application.* For purposes of this section—

(1) *Stock treated as actually owned*—(i) *In general.* Except as provided in subdivisions (ii) and (iii) of this subparagraph, stock constructively owned by a person by reason of the application of paragraphs (b), (c), (d), and (e) of this section shall, for purposes of applying such paragraphs, be considered as actually owned by such person.

(ii) *Members of family.* Stock constructively owned by an individual by reason of the application of paragraph (b) of this section shall not be considered as owned by him for purposes of again applying such paragraph in order to make another the constructive owner of such stock.

(iii) *Partnerships, estates, trusts, and corporations.* Stock constructively owned by a partnership, estate, trust, or corporation by reason of the application of paragraph (d) of this section shall not be considered as owned by it for purposes of applying paragraph (c) of this section in order to make another the constructive owner of such stock.

(iv) *Option rule in lieu of family rule.* For purposes of this subparagraph, if stock may be considered as owned by an individual under paragraph (b) or (e) of this section, it shall be considered as owned by him under paragraph (e).

(2) *Coordination of different attribution rules.* For purposes of any one determination, stock which may be owned under more than one of the rules of § 1.958–1 and this section, or by more than one person, shall be owned under that attribution rule which imputes to the person, or persons, concerned the largest total percentage of such stock. The application of this subparagraph may be illustrated by the following examples:

Example (1). (a) United States persons A and B, and domestic corporation M, own 9 percent, 32 percent, and 10 percent, respectively, of the one class of stock in foreign corporation R. A also owns 10 percent of the one class of stock in M Corporation. For purposes of determining whether A is a United States shareholder with respect to R Corporation, 10 percent of the 10-percent interest of M Corporation in R Corporation is considered as owned by A. See paragraph (c)(1)(iii) of this section. Thus, A owns 10 percent (9 percent plus 10 percent of 10 percent) of the stock in R Corporation and is a United States shareholder with respect to such corporation. Corporation M and B, by reason of owning 10 percent and 32 percent, respectively, of the stock in R Corporation are United States shareholders with respect to such corporation.

(b) For purposes of determining whether R Corporation is a controlled foreign corporation, the 1 percent of the stock in R Corporation directly owned by M Corporation and considered as owned by A cannot be counted twice. Therefore, the total amount of stock in R Corporation owned by United States shareholders is 51 percent, determined as follows:

	Stock ownership in R Corporation (percent)
A	9
B	32
M Corporation	10
Total	51

Example (2). United States person C owns 10 percent of the one class of stock in foreign corporation N, which owns 60 percent of the one class of stock in foreign corporation S. Under paragraph (a)(2) of § 1.958–1, C is considered as owning 6 percent (10 percent of 60 percent) of the stock in S Corporation. Under paragraph (c)(1)(iii) and (2) of this section N Corporation is considered as owning 100 percent of the stock in S Corporation and C is considered as owning 10 percent of such 100 percent, or 10 percent of the stock in S Corporation. Thus, for purposes of determining whether C is a United States shareholder with respect to S Corporation, the attribution rules of paragraph (c)(1)(iii) and (2) of this section are used inasmuch as C owns a larger total percentage of the stock of S Corporation under such rules.

(g) *Illustration.* The application of this section may be illustrated by the following examples:

Example (1). United States persons A and B own 5 percent and 25 percent, respectively, of the one class of stock in foreign corporation M. Corporation M owns 60 percent of the one class of stock in foreign corporation N. Under paragraph (a)(2) of § 1.958–1, A and B are considered as owning 3 percent (5 percent of 60 percent) and 15 percent (25 percent of 60 percent), respectively, of the stock in N Corporation. Under paragraph (c)(2) of this section, M Corporation is treated as owning all the stock in N Corporation, and, under paragraph (c)(1)(iii) of this section, B is considered as owning 25 percent of such 100 percent, or 25 percent of the stock in N Corporation. Inasmuch as A owns less than 10 percent of the stock in M Corporation, he is not considered as owning, under paragraph (c)(1)(iii) of this section, any of the stock in N Corporation owned by M Corporation. Thus, the attribution rules of paragraph (a)(2) of § 1.958–1 are used with respect to A inasmuch as he owns a larger total percentage of the stock of N Corporation under such rules; and the attribution rules of paragraph (c)(1)(iii) and (2) of this section are used with respect to B inasmuch as he owns

a larger total percentage of the stock of N Corporation under such rules.

Example (2). United States person C owns 60 percent of the one class of stock in domestic corporation P; corporation P owns 60 percent of the one class of stock in foreign corporation Q; and corporation Q owns 60 percent of the one class of stock in foreign corporation R. Under paragraph (a)(2) of § 1.958-1, P Corporation is considered as owning 36 percent (60 percent of 60 percent) of the stock in R Corporation, and C is considered as owning none of the stock in R Corporation inasmuch as the chain of ownership stops at the first United States person and P Corporation is such a person. Under paragraph (c)(2) of this section, Q Corporation is treated as owning 100 percent of the stock in R Corporation, and under paragraph (c)(1)(iii) of this section, P Corporation is considered as owning 60 percent of such 100 percent, or 60 percent of the stock in R Corporation. For purposes of determining the amount of stock in R Corporation which C is considered as owning, P Corporation is treated under paragraph (c)(2) of this section as owning 100 percent of the stock in R Corporation; therefore, C is considered as owning 60 percent of the stock in R Corporation. Thus, the attribution rules of paragraph (c)(1)(iii) and (2) of this section are used with respect to C and P Corporation inasmuch as they each own a larger total percentage of the stock of R Corporation under such rules.

Example (3). United States person D owns 25 percent of the one class of stock in foreign corporation S. D is also a 40-percent partner in domestic partnership X, which owns 50 percent of the one class of stock in domestic corporation T. Under paragraph (d)(1)(i) of this section, the 25 percent of the stock in S Corporation owned by D is considered as being owned by partnership X; since such stock is treated as actually owned by partnership X under paragraph (f)(1)(i) of this section, such stock is in turn considered as being owned by T Corporation under paragraph (d)(1)(iii) of this section. Thus, under paragraphs (d)(1) and (f)(1)(i) of this section, T Corporation is considered as owning 25 percent of the stock in S Corporation.

Example (4). Foreign corporation U owns 100 percent of the one class of stock in domestic corporation V and also 100 percent of the one class of stock in foreign corporation W. By virtue of paragraph (d)(2) of this section, V Corporation may not be considered under paragraph (d)(1) of this section as owning the stock owned by its sole shareholder, U Corporation, in W Corporation.

Example (5). United States citizen E owns 15 percent of the one class of stock in foreign corporation Y, and United States citizen F, E's spouse, owns 5 percent of such stock. E and F's four nonresident alien grandchildren each own 20 percent of the stock in Y Corporation. Under paragraph (b)(1) of this section, E is considered as owning the stock owned by F in Y Corporation; however, by virtue of paragraph (b)(3) of this section, E may not be considered under paragraph (b)(1) of this section as owning any of the stock in Y Corporation owned by such grandchildren.

Example (6). United States person F owns 10 percent of the one class of stock in foreign corporation Z; corporation Z owns 10 percent of the one class of stock in foreign corporation K; and corporation K owns 100 percent of the one class of stock in foreign corporation L. United States person G, F's spouse, owns 9 percent of the stock in K Corporation. Under paragraph (c)(1)(iii) of this section or paragraph (a)(2) of § 1.958-1, F is considered as owning 1 percent (10 percent of 10 percent of 100 percent) of the stock in L Corporation by reason of his ownership of stock in Z Corporation, and, under paragraph (b)(1) of this section, G is considered as owning such 1 percent of the stock in L Corporation. Under paragraph (a)(2) of § 1.958-1, G is considered as owning 9 percent (9 percent of 100 percent) of the stock in L Corporation by reason of her ownership of stock in K Corporation, and, under paragraph (b)(1) of this section, F is considered as owning such 9 percent of the stock in L Corporation. Thus, for the purpose of determining whether F or G is a United States shareholder with respect to L Corporation, each of F and G is considered as owning a total of 10 percent of the stock in L Corporation by applying the rules of paragraph (a)(2) of § 1.958-1 and paragraphs (b)(1) and (c)(1)(iii) of this section.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 66-7377; Filed, July 11, 1966; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 11—Coast Guard, Department of the Treasury

[CGFR 66-27]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 167-17 (20 F.R. 4976) and Treasury Department Order 167-50 (28 F.R. 530):

PART 11-1—GENERAL

Subpart 11-1.6—Debarred and Ineligible Bidders

1. In § 11-1.606, paragraphs (a) and (c) are amended by changing the reference to "§ 1-1.605(a)" to read "§ 1-1.604(a)".

PART 11-3—PROCUREMENT BY NEGOTIATION

Subpart 11-3.2—Circumstances Permitting Negotiation

1. Section 11-3.211(c) is revised to read as follows:

§ 11-3.211 Experimental, development, or research work.

* * * * *

(c) *Reporting requirement.* (1) Reports required by section 2304(e), 10 U.S.C. to be made to Congress on May 19 and November 19 of each year will be made by Commandant (FS) to the Secretary of Treasury by May 1 and November 1 of each year of the purchases and contracts made under this § 11-3.211 since the date of last report.

(2) Reports will contain the following information:

(i) Name of contractor;

(ii) Dollar amount of contract (including amendments); and

(iii) Brief description of the work required to be performed under the contract (when necessary, because of the national security, the word "classified" may be used in lieu of the description).

Subpart 11-3.6—Small Purchases

1. Section 11-3.607 is added, reading as follows:

§ 11-3.607 Interagency use of local term contracts.

(a) General: The Commandant (FS), district commanders, and commanding officers of Headquarters units may authorize the use of Coast Guard term contracts by other Federal agencies when the contracts permit or may be amended to permit such use. Authority to permit participation in Coast Guard term contracts by other Federal agencies shall be limited to contracts executed by the command concerned. Requests received for participation in term contracts executed by a separate command will be forwarded to that command for action and the requesting agencies informed accordingly. After permission has been granted for use of Coast Guard term contracts, copies of the contracts, pertinent amendments, and/or contract bulletins shall be furnished the participating agencies to permit placement of orders, inspection, payment of invoices, etc.

(b) See chapter 1 of this title.

(c) Use of existing contracts: When agreeable to the contractors concerned, and provided there are no contract provisions to the contrary, existing Coast Guard term contracts may be amended to permit their use by specific Federal agencies. The contract amendments shall list the additional agencies allowed to participate in the contracts and will clearly state that the participating agencies are responsible for placing orders directly with the contractors, arranging for inspection and acceptance of supplies or services, and settlement of the contractors' invoices.

(d) Multiple use contracts: When the Coast Guard has assumed responsibility for contracting for the requirements of other agencies in given areas, the requirements of the participating agencies shall be combined with those of the Coast Guard and included in a single contract for each category of supplies or services. In those instances where a recurring need arises for the use of Coast Guard term contracts by units of other agencies, such as visiting Navy or Coast and Geodetic Survey vessels, etc., local term contracts lending themselves to use by other agencies should be worded to permit such use without specific amendment.

(e) See chapter 1 of this title.

(f) Responsibilities of contracting office and participating offices: It is the responsibility of Federal agencies using Coast Guard term contracts to place orders with the contractors, arrange for inspection and acceptance of supplies or services, determine whether performance meets the contract terms, and effect settlement of contractors' invoices; however, general supervision over such contracts rests with the Coast Guard. Subject to

the provisions of the contracts, ordering offices should deal directly with contractors concerning their performances of the contract terms, should accept or reject the supplies or services and, in case of default, terminate delivery orders, purchase from other sources, and charge contractors with resulting excess costs. Contracting officers shall investigate all reports of unsatisfactory contract performance received from other Federal agencies using Coast Guard term contracts and where necessary to terminate for default, forward all pertinent information to Commandant (F) for approval of action to be taken in accordance with § 11–8.201 of this chapter.

PART 11–5—SPECIAL AND DIRECTED SOURCES OF SUPPLY

Subpart 11–5.51—Procurement of Supplies From General Services Administration Stores Depots and of Services for Repair and Refinishing From General Services Administration Sources

1. Section 11–5.5104 is revised to read as follows:

§ 11–5.5104 Order for supplies.

DD Form 1348 series will be used to obtain supplies from GSA stores depots.

2. Section 11–5.5108 is revised to read as follows:

§ 11–5.5108 Additional services.

In addition to the items listed in § 11–5.5106, the General Services Administration regional offices have available contracts some of which are mandatory on Coast Guard, for the maintenance, repair, and rehabilitation of many categories of personal property such as fans, door closers, household appliances, water coolers, machine and hand tools, precision instruments, and radio equipment. General Services Administration regional offices will advise Coast Guard activities as to existing contracts covering these services. GSA nonmandatory contracts will be used when the conditions of § 11–5.5003 (b) and (c) exist. Exception from the foregoing is permitted only where the contracting office has actual knowledge that the purchase can be made more advantageously to the Government from a source other than the GSA contract, after allowing for the burdens and cost of any procurement under applicable supply procedures. The contracting officer shall not solicit bids, proposals, quotations, or otherwise test the market for comparison with the contract price.

3. Section 11–5.5306–2 is revised to read as follows:

§ 11–5.5306–2 Procurement from GSA stores depot.

DD Form 1348 will be used to obtain prison-made supplies from GSA stores depots.

4. Section 11–5.5404–2 is revised to read as follows:

§ 11–5.5404–2 From General Services Administration Stores Depots.

DD Form 1348 series will be used to obtain blind-made supplies from General Service Administration Stores Depots.

Dated: June 30, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 66–7555; Filed, July 11, 1966; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 43—PERSONAL COMMERCIAL AFFAIRS

Correction

Federal Register Document 66–5293, published at page 7228 in the issue for May 18, 1966, is corrected as follows: In Attachment B, the "Approximate annual rate" percentages are incorrectly aligned over the columns of finance charge figures. As corrected, Attachment B reads as follows:

ATTACHMENT B

TABLE FOR COMPUTING APPROXIMATE ANNUAL PERCENTAGE RATE FOR LEVEL MONTHLY PAYMENT PLANS

Example:
Finance charge=$38; Total amount to be financed=$250; Number of monthly payments=24.
Solution:
Step 1—Divide the finance charge by the total amount to be financed and multiply by $100. This gives the finance charge per $100 of amount to be financed. That is, $38÷$250×$100=$15.20.
Step 2—Follow down the left hand column of the table to the line for 24 months. Follow across this line until you find the two numbers between which the finance charge of $15.20 falls. In this example $15.20 falls between $14.66 and $15.80. Reading up between the two columns of figures you will see that the annual percentage rate is 14 percent. For the purpose of this directive the annual percentage rate is the rate appearing at the head of the two columns between which the finance charge per $100 of total amount to be financed falls. (If the finance charge per hundred falls exactly on a tabular value, the lower percentage rate may be used.)

Number of level monthly payments	Approximate annual rate																								
	5%	5½%	6%	6½%	7%	7½%	8%	9%	10%	11%	12%	13%	14%	15%	16%	18%	20%	22%	24%	26%	28%	30%	33%	36%
	(Finance charge per $100 of balance to be financed)																								
1	$0.40	$0.44	$0.48	$0.52	$0.56	$0.60	$0.65	$0.71	$0.79	$0.88	$0.96	$1.04	$1.12	$1.21	$1.29	$1.42	$1.58	$1.75	$1.92	$2.08	$2.25	$2.42	$2.62	$2.88	$3.12
2	.59	.66	.72	.78	.84	.91	.97	1.06	1.19	1.31	1.44	1.57	1.69	1.82	1.94	2.13	2.38	2.63	2.88	3.14	3.39	3.64	3.95	4.33	4.71
3	.79	.88	.96	1.04	1.13	1.21	1.29	1.42	1.59	1.76	1.92	2.09	2.26	2.43	2.59	2.85	3.18	3.52	3.86	4.20	4.53	4.87	5.30	5.80	6.31
4	.99	1.10	1.20	1.31	1.41	1.51	1.62	1.78	1.99	2.20	2.41	2.62	2.83	3.04	3.25	3.57	3.99	4.41	4.84	5.26	5.69	6.11	6.65	7.29	7.93
5	1.19	1.32	1.44	1.57	1.69	1.82	1.95	2.13	2.39	2.64	2.89	3.15	3.40	3.65	3.91	4.29	4.80	5.31	5.82	6.34	6.85	7.37	8.01	8.79	9.57
6	1.39	1.54	1.68	1.83	1.98	2.13	2.27	2.49	2.79	3.08	3.38	3.68	3.97	4.27	4.57	5.02	5.61	6.21	6.81	7.42	8.02	8.63	9.39	10.30	11.22
7	1.59	1.76	1.93	2.09	2.26	2.43	2.60	2.85	3.19	3.53	3.87	4.21	4.55	4.89	5.23	5.75	6.43	7.12	7.81	8.51	9.20	9.90	10.77	11.83	12.88
8	1.79	1.98	2.17	2.36	2.55	2.74	2.93	3.21	3.60	3.98	4.36	4.74	5.13	5.51	5.90	6.48	7.26	8.03	8.82	9.60	10.39	11.18	12.17	13.36	14.57
9	1.99	2.20	2.41	2.62	2.83	3.05	3.26	3.57	4.00	4.43	4.85	5.28	5.71	6.14	6.57	7.22	8.08	8.95	9.83	10.70	11.58	12.47	13.58	14.92	16.27
10	2.19	2.42	2.65	2.89	3.12	3.35	3.59	3.94	4.41	4.88	5.35	5.82	6.29	6.77	7.24	7.96	8.91	9.88	10.84	11.81	12.79	13.77	15.00	16.48	17.98
11	2.39	2.64	2.90	3.15	3.41	3.66	3.92	4.30	4.81	5.33	5.84	6.36	6.88	7.40	7.92	8.70	9.75	10.80	11.86	12.93	14.00	15.08	16.43	18.06	19.71
12	2.59	2.87	3.14	3.42	3.69	3.97	4.25	4.66	5.22	5.78	6.34	6.90	7.46	8.03	8.59	9.45	10.59	11.74	12.89	14.05	15.22	16.40	17.87	19.66	21.46
13	2.79	3.09	3.39	3.68	3.98	4.28	4.58	5.03	5.63	6.23	6.84	7.44	8.05	8.66	9.27	10.20	11.43	12.67	13.93	15.18	16.45	17.72	19.33	21.26	23.22
14	2.99	3.31	3.63	3.95	4.27	4.59	4.91	5.39	6.04	6.69	7.34	7.99	8.64	9.30	9.96	10.95	12.28	13.62	14.97	16.32	17.69	19.06	20.79	22.88	25.00
15	3.20	3.54	3.88	4.22	4.56	4.90	5.24	5.76	6.45	7.14	7.84	8.53	9.23	9.94	10.64	11.71	13.13	14.57	16.01	17.47	18.93	20.41	22.27	24.52	26.79
16	3.40	3.76	4.12	4.48	4.85	5.21	5.58	6.13	6.86	7.60	8.34	9.08	9.83	10.58	11.33	12.46	13.99	15.52	17.06	18.62	20.19	21.76	23.75	26.16	28.60
17	3.60	3.98	4.37	4.75	5.14	5.52	5.91	6.49	7.27	8.06	8.84	9.63	10.43	11.22	12.02	13.23	14.85	16.48	18.12	19.78	21.45	23.13	25.25	27.82	30.42
18	3.80	4.21	4.61	5.02	5.43	5.84	6.25	6.86	7.69	8.52	9.35	10.19	11.03	11.87	12.72	13.99	15.71	17.44	19.19	20.95	22.72	24.51	26.76	29.50	32.26
19	4.01	4.43	4.86	5.29	5.72	6.15	6.58	7.23	8.10	8.98	9.86	10.74	11.63	12.52	13.41	14.76	16.58	18.41	20.26	22.12	24.00	25.89	28.28	31.18	34.12
20	4.21	4.66	5.11	5.56	6.01	6.46	6.92	7.60	8.52	9.44	10.37	11.30	12.23	13.17	14.11	15.54	17.45	19.38	21.33	23.30	25.28	27.29	29.81	32.88	35.99
21	4.41	4.88	5.35	5.83	6.30	6.78	7.26	7.97	8.94	9.90	10.88	11.85	12.84	13.82	14.82	16.31	18.33	20.36	22.41	24.49	26.58	28.69	31.36	34.60	37.88
22	4.62	5.11	5.60	6.10	6.60	7.09	7.59	8.35	9.36	10.37	11.39	12.41	13.44	14.48	15.52	17.09	19.21	21.34	23.50	25.68	27.88	30.10	32.91	36.32	39.78
23	4.82	5.33	5.85	6.37	6.89	7.41	7.93	8.72	9.77	10.84	11.90	12.97	14.05	15.14	16.23	17.88	20.09	22.33	24.60	26.88	29.19	31.53	34.48	38.06	41.70
24	5.02	5.56	6.10	6.64	7.18	7.73	8.27	9.09	10.19	11.30	12.42	13.54	14.66	15.80	16.94	18.66	20.98	23.33	25.70	28.09	30.51	32.96	36.05	39.81	43.63
25	5.23	5.79	6.35	6.91	7.48	8.04	8.61	9.47	10.62	11.77	12.93	14.10	15.28	16.46	17.65	19.45	21.87	24.32	26.80	29.31	31.84	34.40	37.64	41.58	45.58
26	5.43	6.01	6.60	7.18	7.77	8.36	8.95	9.84	11.04	12.24	13.45	14.67	15.89	17.13	18.37	20.24	22.77	25.33	27.91	30.53	33.18	35.85	39.23	43.36	47.54
27	5.64	6.24	6.85	7.46	8.07	8.68	9.29	10.22	11.46	12.71	13.97	15.24	16.51	17.80	19.09	21.04	23.67	26.34	29.30	31.76	34.52	37.31	40.84	45.15	49.52
28	5.84	6.47	7.10	7.73	8.36	9.00	9.64	10.60	11.89	13.18	14.49	15.81	17.13	18.47	19.81	21.84	24.58	27.35	30.15	33.00	35.87	38.78	42.46	46.95	51.51
29	6.05	6.70	7.35	8.00	8.66	9.32	9.98	10.97	12.31	13.66	15.01	16.38	17.75	19.14	20.53	22.64	25.49	28.37	31.28	34.24	37.23	40.26	44.09	48.77	53.52
30	6.25	6.92	7.60	8.28	8.96	9.64	10.32	11.35	12.74	14.13	15.54	16.95	18.38	19.81	21.26	23.45	26.40	29.39	32.42	35.49	38.60	41.75	45.73	50.60	55.54
31	6.46	7.15	7.85	8.55	9.25	9.96	10.67	11.73	13.17	14.61	16.06	17.53	19.00	20.49	21.99	24.26	27.32	30.42	33.56	36.75	39.97	43.24	47.38	52.44	57.53
32	6.66	7.38	8.10	8.82	9.55	10.28	11.01	12.11	13.59	15.09	16.59	18.11	19.63	21.17	22.72	25.07	28.24	31.45	34.71	38.01	41.36	44.75	49.05	54.29	59.60
33	6.87	7.61	8.35	9.10	9.85	10.60	11.36	12.49	14.02	15.57	17.12	18.69	20.26	21.85	23.46	25.88	29.16	32.49	35.86	39.28	42.75	46.26	50.72	56.16	61.78
34	7.08	7.84	8.61	9.37	10.15	10.92	11.70	12.88	14.45	16.05	17.65	19.27	20.90	22.54	24.19	26.70	30.09	33.53	37.02	40.56	44.15	47.79	52.40	58.04	63.78
35	7.28	8.07	8.86	9.65	10.45	11.25	12.05	13.26	14.89	16.53	18.18	19.85	21.53	23.23	24.94	27.52	31.02	34.58	38.18	41.84	45.56	49.32	54.09	59.93	65.87
36	7.49	8.30	9.11	9.93	10.75	11.57	12.40	13.64	15.32	17.01	18.71	20.43	22.17	23.92	25.68	28.35	31.96	35.63	39.35	43.14	46.97	50.86	55.80	61.83	67.98
37	7.70	8.53	9.37	10.20	11.05	11.89	12.74	14.03	15.75	17.49	19.25	21.02	22.81	24.61	26.42	29.18	32.90	36.69	40.53	44.43	48.39	52.41	57.51	63.75	70.11
38	7.91	8.76	9.62	10.48	11.35	12.22	13.09	14.41	16.19	17.98	19.78	21.61	23.45	25.30	27.17	30.01	33.85	37.75	41.71	45.74	49.82	53.97	59.24	65.68	72.25
39	8.11	8.99	9.87	10.76	11.65	12.54	13.44	14.80	16.62	18.46	20.32	22.20	24.09	26.00	27.92	30.85	34.80	38.82	42.90	47.05	51.26	55.54	60.97	67.62	74.40
40	8.32	9.22	10.13	11.04	11.95	12.87	13.79	15.19	17.06	18.95	20.86	22.79	24.73	26.70	28.68	31.68	35.75	39.89	44.09	48.37	52.71	57.12	62.72	69.57	76.56
41	8.53	9.45	10.38	11.32	12.25	13.20	14.14	15.57	17.50	19.44	21.40	23.38	25.38	27.40	29.44	32.52	36.71	40.96	45.29	49.69	54.16	58.70	64.47	71.53	78.74
42	8.74	9.69	10.64	11.60	12.56	13.52	14.50	15.96	17.94	19.93	21.94	23.98	26.03	28.10	30.19	33.37	37.67	42.05	46.50	51.03	55.63	60.30	66.24	73.51	80.94
43	8.95	9.92	10.89	11.87	12.86	13.85	14.85	16.35	18.38	20.42	22.49	24.57	26.68	28.81	30.96	34.22	38.63	43.13	47.71	52.36	57.09	61.90	68.01	75.50	83.14
44	9.16	10.15	11.15	12.15	13.16	14.18	15.20	16.74	18.82	20.91	23.03	25.17	27.33	29.52	31.72	35.07	39.60	44.22	48.93	53.71	58.57	63.51	69.80	77.50	85.36
45	9.37	10.38	11.41	12.44	13.47	14.51	15.55	17.13	19.26	21.41	23.58	25.77	27.99	30.23	32.49	35.92	40.58	45.32	50.15	55.06	60.06	65.13	71.60	79.51	87.60
46	9.58	10.62	11.66	12.72	13.77	14.84	15.91	17.53	19.70	21.90	24.13	26.37	28.65	30.94	33.26	36.78	41.55	46.42	51.38	56.42	61.55	66.76	73.40	81.53	89.85
47	9.79	10.85	11.92	13.00	14.08	15.17	16.26	17.92	20.15	22.40	24.68	26.98	29.31	31.66	34.03	37.64	42.54	47.53	52.61	57.78	63.05	68.40	75.22	83.57	92.11
48	10.00	11.09	12.18	13.28	14.39	15.50	16.62	18.31	20.59	22.90	25.23	27.58	29.97	32.37	34.81	38.50	43.52	48.64	53.85	59.15	64.56	70.05	77.04	85.61	94.38
49	10.21	11.32	12.44	13.56	14.69	15.83	16.98	18.71	21.04	23.39	25.78	28.19	30.63	33.09	35.59	39.37	44.51	49.75	55.09	60.53	66.07	71.70	78.88	87.67	96.67
50	10.42	11.55	12.70	13.84	15.00	16.16	17.33	19.10	21.48	23.89	26.33	28.80	31.29	33.82	36.37	40.24	45.50	50.87	56.34	61.92	67.59	73.37	80.72	89.74	98.96
51	10.63	11.79	12.95	14.13	15.31	16.50	17.69	19.50	21.93	24.40	26.89	29.41	31.96	34.54	37.15	41.11	46.50	51.99	57.60	63.31	69.12	75.04	82.58	91.82	101.28
52	10.84	12.02	13.21	14.41	15.62	16.83	18.05	19.89	22.38	24.90	27.45	30.02	32.63	35.27	37.94	41.99	47.50	53.12	58.86	64.70	70.66	76.72	84.44	93.91	103.60
53	11.05	12.26	13.47	14.69	15.92	17.16	18.41	20.29	22.83	25.40	28.00	30.64	33.30	36.00	38.72	42.87	48.50	54.26	60.12	66.11	72.20	78.41	86.31	96.01	105.94
54	11.26	12.49	13.73	14.98	16.23	17.50	18.77	20.69	23.28	25.91	28.56	31.25	33.98	36.73	39.52	43.75	49.51	55.39	61.40	67.52	73.75	80.10	88.19	98.13	108.29
55	11.48	12.73	13.99	15.26	16.54	17.83	19.13	21.09	23.73	26.41	29.13	31.87	34.65	37.46	40.31	44.64	50.52	56.54	62.67	68.93	75.31	81.81	90.09	100.25	110.65
56	11.69	12.97	14.25	15.55	16.85	18.17	19.49	21.49	24.19	26.92	29.69	32.49	35.33	38.20	41.11	45.53	51.54	57.68	63.96	70.36	76.88	83.52	91.99	102.38	113.02
57	11.90	13.20	14.52	15.84	17.17	18.50	19.85	21.89	24.64	27.43	30.25	33.11	36.01	38.94	41.91	46.42	52.56	58.84	65.25	71.78	78.45	85.24	93.90	104.53	115.41
58	12.11	13.44	14.78	16.12	17.48	18.84	20.21	22.29	25.10	27.94	30.82	33.74	36.69	39.68	42.71	47.32	53.58	59.99	66.54	73.22	80.03	86.97	95.82	106.68	117.81
59	12.33	13.68	15.04	16.41	17.79	19.18	20.58	22.70	25.55	28.45	31.39	34.36	37.37	40.42	43.51	48.21	54.61	61.15	67.84	74.66	81.62	88.71	97.75	108.85	120.22
60	12.54	13.92	15.30	16.70	18.10	19.52	20.94	23.10	26.01	28.96	31.96	34.99	38.06	41.17	44.32	49.12	55.64	62.32	69.14	76.11	83.21	90.45	99.68	111.03	122.64

NOTE: The values in this table have been computed by the actuarial or annuity method which conforms to the U.S. Rule.

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-CE-34]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Escanaba, Mich., terminal area.

The following controlled airspace is presently designated in the Escanaba, Mich., terminal area:

(1) The Escanaba, Mich., control zone is designated as that airspace within a 5-mile radius of Escanaba Municipal Airport (latitude 45°43'25'' N., longitude 87°05'40'' W.); within 2 miles each side of the Escanaba VOR 265° radial extending from the 5-mile radius zone to 8 miles west of the VOR; within 2 miles each side of the 347° bearing from Escanaba Municipal Airport extending from the 5-mile radius zone to 10½ miles north of the airport; and within 2 miles each side of the 261° bearing from Escanaba Municipal Airport extending from the 5-mile radius zone to 8 miles west of the airport. This control zone shall be effective during the times established by a notice to airmen and published continuously in the Airman's Information Manual.

(2) The Escanaba, Mich., transition area is designated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Escanaba Municipal Airport (latitude 45°43'25'' N., longitude 87°05'40'' W.); within 8 miles west and 5 miles east of the 347° bearing from Escanaba Municipal Airport extending from the airport to 14½ miles north of the airport; within 5 miles north and 8 miles south of the 261° bearing from Escanaba Municipal Airport extending from the airport to 12 miles west of the airport; and within 5 miles north and 8 miles south of the Escanaba VOR 265° radial extending from the VOR to 12 miles west of the VOR.

New approach procedures require a modification of controlled airspace in the Escanaba terminal area. The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Escanaba, Mich., terminal area, proposes the following airspace actions:

(1) Alter the Escanaba, Mich., control zone by redesignating it as that airspace within a 5-mile radius of Escanaba Municipal Airport (latitude 45°43'25'' N., longitude 87°05'40'' W.); within 2 miles each side of the Escanaba VOR 007°, 100° and 265° radials extending from the 5-mile radius zone to 8 miles north, east and west of the VOR; and within 2 miles each side of the 261° bearing from Escanaba Municipal Airport extending from the 5-mile radius zone to 8 miles west of the airport. This control zone shall be effective during the times established by a notice to airmen and continuously published in the Airman's Information Manual.

(2) Alter the Escanaba, Mich., transition area by redesignating it as that airspace extending upward from 700 feet above the surface within 8 miles west and 5 miles east of the Escanaba VOR 007° radial, within 8 miles north and 5 miles south of the VOR 100° radial, within 8 miles south and 5 miles north of the VOR 265° radial extending from the VOR to 12 miles north, east and west of the VOR; and within 8 miles south and 5 miles north of the 261° bearing from Escanaba Municipal Airport (latitude 45°43'25'' N., longitude 87°05'40'' W.), extending from the airport to 12 miles west of the airport.

The proposed control zone and transition area will provide controlled airspace protection for aircraft executing prescribed instrument flight rule procedures in the Escanaba, Mich., terminal area.

A new public use instrument approach procedure has been developed to serve the Escanaba Municipal Airport Runway 27. In addition, a new restricted VOR approach procedure to replace the restricted ADF approach procedure No. 1 serving Runway 18 has also been developed.

The control zone will continue to be effective during the hours that North Central Airlines provides weather observations and dissemination of weather information, presently from 0730 to 2200 hours, local times daily. In the event of airline schedule changes, these hours may vary. When this occurs, notice will be given prior to any change by a notice to airmen and continuously published in the Airman's Information Manual.

The floors of the airways that traverse the transition area proposed herein will automatically coincide with the floors of the transition area.

Specific details of this proposal and any instrument approach procedures which it was developed to protect may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on June 27, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-7526; Filed, July 11, 1966; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-54]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Kansas City, Mo., terminal area.

The Kansas City, Mo., transition area is presently designated as follows:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Kansas City Municipal Airport (latitude 39°07'20'' N., longitude 94°35'30'' W.), within 2 miles each side of the Riverside, Mo., VOR 018° radial and 2 miles west of the Kansas City ILS localizer N course, extending from the 10-mile radius arc to 8 miles N of the OM; within an 8-mile radius of the Mid-Continent International Airport (latitude 39°18'05'' N., longitude 94°43'36'' W.), and within 2 miles each side of the Mid-Continent ILS localizer N and S courses, extending from the 8-mile radius area to 13 miles N of the airport and to 8 miles S of the Mid-Continent OM; within a 7-mile radius of Sherman AAF (latitude 39°22'05'' N., longitude 94°54'45'' W.); and that airspace extending upward from 1,200 feet above the surface bounded on the SE by the arc of a 42-mile radius circle centered on the Kansas City Municipal Airport beginning at the W boundary of V-205 and extending counterclockwise to the S boundary of V-12, thence E along the S boundary of V-12 to longitude 93°30'00'' W., thence N to latitude 39°41'00'' N., longitude 93°28'45'' W., thence NW to latitude 39°48'55' N., longitude 93°34'30'' W., thence SW along the NW boundary of V-10 to the E boundary of V-161, thence W to latitude 39°44'00'' W., longitude

94°43'20" W., thence SW to latitude 39°30'-00" W., longitude 94°49'00" W., thence W along latitude 39°30'00 N., to longitude 95°-09'00" W., thence S to latitude 38°59'00" N., longitude 95°12'20" W., thence SE to latitude 38°53'00" N., longitude 95°05'10" W., thence NE along the SE boundary of V–10 to the arc of a 10-mile radius circle centered on Kansas City Municipal Airport, thence counterclockwise to the W boundary of V–205, thence S along the W boundary of V–205 to the point of beginning.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Kansas City, Mo., terminal area, proposes the following airspace action:

Redesignate the Kansas City, Mo., transition area as that airspace extending upward from 700 feet above the surface within a 10-mile radius of Kansas City Municipal Airport (latitude 39°07'-20" N., longitude 94°35'30" W.), within 2 miles each side of the Riverside, Mo., VOR 018° radial and 2 miles W of the Kansas City ILS localizer N course, extending from the 10-mile radius area to 8 miles N of the OM; within an 8-mile radius of the Mid-Continent International Airport (latitude 39°18'05" N., longitude 94°43'36" W.), and within 2 miles each side of the Mid-Continent ILS localizer N and S courses, extending from the 8-mile radius area to 13 miles N of the airport and to 8 miles S of the Mid-Continent OM; within a 7-mile radius of the Sherman AAF (latitude 39°22'05" N., longitude 94°54'45" W.); and that airspace extending upward from 1,200 feet above the surface bounded on the SE by the arc of a 42-mile radius circle centered on the Kansas City Municipal Airport, beginning at the W boundary of V–205 and extending counter-clockwise to the S boundary of V–12, thence along the S boundary of V–12 to longitude 93°30'00" W., thence N along longitude 93°30'00" W. to SE boundary of V–10, thence direct to latitude 39°48'55" N., longitude 93°34'30" W., thence SW along the NW boundary of V–10 to the E boundary of V–161, thence W to latitude 39°44'00" N., longitude 94°43'20" W., thence SW to latitude 39°30'00" N., longitude 94°49'00" W., thence W along latitude 39°30'00" N. to the SW boundary of V–71, thence NW along the SW boundary of V–71 to longitude 95°09'00" W., thence S along longitude 95°09'00" W. to the SE boundary of V–10, thence NE along the SE boundary of V–10 to the arc of a 10-mile radius circle centered on the Kansas City Municipal Airport, thence counter-clockwise to the W boundary of V–205, thence S along the W boundary of V–205 to the point of beginning; and that airspace extending upward from 5,000 feet MSL bounded on the W by longitude 93°30'00" W., on the S by V–4, on the E by V–424, on the N by V–116, and on the NW by V–200; and within an area bounded on the W by longitude 93°30'00" W., on S by V–116 on E by V–206 and on the N by V–10, and within an area bounded on the W by V–161 and the E by V–10 and on the N by V–50.

The proposed additional controlled airspace will provide the required airspace for radar vector for separation and/or navigation of aircraft operating into and out of the Kansas City Richards-Gebaur AFB, Olathe NAS, and Whiteman AFB terminals.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

No procedural changes would be effected in conjunction with the actions proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo. on June 28, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66–7527; Filed, July 11, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 987]

HANDLING OF DOMESTIC DATES PRODUCED OR PACKED IN DESIGNATED AREA OF CALIFORNIA

Notice of Proposed Free and Restricted Percentages and Withholding Factors for 1966–67 Crop Year

Notice is hereby given of a proposal to establish, for the 1966–67 crop year beginning August 1, 1966, free and restricted percentages and withholding factors applicable to marketable dates of the Deglet Noor, Zahidi, Halawy, and Khadrawy varieties. The proposed percentages and withholding factors would be established in accordance with the provisions of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The proposal was recommended by the Date Administrative Committee.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 8th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Estimates pertinent to the establishment of such proposed percentages and withholding factors are as follows:

[In thousands of pounds]

Factors	Deglet Noor	Zahidi	Halawy	Khadrawy
1. Uncertified handler carryover (July 31, 1966)	15,280	264	1	7
2. Production of marketable dates (1966–67 crop year)	31,960	1,300	180	450
3. Total available supply of marketable dates subject to regulation	47,240	1,564	181	457
4. Trade demand [1]	21,000	1,100	185	515
5. Plus: Allowance for handler carryover (July 31, 1967)	15,500	150	10	50
6. Less: Certified handler carryover (July 31, 1966)	6,730	92	13	109
7. Requirements for free dates	29,770	1,158	182	456
8. Marketable dates in excess of requirements for free dates (item 3 minus item 7)	17,470	406	(1)	1

[1] The Date Administrative Committee included no countries other than the United States and Canada in its determination of trade demand.

On the basis of the foregoing estimates, free and restricted percentages and a withholding factor for Deglet Noor dates of 63 percent, 37 percent, and 58.7 percent, respectively, and for Zahidi dates of 75 percent, 25 percent, and 33.3 percent, respectively, appear to be appropriate for the 1966–67 crop year.

For the Halawy variety and also the Khadrawy variety, the estimated total available supply of marketable dates subject to regulation approximates the estimated requirements for free dates. A free percentage of 100 percent, therefore, is appropriate for each variety.

The proposal is as follows:

§ 987.214 Free and restricted percentages, and withholding factors.

The various free percentages, restricted percentages, and withholding factors applicable to marketable dates of each variety shall be, for the crop year beginning August 1, 1966, and ending July 31, 1967, as follows: (a) Deglet Noor variety dates: Free percentage, 63 percent; restricted percentage, 37 percent; and withholding factor, 58.7 percent; (b) Zahidi variety dates: Free percentage, 75 percent; restricted percentage, 25 percent; and withholding factor, 33.3 percent; (c) Halawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; and (d) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent.

Dated: July 7, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-7576; Filed, July 11, 1966; 8:50 a.m.]

Notices

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2574, 7-2575]

STAUFFER CHEMICAL CO. AND WHEELING STEEL CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 6, 1966.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange; for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges.

Stauffer Chemical Co..... File 7-2574
Wheeling Steel Corp..... File 7-2575

Upon receipt of a request, on or before July 22, 1966, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-7563; Filed, July 11, 1966; 8:49 a.m.]

OFFICE OF EMERGENCY PLANNING

GEORGIA

Amendment to Notice of Major Disaster

Notice of major disaster for the State of Georgia, dated March 31, 1966, is hereby amended to include the following county among those determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of March 14, 1966:

Jefferson.

Dated:

MYRON R. BLEE,
Deputy Director,
Office of Emergency Planning.

[F.R. Doc. 66-7516; Filed, July 11, 1966; 8:45 a.m.]

TEXAS

Amendment to Notice of Major Disaster

Notice of major disaster for the State of Texas, dated June 3, 1966, is hereby amended to include the following counties among those determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 12, 1966:

Cooke.
Delta.
Tarrant.

Dated:

MYRON R. BLEE,
Deputy Director,
Office of Emergency Planning.

[F.R. Doc. 66-7517; Filed, July 11, 1966; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-2947, etc.]

AMERICAN PETROFINA COMPANY OF TEXAS, ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates and Pending Certificate Application [1]

JUNE 29, 1966.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 22, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to section 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–2947 E 6–20–66	American Petrofina Co., of Tex. (successor to Graridge Corp., et al.), Post Office Box 2159, Dallas, Tex. 75221.	Texas Eastern Transmission Corp., Helen Gohlke Field, Victoria County, Tex.	[1] 14.8733	14.65
G–4997 E 5–9–66	Petroleum Corp. of Texas (successor to Shell Oil Co.), Post Office Box 752, Breckenridge, Tex. 76024.	Natural Gas Pipeline Co. of America, East Falurrias Field, Brooks and Jim Wells Counties, Tex.	12.7352	14.65
G–5766 C 2–14–66	Continental Oil Co.[2] (Operator), et al., Post Office Box 2197, Houston, Tex. 77001.	El Paso Natural Gas Co., Langlie-Mattix and Cooper-Jal Fields, Lea County, N. Mex.	10.0	14.65
G–8592 C 6–17–66	Sun Oil Co. (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	United Gas Pipe Line Co., Pistol Ridge Field, Forrest County, Miss.	20.6	15.025
G–12015 E 6–13–66	George R. Brown (successor to Herman Brown Estate), c/o J. L. Bianchi, Attorney, 1201 San Jacinto Bldg., Houston, Tex. 77002.	Colorado Interstate Gas Co., Keyes Field, Cimarron County, Okla.	[3] 15.0	14.4
G–12690 C 6–22–66	Phillips Petroleum Co., Operator, Bartlesville, Okla. 74003.	Northern Natural Gas Co., East Hansford Area, Hansford County, Tex.	16.5	14.65
G–15481 E 6–10–66	Albert B. Yost (successor to Russell Rinehart), Burton, W. Va. 26562.	Pennzoil Co., Lincoln and Paw Paw Districts, Marion County, W. Va.	15.0	15.325
G–16768 E 5–16–66	Petroleum Corp. of Texas (Operator), et al. (successor to Haynes & V. T. Drilling Co. (Operator), et al.).	El Paso Natural Gas Co., Jalmat and Langlie-Mattix Fields, Lea County, N. Mex.	9.0	14.65
G–18597 E 6–13–66	Thomas A. Dugan (successor to Lakelan Petroleum Corp. (Operator), et al.), Box 234, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Gavilan Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0495	15.025
G–18901 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	Banquete Gas Co., a division of Crestmont Oil & Gas Co., Plymouth Field, San Patricio County, Tex.	8.1024	14.65
G–19245 E 6–20–66	do	Transcontinental Gas Pipe Line Corp., Greta Field, Refugio County, Tex.	11.0	14.65
G–19246 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp.).	Texas Gas Transmission Corp., Mallard Bay Field, Cameron Parish, La.	11.5464	15.025
G–20374 E 5–16–66	Petroleum Corp. of Texas (Operator), et al. (successor to Haynes & V. T. Drilling Co. (Operator), et al.).	El Paso Natural Gas Co., Jalmat and Langlie-Mattix Fields, Lea County, N. Mex.	9.0	14.65
CI60–290 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	Panhandle Eastern Pipe Line Co., Wil Field, Edwards County, Kans.	15.0	14.65
CI60–330 E 6–20–66	do	C. V. Lyman, La Prelle Lease, Captain Lucey Field, Jim Wells County, Tex.	[4] 14.6	14.65
		Rolsten and Dodd Leases, Captain Lucey Field, Jim Wells County, Tex.	[5] 14.6	14.65
CI60–331 E 6–20–66	do	Tennessee Gas Transmission Co.,[6] Agua Dulce Field, Nueces County, Tex.	6.0	14.65
CI60–484 E 6–20–66	do	Texas Gas Transmission Corp., Mallard Bay Field, Cameron Parish, La.	[7] 19.75	15.025
CI61–403 E 6–16–66	George R. Brown (successor to Herman Brown Estate).	Colorado Interstate Gas Co., Keyes Field, Cimarron County, Okla.	16.0	14.4
CI61–519 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	Tennessee Gas Transmission Co.,[6] Stratton Field, Nueces County, Tex.	15.0	14.65
CI61–737 C 6–16–66	Shell Oil Co.,[8] 50 West 50th St., New York, N.Y. 10020.	Transwestern Pipeline Co., Higgins Field, Lipscomb County, Tex.	[8] 17.0	14.65
CI61–1106 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	Cities Service Gas Co., Elsea Field, Barber County, Kans.	[9] 13.0	14.65
CI61–1107 E 6–20–66	do	Cities Service Gas Co., Aetna Field, Barber County, Kans.	[9] 13.0	14.65
CI61–1108 E 6–20–66	do	Cities Service Gas Co., Rhodes South Field, Barber County, Kans.	[9] 13.0	14.65
CI61–1109 E 6–20–66	do	do	[9] 13.0	14.65
CI61–1110 E 6–20–66	do	do	[9] 13.0	14.65
CI61–1157 E 5–16–66	Petroleum Corp. of Texas (Operator), et al. (successor to Haynes & V. T. Drilling Co. (Operator), et al.).	El Paso Natural Gas Co., Jalmat and Langlie-Mattix Fields, Lea County, N. Mex.	9.0 [10] 15.5599	14.65
CI61–1586 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	United Gas Pipe Line Co., Cabeza Creek & Slick, East (Wilcox) Fields, Goliad County, Tex.	13.1664	14.65
CI62–470 C 6–23–66	Sun Oil Co. (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	Arkansas Louisiana Gas Co., Manziel Field, Wood County, Tex.	[11] 12.99828	14.65
CI63–369 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp.).	Tennessee Gas Transmission Co.,[6] West Magnolia Field, Jim Wells County, Tex.	[12] 15.6	14.65
CI63–402 E 6–20–66	do	Lone Star Gas Co., Katie Field, Garvin County, Okla.	[13] 12.0 [14] 9.0	14.65 14.65
CI64–601 C 6–20–66	Union Oil Co., of California, Union Oil Center, Los Angeles, Calif. 90017.	Panhandle Eastern Pipe Line Co., Amargo Field, Dewey County, Okla.	[15] 15.0	14.65
CI65–583 C 4–20–66	Sun Oil Co.[16] (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	Natural Gas Pipeline Co. of America, Indian Basin Area, Eddy County, N. Mex.	[17] 16.528	14.65
CI66–124 C 6–20–66	Tidewater Oil Co. (Operator), et al., Post Office Box 1404, Houston, Tex. 77001.	Trunkline Gas Co., South Thornwell Field, Jefferson Davis Parish, La.	18.0	15.025
CI66–931 B 3–28–66	London Gas Co., et al., 4704 North Miller, Oklahoma City, Okla. 73112.	Lone Star Gas Co., Asphaltum Gas Field, Jefferson and Stephens Counties, Okla.	Depleted	
CI66–1087 A 5–2–66	Ibex Partnership (Operator), et al., % C. R. Anderson, attorney, Post Office Box 752, Breckenridge, Tex. 76024.	El Paso Natural Gas Co., Spraberry (Trend Area) Field, Reagan County, Tex.	14.5	14.65
CI66–1097 E 6–20–66	American Petrofina Co. of Texas (successor to Graridge Corp.).	Arkansas Louisiana Gas Co., Milton Field, Haskell County, Okla.	[18] 15.0	14.65
CI66–1102 E 6–20–66 [19]	American Petrofina Co. of Texas (successor to Graridge Corp. (Operator), et al.).	Banquete Gas Co., a division of Crestmont Oil & Gas Co., Plymouth Field, San Patricio County, Tex.	10.0	14.65
CI66–1252 A 5–27–66	Monroe Gas Co., % Charles S. Hopkins, attorney, Petroleum Bldg., 116 North Barry St., Olean, N.Y. 14760.	Consolidated Gas Supply Corp., Big Run Field, Jefferson County, Pa.	26.962	15.025
CI66–1270 A 6–7–66	Kenneth C. Summers, 26710 Whitney Drive, Cleveland, Ohio 44132.	Carnegie Natural Gas Co., acreage in Ritchie County, W. Va.	20.0	15.325
CI66–1287 A 6–13–66	Bradley H. Keyes, Box 842, Aztec, N. Mex. 87410.	El Paso Natural Gas Co., Aztec Pictured Cliffs Field, San Juan County, N. Mex.	10.0	15.025
CI66–1288 (CI63–548) F 6–9–66	Kingwood Oil Co. (successor to Phillips Petroleum Co.), 1470 First National Building, Oklahoma City, Okla.	Northern Natural Gas Co., North Ivanhoe Field, Beaver County, Okla.	17.0	14.65
CI66–1289 A 6–16–66	WSC Corp., Post Office Box 1663, Lake Charles, La. 70601.	United Gas Pipe Line Co., South Cameron Meadows Field, Cameron Parish, La.	16.0	15.025
CI66–1290 A 6–16–66	Atlantic Richfield Co., [20] Post Office Box 2819, Dallas, Tex. 75221.	Panhandle Eastern Pipe Line Co., Tangier Area Field, Woodward County, Okla.	17.0	14.65
CI66–1291 A 6–20–66	J. M. Huber Corp., 2401 East Second Avenue, Denver, Colo. 80206.	Panhandle Eastern Pipe Line Co., Southeast Gage Field, Ellis County, Okla.	[21] 17.085	14.65
CI66–1292 A 6–20–66	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102.	Trunkline Gas Co., East Bancroft Field, Beauregard Parish, La.	17.0	15.025
CI66–1293 A 6–16–66	Quaker State Oil Refining Corp., Box 337, Bradford, Pa. 16701.	United Fuel Gas Co., Lincoln District, Wayne County, W. Va.	23.0	15.325
CI66–1294 A 6–16–66	Quaker State Oil Refining Corp.	United Fuel Gas Co., Stonewall District, Wayne County, W. Va.	23.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-1295 A 6-17-66	J. M. Huber Corp.	Northern Natural Gas Co., Northwest Lovedale Field, Harper County, and Como Field, Beaver County, Okla.	17.0	14.65
CI66-1296 B 6-16-66	Union Texas Petroleum, a division of Allied Chemical Corp., Post Office Box 2120, Houston, Tex., 77001.	Texas Eastern Transmission Corp., acreage in Jefferson County, Tex.	[22]	
CI66-1298 A 6-16-66	Fairman Drilling Co., Box 288, DuBois, Pa., 15801.	Consolidated Gas Supply Corp., Gaskill Township, Jefferson County, Pa.	27.5	15.325
CI66-1299 A 6-16-66	Fairman Drilling Co.	Consolidated Gas Supply Corp., Banks Township, Indiana County, Pa.	27.5	15.325
CI66-1301 A 6-16-66	Anadarko Production Co. (Operator), et al., Post Office Box 9317, Ft. Worth, Tex. 76101.	Panhandle Eastern Pipe Line Co., Massoni Field, Seward County, Kans.	16.0	14.65
CI66-1302 A 6-22-66	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Texas Eastern Transmission Corp., El Paistle (Deep) Field, Kenedy County, Tex.	16.0	14.65
CI66-1303 A 6-21-66	U.S. Oil of Louisiana, Inc., (Operator), et al., Post Office Box 2566, Houston, Tex. 77001.	Trunkline Gas Co., East Freshwater Bayou Field Area, Vermilion Parish, La.	20.625	15.025
CI66-1304 A 6-23-66	A.I.K., Ltd., No. 2, 1008 Barfield Bldg., Amarillo, Tex.	Panhandle Eastern Pipe Line Co., Northeast Sampsell Field, Cimarron County, Okla.	17.5	14.65
CI66-1305 A 6-23-66	Placid Oil Co., 2500 First National Bank Bldg., Dallas, Tex. 75202.	Valley Gas Transmission, Inc., Chatham Field, Jackson Parish, La.	15.0	14.65
CI66-1306 A 6-23-66	Gas Rock Corp., 903 First National Bank Bldg., Jackson, Miss. 39205.	United Gas Pipe Line Co., Baxterville Field, Lamar County, Miss.	17.0	15.025
CI66-1307 A 6-21-66	Doyle Henson, 108 Gandy St., Clarksburg, W. Va., 26552.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI66-1308 A 6-17-66	Don D. Montgomery and Don D. Montgomery, Jr., Post Office Box 747, El Dorado, Ark., 71730.	Cities Service Gas Co., acreage in Woods County, Okla.	14.0	14.65
CI66-1309 A 6-20-66	Morris Cannan, 16th Floor, Milam Bldg., San Antonio, Tex., 78205.	Texas Eastern Transmission Corp., Big Hill Field, Jefferson County, Tex.	17.0	14.65
CI66-1310 A 6-20-66	Tidewater Oil Co., Post Office Box 1404, Houston, Tex., 77001.	Northern Natural Gas Co., Anadarko Basin Area, Dewey County, Okla.	[23] 15.0	14.65
		Anadarko Basin Area, Ellis and Woodward Counties, Okla.	17.0	14.65

[1] Rate in effect subject to refund in Docket No. RI64-116.
[2] By letter dated Mar. 21, 1966, Applicant agreed to accept authorization for the additional acreage conditioned as Opinion No. 468, as modified by Opinion No. 468-A.
[3] Rate increase to 16 cents per Mcf was filed for and suspended in Docket No. G-17314.
[4] Includes 2.21931 cents dehydration, transportation and compression charges.
[5] Includes 3.21931 cents dehydration, transportation and compression charges.
[6] Now Tennessee Gas Pipeline Co., a division of Tenneco, Inc.
[7] Rate in effect subject to refund in Docket No. RI62-169.
[8] Contract rate is 23 cents per Mcf. Applicant states its willingness to accept certificate for additional authorization at 17.0 cents per Mcf.
[9] Rate in effect subject to refund in Docket No. G-20110.
[10] Effective rate under Rate Schedule Nos. 28 and 29. Rate in effect subject to refund in Docket No. RI60-13. Rate also subject to 0.4467 cent per Mcf deduction for compression.
[11] Buyer may deduct specific compression charges if compression is required.
[12] Rate in effect subject to refund in Docket No. RI64-377.
[13] Initial rate under Rate Schedule No. 17. Rate in effect subject to refund in Docket No. RI64-442.
[14] Initial rate under Rate Schedule No. 16.
[15] Applicant agrees to accept certificate for additional authorization conditioned at a total initial rate of 15 cents per Mcf plus B.t.u. adjustment.
[16] Applicant agrees to accept conditions pursuant to Opinion No. 468, as modified by Opinion No. 468-A.
[17] Includes 0.528 cent upward B.t.u. adjustment.
[18] Includes 0.75 cent per Mcf compression charge.
[19] Amendment to pending certificate application.
[20] Formerly the Atlantic Refining Co.
[21] Subject to upward and downward B.t.u. adjustment. Includes .085 cent B.t.u. adjustment.
[22] Contract assigned to Texas Gas Pipe Line Corp.
[23] Applicant states its willingness to accept certificate for acreage in Dewey County at 15 cents per Mcf.

[F.R. Doc. 66-7428; Filed, July 11, 1966; 8:45 a.m.]

[Docket No. CP66-423]

SECOND UTILITY DISTRICT OF TIPTON COUNTY, TENN., AND TEXAS GAS TRANSMISSION CORP.

Notice of Application

JULY 5, 1966.

Take notice that on June 23, 1966, the Second Utility District of Tipton County, Tenn. (Applicant), filed in Docket No. CP66-423 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Gas Transmission Corporation (Respondent) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant encompasses the southeastern section of Tipton County, Tenn., approximately 25 miles north of Memphis and approximately 8 miles south of Covington, Tenn. The main transmission line of Respondent traverses Applicant.

Applicant proposes to construct and operate natural gas distribution lines extending both eastward and westward from a regulator station on Respondent's transmission line situated south of Covington and west of Tabernacle, Tenn.

The total estimated volumes of natural gas involved to meet Applicant's annual and peak day requirements for the initial 3-year period of proposed operations are stated to be:

	First year	Second year	Third year
Annual (Mcf)	37,760	40,570	44,590
Peak day (Mcf)	568	603	654

The total estimated cost of Applicant's proposed distribution lines is $534,000, which cost will be financed through a grant from the Economic Development Administration under the Economic Development Act of 1965, and by means of Gas Revenue Bonds to be issued by Applicant and sold to the Federal Government under the Housing and Home Finance Agency's public facility loan program.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 29, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7528; Filed, July 11, 1966; 8:46 a.m.]

[Docket No. CP65-352]

TENNESSEE GAS PIPELINE CO.

Notice of Petition To Amend

JULY 5, 1966.

Take notice that on June 27, 1966, Tennessee Gas Pipeline Co., a division of Tenneco, Inc.[1] (Petitioner), Post Office Box 2511, Houston, Tex. 77001, filed in Docket No. CP65-352 a petition to amend the certificate of public convenience and necessity issued by the Commission in said docket on July 26, 1965, requesting that said certificate be amended so as to reflect a sale for resale by Fitchburg Gas & Electric Light Co. (Fitchburg) to Gardner Gas, Fuel & Light Co. (Gardner) of a portion of the volume of liquefied natural gas (LNG) authorized by the subject certificate to be sold by Petitioner to Fitchburg, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The Commission's order issued in the instant docket authorized Petitioner to construct and operate facilities for the liquefaction, storage, and vaporization of natural gas, and authorized the sale of such natural gas to Petitioner's general service customers in the New England area. One of such customers is Fitchburg. Petitioner was authorized to sell to Fitchburg a maximum daily LNG quantity of 1,479 Mcf and an associated maximum winter LNG quantity of 41,364.[2]

Petitioner states that it has recently been advised that Fitchburg desires to sell a portion of such authorized quantity

[1] Formerly named Tennessee Gas Transmission Co. See notice of petition to amend orders and pending applications, issued May 19, 1966, in Docket Nos. G-165, et al. and CP60-57, et al.

[2] Exhibit Z-1, Line 8 to the application filed in Docket No. CP65-352.

of LNG gas to Gardner for ultimate resale by Gardner. Petitioner further states that it does not oppose such sale for resale and accordingly requests that the Commission amend its order of July 26, 1965, issued in the instant proceeding, to reflect such sale for resale by Fitchburg.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 1, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7529; Filed, July 11, 1966; 8:46 a.m.]

[Docket No. RI66-435]

TEXAS OIL & GAS CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

July 5, 1966.

On June 17, 1966, Texas Oil & Gas Corp. (Texas Oil) [1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated June 13, 1966.
Purchaser and producing area: Texas Eastern Transmission Corp. (South Weesatche Field, Goliad County, Tex.) (R.R. District No. 2).
Rate schedule designation: Supplement No. 6 to Texas Oil's FPC Gas Rate Schedule No. 35.
Effective date: July 18, 1966.[2]
Amount of annual increase: $1,000.
Effective rate: 13.8733 cents per Mcf.[3]
Proposed rate: 14.3733 cents per Mcf.[4]
Pressure base: 14.65 p.s.i.a.

Texas Oil requests that its proposed rate increase be permitted to become effective on July 15, 1966. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Texas Oil's rate filing and such request is denied.

Texas Oil proposes a rate increase from 13.8733 cents to 14.3733 cents, amounting to $1,000 annually, for gas sold under its FPC Gas Rate Schedule No. 35 to Texas Eastern Transmission Corp. (Texas Eastern) in Texas Railroad District No. 2. The proposed 0.5 cent increase, which was contractually due on February 5, 1963, is from a settlement rate approved by the Commission's letter order dated March 31, 1960. The subject rate schedule provides for delivery for nondehydrated gas at the outlet of the producer's facilities at or near each producing well or wells.

The gas purchased by Texas Eastern in this area (Wilcox Trend) is transported by Texas Eastern to the Goliad Plant, operated by Mobil Oil Corp., where it is then processed for the extraction of liquid components, dehydrated and redelivered to Texas Eastern at the outlet of such plant. Texas Eastern maintains a standard contract differential of 0.5 cent for dehydrated gas delivered at a central point in the Wilcox Trend area. The actual cost incurred by Texas Eastern for dehydration and central point delivery of the subject gas is not ascertainable at this time but the Commission has applied the standard 0.5-cent differential for these costs in determining whether the proposed rate exceeds the applicable area increased ceiling. The addition of this 0.5-cent differential to the instant proposed rate, since Texas Eastern must gather and dehydrate the subject gas, would cause such rate to exceed the area increased ceiling of 14.6 cents per Mcf established by the Commission for pipeline quality gas. Pipeline quality gas in this area is understood to apply to sales of dehydrated gas delivered at a central point in the field. Under the circumstances, Texas Oil's proposed increased rate is suspended as hereinafter ordered because the sales related thereto are considered to be for nonpipeline quality gas within the meaning of the Commission's statement of general policy No. 61-1, as amended, because of the cost incurred by the buyer for dehydrating and gathering.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 6 to Texas Oil's FPC Gas Rate Schedule No. 35 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Texas Oil's FPC Gas Rate Schedule No .35.

(B) Pending such hearing and decision thereon, Supplement No. 6 to Texas Oil's FPC Gas Rate Schedule No. 35 is hereby suspended and the use thereof deferred until December 18, 1966, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 24, 1966.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-7530; Filed, July 11, 1966; 8:46 a.m.]

[1] Address is 2520 Fidelity Union Tower, Dallas, Tex. 75201.

[2] The stated effective date is the 1st day after expiration of the statutory notice.

[3] Settlement rate accepted by the Commission by letter order issued Mar. 31, 1960.

[4] Equivalent to 14.8733 cents when a standard differential of 0.5 cent maintained by Texas Eastern for delivery of dehydrated gas at a central point is taken into consideration.

[Docket No. E-7299]

UNION ELECTRIC CO.

Notice of Application

JULY 5, 1966.

Take notice that on June 27, 1966, Union Electric Co. (Applicant) filed an application with the Federal Power Commission pursuant to section 203 of the Federal Power Act seeking an order authorizing it to sell certain terminal facilities to Electric Energy, Inc. (Electric).

Applicant is an electric utility organized under the laws of the State of Missouri with its principal place of business office at St. Louis, Mo., and serves the city of St. Louis and 10 surrounding counties in the State of Missouri. Applicant is also engaged in furnishing electric service to Hancock, St. Clair, Madison, Jersey, Macoupin, and Henderson Counties, Ill., and in Lee, Henry, Des Moines, and Van Buren Counties, Iowa.

Electric was organized in 1950 to construct a 4-unit electric generating station near Joppa, Ill., and supply a substantial portion of electric energy requirements of a project of the Atomic Energy Commission (AEC) near Paducah, Ky. The common stock of Electric is held by the following companies (sponsoring companies) in the percentages specified: Central Illinois Public Service Co., 20 percent; Illinois Power Co., 20 percent; Kentucky Utilities Co., 20 percent; and Applicant, 40 percent.

The sponsoring companies are entitled to surplus power from the Joppa plant over and above that required to meet the contract requirements of AEC. However, AEC has canceled its initial 500,000 kw commitment and thus increasing the energy available to the sponsoring companies. Applicant presently owns certain terminal facilities located on the property of Electric which heretofore have been utilized for the principal benefit of Applicant but due to the increase in energy available to the sponsoring companies will now be used for the benefit of the other sponsoring companies as well as Applicant. As a result of this change in the function of these terminal facilities Applicant agreed to sell the terminal facilities to Electric.

The facilities consist of two oil circuit breakers including associated meter reading and control equipment, towers, supports, and associated communication equipment. The consideration is $226,927 which equals the depreciated original cost thereof as of June 15, 1966.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 25, 1966, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7531; Filed, July 11, 1966; 8:46 a.m.]

[Docket No. CP66-426]

UNITED GAS PIPE LINE CO.

Notice of Application

JULY 5, 1966.

Take notice that on June 24, 1966, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP66-426 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of natural gas to Henderson Clay Products, Inc. (Henderson), to meet a portion of Henderson's fuel requirements for its brick manufacturing plant, Rusk County, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct approximately 0.95 mile of 4½-inch pipeline, an orifice meter and regulator station and appurtenant facilities near Milepost 11 on its 4-inch and 6-inch Henderson lateral, located in the E. B. Warren Survey, Abstract 835, Rusk County, Tex.

Applicant proposes to furnish Henderson with a portion of its gas supply and as set forth in the contract between the parties dated May 25, 1966, Henderson has agreed to a "take or pay" quantity of 1,500 Mcf each day. Applicant states that in the third year of operation it will sell and deliver to Henderson approximately 600,000 Mcf of natural gas.

The total estimated cost of Applicant's proposed construction is $27,176, which cost will be financed out of current working funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before July 29, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-7532; Filed, July 11, 1966; 8:46 a.m.]

[Docket No. RI66-434]

SHELL OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JULY 5, 1966.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the Regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 15, 1966.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI66-434...	Shell Oil Co., 50 West 50th Street, New York, N.Y. 10020.	277	[1] 6	Oklahoma Natural Gas Gathering Corp. [2] (Ringwood Field, Major County, Okla.).	$3,600	6-13-66	[3] 6-13-66	[4] 6-14-66	[5] 11.0	[5] [6] 12.0	

[1] Covers additional acreage dedication under Supplement No. 4 for which a temporary certificate was issued in CI63-181 on Apr. 21, 1966, at 11 cents per Mcf. Rate for previously dedicated acreage is 12 cents, effective as of June 1, 1965, subject to refund in Docket No. RI66-224.

[2] Oklahoma Natural classed as a pipeline company in its certificate (CI61-1408) for resale of gas to Cities Service Gas Co. at an initial rate of 17 cents. Oklahoma Natural has filed a rate increase to 18.5 cents which is in effect subject to refund as of June 1, 1966, in Docket No. RP66-19. National Fuels Corp. purchases extracted liquids on percentage basis.

[3] The effective date is due to waiver of the 30-day notice requirement.

[4] The suspension period is limited to 1 day.

[5] Periodic rate increase.

[6] Pressure base is 14.65 p.s.i.a.

APPENDIX

Shell Oil Co.'s (Shell) notice of change covers additional acreage under Supplement No. 4 to its FPC Gas Rate Schedule No. 277 for which a temporary certificate was issued on April 21, 1966, in Docket No. CI63-181, at a conditioned rate of 11 cents per Mcf. Shell was advised in the same letter granting the temporary certificate that it could file a rate increase to the 12 cents contractual rate and request a shortened suspension period (until June 1, 1966) to coincide with the suspension period of the buyer, Oklahoma Natural Gas Gathering Corp. (Oklahoma Natural). Shell's rate increase was not filed until June 13, 1966. Shell has requested an effective date of 30 days after date of filing on June 13, 1966. In this situation, we believe that it would be in the public interest that the 30-day notice requirement provided in section 4(d) of the Natural Gas Act be waived to permit Shell's proposed rate increase to become effective as of June 14, 1966, as ordered herein.

Shell proposes a periodic increase in rate from 11 cents to 12 cents per Mcf, amounting to $3,600 annually, for wellhead sales of gas to Oklahoma Natural from the Ringwood Field, Major County, Okla. (Oklahoma "Other" Area) under additional acreage dedicated to the basic contract under Supplement No. 4 to its FPC Gas Rate Schedule No. 277. Oklahoma Natural which was classified as a pipeline company in Docket No. CI61-1408 for the resale of gas to Cities Service Gas Co., has filed a related increase to 18.5 cents per Mcf which was suspended in Docket No. RP66-19 until June 1, 1966. Shell's proposed rate exceeds the applicable area increased rate ceiling of 11 cents per Mcf for the area involved. Under the circumstances, we believe that Shell's proposed rate increase should be suspended for one day from June 13, 1966, the date of filing.

[F.R. Doc. 66-7533; Filed, July 11, 1966; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

HEALTH HAZARD WARNING LABELING ON IMPORTED CIGARETTE PACKAGES

Articles Prohibited Importation

There is published below Bureau of Customs Circular MAR-2-RMxRES-36-RM, July 1, 1966, relating to the importation of cigarette packages which do not display the health hazard warning labeling required under Public Law 89-92 of July 27, 1965 (79 Stat. 282).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

JULY 1, 1966.

Subject: Marking, labeling, packing and stamping; health hazard warning labeling on imported cigarette packages.

References: Public Law 89-92 of July 27, 1965 (79 Stat. 282), cited as "Federal Cigarette Labeling and Advertising Act."

1. *Purpose.* To inform customs officers as to enforcement responsibilities with respect to the health hazard warning labeling required on imported cigarette packages.

2. *Background.* The referenced statute includes provision making it unlawful, effective January 1, 1966, to import "for sale or distribution within the United States" any cigarettes the package of which fails to bear labeling worded "Caution: Cigarette Smoking May Be Hazardous to Your Health."

The term "sale or distribution" is defined as including sampling or any other distribution not for sale. The term "package" is defined as a pack, box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise distributed to consumers. It is to be understood that the outer cellophane wrapper is not considered to come within the term "package" and that the requirement is not fulfilled when the cautionary statement has been stamped or otherwise placed on such outer wrapper.

Section 8 of the Act provides that packages of cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the labeling requirement, but that such exemptions shall not apply to cigarettes manufactured, imported, or packaged for sale or distribution to members or units of the Armed Forces of the United States located outside the United States.

The cautionary statement, when required, must be located in a conspicuous place on every cigarette package and must appear in a conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

Unlabeled packages of cigarettes are deemed admissible when they are imported in the possession, or in the accompanying baggage, of a person, or crewmember arriving in the United States and the inspecting officer is satisfied that the quantity is for the traveler's or crewmember's personal consumption and not for sale or other distribution, as a gift or otherwise.

3. *Action.* Customs officers shall withhold delivery of importations of any cigarettes the package of which does not bear the required cautionary statement, unless exempted therefrom by section 8 of the Act or the importation consists of admissible cigarettes in the possession, or in the accompanying baggage, of a person, including a crewmember, arriving in the United States. As to each such detained shipment the facts of entry, claimed use or distribution, and any other pertinent information bearing on the question of ultimate disposition shall be reported to the Bureau. Customs officers shall be governed by the Bureau's responses with respect to permissible dispositions of such detained importations.

Prominent notice of this circular shall be given at the customhouse. Importers and brokers directly concerned shall be informed of the contents of this circular. Persons or companies so informed shall be encouraged to advise foreign suppliers as to the law with the view that cigarette producers will undertake to have the cautionary label printed on packaging intended for cigarettes produced for sale or distribution within the United States.

4. *Effective date.* This circular is effective upon receipt.

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 66-7556; Filed, July 11, 1966; 8:48 a.m.]

POST OFFICE DEPARTMENT

REPUBLIC OF THE CONGO

Mail

On July 1, 1966, the name of the capital of the Democratic Republic of the Congo was changed from Leopoldville to Kinshasa, and the short form of the country name is now Congo (Kinshasa). Mail so addressed is accepted under the conditions heretofore applying to Congo (Leopoldville).

Part 168 of Title 39, Code of Federal Regulations, will be amended accordingly in the near future to reflect this name change.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

JULY 6, 1966.

[F.R. Doc. 66-7563; Filed, July 11, 1966; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

CARSON'S LIVESTOCK AUCTION ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard location, and date of posting	*Current name of stockyard and date of change in name*
ARKANSAS	
Carson's Livestock Auction, Searcy, Feb. 17, 1959	Carson & Montgomery Livestock Auction, Mar. 1, 1966.
CALIFORNIA	
Valley Livestock Marketing Ass'n, Dixon, Oct. 6, 1959.	Dixon Livestock Auction, June 1, 1966.
Valley Livestock Marketing Ass'n, Red Bluff, Oct. 6, 1959.	Red Bluff Livestock Auction, June 1, 1966.
COLORADO	
Union Stock Yards, Denver, Nov. 1, 1921	The Denver Livestock Market, Inc., July 1, 1966.
Weld County Livestock Commission Co., Greeley, May 23, 1957.	Weld County Livestock Commission Company, June 2, 1966.
FLORIDA	
Cattleman-Farmers Auction Market, Gainesville, Mar. 8, 1960.	Cattleman-Farmers Auction Market, Inc., Aug. 1, 1965.

Original name of stockyard location, and date of posting	*Current name of stockyard and date of change in name*
INDIANA	
Fountain County Livestock Commission Company, Veedersburg, May 7, 1959.	Fountain County Livestock Comm. Co., Sept. 1, 1965.
KANSAS	
Larned Livestock Commission Co., Larned, Apr. 18, 1950.	Larned Livestock Commission Co., Inc., May 2, 1966.
Oakley Livestock Commission Co., Oakley, Apr. 21, 1950.	Oakley Livestock Commission Co., Inc., June 10, 1966.
LOUISIANA	
Bill Lyles Auction Company, Mansfield, Apr. 10, 1957.	Mansfield Livestock Auction Company, Apr. 1, 1966.
MARYLAND	
West Nottingham Livestock, Inc., Rising Sun, July 26, 1961.	West Nottingham Sales, Inc., May 1, 1965.
MINNESOTA	
Spring Valley Sales Pavilion, Spring Valley, Nov. 13, 1959.	Spring Valley Sales Co., Inc., Apr. 1, 1966.
MISSISSIPPI	
Yazoo Livestock Auction, Yazoo City, Aug. 21, 1965.	Mississippi Livestock Producers Association, May 1, 1966.
MISSOURI	
Chillicothe Livestock Auction Company, Chillicothe, July 24, 1957.	Chillicothe Livestock Auction, Dec. 1, 1965.
Palmyra Livestock Auction Market, Palmyra, Mar., 14, 1963.	Palmyra Livestock Auction Market, Inc., Dec. 27, 1965.
NORTH CAROLINA	
V. R. Pugh Livestock Commission, Asheboro, Dec. 1, 1959.	Breeders Livestock Sale, Inc., of Asheboro, Jan. 1, 1966.
SOUTH CAROLINA	
Campbell County Livestock Auction, Inc., Herreid, June 23, 1954.	Dobler Livestock Sales Company, Apr. 2, 1966.
TEXAS	
Cotulla Livestock Commission Company, Inc., Pearsall, June 12, 1957.	Frio Livestock Sales Company, May 3, 1966.
Hopkins County Livestock Commission Co., Sulphur Springs, Sept. 26, 1962.	Hopkins County Livestock Comm. Co., Dec. 31, 1965.
WASHINGTON	
Marysville Livestock Auction, Marysville, Feb. 27, 1962.	Marysville Livestock Auction, Inc., Sept. 22, 1964.

Done at Washington, D.C., this 7th day of July 1966.

EDWARD L. THOMPSON,
Acting Chief, Registrations, Bonds and Reports Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 66-7577; Filed, July 11, 1966; 8:50 a.m.]

Office of the Secretary

CALIFORNIA

Notice of Establishment and Description of Boundaries in Whiskeytown-Shasta-Trinity National Recreation Area

Pursuant to the authority vested in me by Public Law 89-336 (sec. 3(a), 79 Stat. 1297), which established the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, notice is hereby given that I have determined that sufficient lands, waters, or interests therein are owned or have been acquired by the United States within the boundaries of the Clair Engle-Lewiston and Shasta Units of the Whiskeytown-Shasta-Trinity National Recreation Area to permit efficient initial development and administration of the units for the purposes of Public Law 89-336. The boundaries of the Clair Engle-Lewiston and Shasta units encompass the following described lands:

CLAIR ENGLE-LEWISTON UNIT

MOUNT DIABLO MERIDIAN

T. 34 N., R. 7 W.,
Sec. 18.
T. 35 N., R. 7 W.,
Secs. 4 to 9, inclusive;
Secs. 16, NW¼NE¼, N½NW¼;
Secs. 17 to 20, inclusive;
Secs. 29 to 31, inclusive.
T. 36 N., R. 7 W.,
Secs. 1 to 4, inclusive;
Secs. 5 and 8, those portions lying easterly of a line measured horizontally 300 feet from and parallel to the maximum westerly flow line of Clair Engle Lake;
Secs. 9 to 16, inclusive;
Sec. 17, that portion lying easterly of a line measured horizontally 300 feet from and parallel to the maximum westerly flow line of Clair Engle Lake;
Secs. 20 to 36, inclusive.
T. 37 N., R. 7 W.,
Secs. 16 and 17;
Sec. 18, E½;
Sec. 19, E½;
Secs. 20, 21, 28, and 29;
Sec. 30, E½;
Secs. 32 to 36, inclusive.
T. 33 N., R. 8 W.,
Secs. 4 and 5;
Sec. 6, N½, SE¼;
Sec. 7, E½;
Sec. 8;
Sec. 17, NW¼;
Sec. 18, NE¼.
T. 34 N., R. 8 W.,
Secs. 1 to 18, inclusive;
Sec. 20, E½;
Secs. 21 to 24, inclusive;
Secs. 27 and 28;
Sec. 29, E½;
Sec. 32, E½;
Sec. 33.
T. 35 N., R. 8 W.,
Secs. 1 and 2;
Secs. 10 to 16, inclusive;
Secs. 21 to 36, inclusive.
T. 36 N., R. 8 W.,
Sec. 36, that portion lying easterly of a line between the SE corner of the SW¼SW¼ and the NW¼ corner of the NE¼NE¼.
T. 34 N., R. 9 W.,
Secs. 1 and 2;
Sec. 3, N½.
T. 35 N., R. 9 W.,
Sec. 25, S½;
Sec. 26, S½;
Sec. 27, S½;
Secs. 34 to 36, inclusive.

SHASTA UNIT

MOUNT DIABLO MERIDIAN

T. 34 N., R. 1 W.,
Secs. 6 and 7.
T. 35 N, R. 1 W.,
Sec. 31.
T. 33 N., R. 2 W.,
Sec. 4, W½;
Secs. 5 and 6.
T. 34 N., R. 2 W.,
Secs. 6 to 12, inclusive;
Secs. 14 to 21, inclusive;
Secs. 28 to 32, inclusive;
Sec. 33, W½.
T. 33 N., R. 3 W.,
Secs. 1 to 6, inclusive;
Secs. 8 to 10, inclusive.
T. 34 N., R. 3 W.,
Sec. 1;
Secs. 4 to 36, inclusive.
T. 35 N., R. 3 W.,
Sec. 4, S½;
Sec. 5, W½ and SE¼;
Secs. 6 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 36 N., R. 3 W.,
Sec. 31, E½;
Sec. 32, W½.
T. 33 N., R. 4 W.,
Sec. 1;
Sec. 2, N½N½;
Sec. 3, N½NE¼, SW¼NE¼, NW¼;
Sec. 4, N½, SW¼;
Secs. 5 and 6.
T. 34 N., R. 4 W.,
Secs. 1 to 36, inclusive.
T. 35 N., R. 4 W.,
Sec. 6, W½;
Sec. 7, W½;
Secs. 18 and 19;
Secs. 23 to 26, inclusive;
Sec. 29, S½;
Secs. 30 to 36, inclusive.
T. 33 N., R. 5 W.,
Secs. 1 to 12, inclusive;
Sec. 13, N½N½;
Secs. 14 to 18, inclusive.
T. 34 N., R. 5 W.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.

T. 35 N., R. 5 W.,
Secs. 1, 2 and the N½ of Sec. 12, all those portions lying north or east of a line measured horizontally 300 feet from and parallel to the maximum westerly flow line of Shasta Lake;
Sec. 12, S½NE¼, E½SW¼, SE¼;
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Sec. 27, S½;
Sec. 28, S½;
Secs. 33 to 36, inclusive.

Done at Washington, D.C., this 6th day of July 1966.

JOHN A. SCHNITTKER,
Acting Secretary of Agriculture.

[F.R. Doc. 66-7545; Filed, July 11, 1966; 8:47 a.m.]

WEST VIRGINIA

Notice of Designation and Description of Boundaries of the Spruce Knob-Seneca Rocks National Recreation Area

Pursuant to the authority vested in me by Public Law 89-207 (sec. 2, 79 Stat. 843), which authorizes the establishment of the Spruce Knob-Seneca Rocks National Recreation Area in the State of West Virginia, I do hereby designate the herein described lands (delineated on the map hereto annexed and made a part hereof) which lie primarily in the drainage of the South Branch of the Potomac River within and adjacent to, and as a part of, the Monongahela National Forest in West Virginia, containing 100,000 acres, more or less, the Spruce Knob-Seneca Rocks National Recreation Area (comprised of the Spruce Knob and Seneca Rocks Units) and the boundaries of the Monongahela National Forest in West Virginia are redefined to include all lands shown on the annexed map not heretofore within such boundaries:

SPRUCE KNOB UNIT

Beginning at the junction of the Randolph County-Pendleton County line and U.S. Route 33; thence with U.S. Route 33 easterly a distance of approximately 3.10 miles to the junction of Forest Service Road No. 128.2; thence S. 18°00' E., 0.10 mile to corner No. 3 of U.S. Tract No. 358a; thence with Tract No. 358a to corner No. 4, thereof; thence leaving Tract 358a approximately S. 24°50' W., 0.80 mile to corner No. 1 of U.S. Tract No. 387; thence up Straeder Run with Tract No. 387 approximately 0.70 mile to Class A corner No. 976; thence leaving Tract No. 387 approximately S. 21°00' E., 1.20 miles to USGS triangulation station No. 4225 on Kisamore Peak; thence approximately S. 6°30' W., 2.65 miles to corner No. 6 of U.S. Tract No. 168, Class A corner No. 993; thence approximately S. 29°40' W., 2.85 miles to corner No. 80 of U.S. Tract No. 38b, Class A corner No. 71; thence with Tract No. 38b approximately 8.70 miles to corner No. 100, Class A corner 72; thence leaving Tract No. 38b approximately N. 69°00' W., 0.25 mile to the junction of Forest Service Road No. 1.1 and Big Run; thence with Route No. 15 to the junction of Forest Service Road No. 55.1 and No. 15 on the Randolph County-Pendleton County line; thence northerly on the County line approximately 20.4 miles to the place of beginning.

SENECA ROCKS UNIT

Beginning on the boundary of the Monongahela National Forest at BM 1284 on the Jordan Run Road; thence N. 81°45' E., 5.60 miles to a point on the 79°10' W., meridian; thence due south approximately 0.80 mile to a point 330 feet south of the center of the channel of the South Branch of the Potomac River; thence upstream approximately 1.10 miles to a point on the Monongahela Forest boundary S. 32°03' E., 330 feet from the center of the channel of the South Branch of the Potomac River near the site of the proposed Royal Glen Dam; thence with the Forest boundary S. 32°03' E., approximately 1.40 miles to an old road east of Sawmill Branch; thence with old road southerly approximately 6.00 miles to a point on the Forest boundary approximately 4.00 miles S. 33°50' W., of BM 1085; thence with the Forest boundary approximately S. 33°50' W., 7.10 miles to a point in old road at BM 1522; thence with old road approximately 1.20 miles to U.S. Route 220 at Upper Tract bridge; thence with U.S. Route 220 approximately 3.90 miles to the junction of old road at BM 1489; thence approximately S. 58°00' W., 1.25 miles to corner No. 4 of U.S. Tract No. 212; thence with Tract No. 212 to corner No. 3 thereof; thence leaving Tract No. 212 approximately N. 50°35' W., 1.21 miles to corner No. 2 of U.S. Tract No. 196b; thence approximately N. 52°30' W., 0.30 mile to West Virginia Route 8 and BM 1774; thence with Route 8 1.8 miles southerly to junction of old County Road, now abandoned; thence with abandoned County Road over North Fork Mountain approximately 3.4 miles to junction with West Virginia Route 9; thence with West Virginia Route 9 to its junction with U.S. Route 33 west of Harper Gap; thence approximately N. 38°47' W., 0.80 mile to a point, Temporary BM 2865; thence a straight course bearing N. 28°05' E., approximately 13.10 miles to corner No. 6 of U.S. Tract No. 368; thence approximately N. 52°30' E., 1.33 miles to BM 1284 on the Jordan Run Road, the place of beginning.

Done at Washington, D.C., this 6th day of July 1966.

JOHN A. SCHNITTKER,
Acting Secretary of Agriculture.

[F.R. Doc. 66-7548; Filed, July 11, 1966; 8:48 a.m.]

IOWA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Iowa natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

IOWA

Winnebago.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of July 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7546; Filed, July 11, 1966; 8:47 a.m.]

NORTH CAROLINA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of North Carolina natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NORTH CAROLINA

Robeson.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of July 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-7547; Filed, July 11, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN TURPENTINE FARMERS ASSOCIATION COOPERATIVE

Notice of Withdrawal of Petition for Food Additives Esters of Gum Rosin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), American Turpentine Farmers Association Cooperative, 1204 North Patterson Street, Valdosta, Ga. 31601, has withdrawn its petition (FAP 5B1809), notice of which was published in the FEDERAL REGISTER of August 12, 1965 (30 F.R. 10063), proposing amendment of § 121.2592 *Rosins and rosin derivatives* to provide for the safe use of certain esters of gum rosin as components of food-contact articles.

The withdrawal of this petition is without prejudice to a future filing.

Dated: July 5, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7541; Filed, July 11, 1966; 8:47 a.m.]

CIBA CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0505) has been filed by CIBA Corp., Post Office Box 1105, Vero Beach, Fla. 32960, proposing the establishment of a tolerance of 0.1 part per million for residues of the herbicide 1,1-dimethyl-3-(α,α,α-trifluoro-*m*-tolyl) urea in or on the raw agricultural commodity cottonseed.

The analytical method proposed in the petition for determining residues of the herbicide is extraction with acetonitrile, hydrolysis to trifluoromethylaniline, diazotization, coupling with 1-naphthol, and measurement of the absorbance at 500 millimicrons.

Dated: July 5, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7542; Filed, July 11, 1966; 8:47 a.m.]

NEW DRUGS

Notice of Approval of Applications

As provided in § 130.33 of the new-drug regulations (21 CFR 130.33), notice is given of the following new drugs for which applications, or supplemental applications for substantive labeling changes, have been approved on the dates specified:

DRUGS FOR VETERINARY USE

Active ingredients (as declared on label)	Trade name or other designated name and dosage form	Principal indication or pharmacological category	Applicant	Date approved	How dispensed [1]
Flumethasone, 0.0625 mg.	Flucort (tablet)	Anti-inflammatory corticoid (cats and dogs).	Syntex Laboratories, Inc.	Mar. 10, 1966	R_x
Poloxalene, 53%	Bloat Guard (top dressing for cattle feed).	Surfactant for prevention of legume bloat (cattle).	Smith Kline & French Laboratories.	do	OTC
Tylosin, 2%; neomycin sulfate, equivalent to 0.25% base; piperocaine hydrochloride, 1%; boric acid.	Tylan Neomycin Eye Powder (powder).	Infectious keratoconjunctivitis (cattle).	Corvel, Inc.	Mar. 15, 1966	OTC
Bismuthyl-*N*-glycoloylarsanilate (glycobiarsol), 1 gm. and 2.5 gm.	Millibis-V (tablet)	Anthelmintic for elimination of whipworms (dogs).	Winthrop Laboratories.	Apr. 5, 1966	R_x
Trichlormethiazide, 200 mg.; dexamethasone, 5 mg.	Naquasone (bolus).	Physiological parturient udder edema (cattle).	Schering Corp.	do	R_x
Sodium selenite (selenium), 1 mg.; *d*-α tocopheryl acetate (vitamin E), 68 I.U. per ml.	Seletoc (injection).	Arthropathies (dogs).	H. C. Burns Pharmaceuticals.	Apr. 7, 1966	R_x
Sodium selenite (selenium), 1 mg.; *d*-α tocopheryl acetate (vitamin E), 68 I.U. per capsule.	Seletoc (capsule)	do	do	do	R_x
Iodinated casein, 25 mg.	Protamone-D (tablet).	Synthetic thyroid-active supplement (dogs).	Agri-Tech, Inc.	Apr. 22, 1966	R_x

[1] The abbreviation "R_x" means restricted by law to prescription only; the abbreviation "OTC" applies to drugs that by law are not required to be sold on prescription.

Dated: July 5, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-7549; Filed, July 11, 1966; 8:48 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

REGIONAL ADMINISTRATOR AND DEPUTY REGIONAL ADMINISTRATOR, REGION III (ATLANTA)

Delegation of Authority With Respect to Urban Planning Program; Saint Tammany Parish, La.

The Regional Administrator and the Deputy Regional Administrator of the Department of Housing and Urban Development, Region III (Atlanta), each is hereby authorized to administer the provisions of section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), with respect to grants for urban planning within Saint Tammany Parish, La.

The Secretary's delegation with respect to the urban planning program, republished at 25 F.R. 9874 (Oct. 14, 1960), as amended, particularly at 30 F.R. 12502 (Sept. 30, 1965), and section A, 1, of the redelegations by the Assistant Secretary for Metropolitan Development published at 31 F.R. 7359 (May 20, 1966), as they apply to the Regional Administrators and Deputy Regional Administrators, Region III (Atlanta) and Region V (Fort Worth), are modified accordingly.

(Sec. 7(d) of P.L. 89-174, 5 U.S.C. 624d(d))

Effective date. This delegation of authority shall be effective as of June 29, 1966.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 66-7562; Filed, July 11, 1966; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF LOUISIANA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Louisiana for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé prepared by the State of Louisiana and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. A copy of the program, including proposed Louisiana regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C. 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commissions, regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; April 3, 1965, 30 F.R. 4352; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 7th day of July 1966.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE UNITED STATES ATOMIC ENERGY COMMISSION AND THE STATE OF LOUISIANA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURUSANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Louisiana is authorized under West's LSA–R.S. 51:1051 et seq., to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Louisiana certified on June 15, 1966, that the State of Louisiana (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____, 1966, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on September 1, 1966, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

LOUISIANA RADIATION REGULATORY PROGRAM

BOARD OF NUCLEAR ENERGY

The Louisiana Board of Nuclear Energy was established by the Louisiana Nuclear Energy Act, Act 84 of the 1962 Louisiana Legislature (now R.S. 51:1051 et seq.), to protect the health and welfare of the people of the State of Louisiana by providing for the regulation, development and proper utilization of atomic and nuclear energy and for the effective control of radiation hazards.

The Louisiana Board of Nuclear Energy is a 14 member board appointed by the Governor. The following 12 categories must be represented on the Board: A qualified radiologist; a physician specializing in internal medicine; State Senate and House of Representatives; Louisiana State University; private universities and colleges of Louisiana; colleges and universities under the State Board of Education; the dental profession; petroleum industries; the chemical industry; the agricultural industry; and a licensed industrial radiographer. The Director of the Division of Radiation Control and the Coordinator of the Atomic Energy Development Agency complete the 14 member Board. The Lieutenant Governor is the present Chairman of the Board.

Two independently staffed departments, the Division of Radiation Control and the Atomic Energy Development Agency, were created simultaneously with the Board of Nuclear Energy. The Louisiana Board of Nuclear Energy reviews and approves or rejects the programs and policies of its two departments, and it provides assistance, advice and consultation to the Director and Coordinator. The Board is charged with the responsibility to approve or reject the rules and regulations submitted to it by the Division of Radiation Control. Assistance consultation, recommendations are rendered by the Board to the Division of Radiation Control on a wide scope of matters pertaining to nuclear energy involving national and international developments and radiation protection standards and policies. An Advisory Council to the Louisiana Board of Nuclear Energy has been established which renders specialized advice and consultation upon request. The Advisory Council is composed of leading representatives from among such groups as commerce, industry, medicine, dentistry, insurance, law, education, law enforcement, labor, agriculture, and engineering. The Governor receives reports and counsel from the Board of Nuclear Energy concerning atomic and nuclear energy programs in the State's interest.

Legislative provision was made for the orderly transfer of existing AEC licenses and for the continued assistance and cooperation between the State, the Federal Government and other states. Legislation has specifically prohibited the existence of conflicting laws and duplication of regulatory authority.

The Governor was authorized by this legislation to effect an agreement with the Federal Government which would provide for the discontinuance of the Federal Government's regulatory authority with respect to byproduct, source and special nuclear materials in quantities not sufficient to form a critical mass and which would permit the State to regulate these radioactive materials as a part of a more comprehensive radiological health program.

The Board of Nuclear Energy and the Division of Radiation Control provide a unique approach in state government to radiological health, radiation control and regulatory programs. These agencies are solely devoted to radiation protection and to atomic and nuclear energy programs. Emphasis is placed on a technically based program of the highest caliber with personnel specifically trained in health physics, nuclear science, engineering, and life science disciplines.

DIVISION OF RADIATION CONTROL

The Louisiana Division of Radiation Control is vested with the complete responsibility for radiological health in the State of Louisiana. Its powers and duties comprise the authority to effect a complete licensing and registration program for all radioactive materials and sources of ionizing radiation. It is empowered to conduct evaluation inspections at all installations utilizing any sources of ionizing radiation. It regulates the discharge of radioactive materials into the natural environment. It may conduct studies and research associated with radio-

logical health; and it is encouraged to educate the people of Louisiana on radiation hazards. Rules, regulations and policies commensurable with established radiation protection standards adopted by the Division are submitted to the Board for approval, and upon approval by the Board, such regulations and policies are promulgated and enforced by the Division. Broad emergency powers may be invoked by the Division whenever necessary to meet emergency situations.

The Louisiana Division of Radiation Control began operation early in 1965 and immediate steps were taken to initiate a comprehensive radiological health program for Louisiana. Health Physicists classifications were established with the Department of Civil Service. Highly qualified personnel were acquired and they have received additional specialized training in health physics. Portable radiation detection instruments were purchased which provide the Division the capabilities of detecting and measuring any radiation. Efficient administrative forms have been designed to expedite the licensing and registration of all sources of radiation and to assist the radiation user with his necessary records. All license, registration and inspection survey data are being placed in a computer processing system which will permit rapid and efficient retrieval of data.

The Louisiana Radiation Regulations were drafted in close cooperation with the State medical and dental associations and in cooperation with representatives from industry, education and government. Copies were printed for distribution to interested parties and groups throughout the State, and a loose-leaf format was used to facilitate changes and amendments to the regulations. The Louisiana Radiation Regulations were initially distributed to all current AEC licensees in Louisiana, State and Parish medical and dental associations, hospitals, radiologists, and major industrial companies. After a 30-day period for their review, a public hearing was held at the State Capitol in Baton Rouge to receive comments and the Senate Chamber was completely filled for this hearing. No adverse comments on the Louisiana Radiation Regulations were heard and no adverse written comments were received. The Louisiana Board of Nuclear Energy formally adopted the Louisiana Radiation Regulations immediately after the public hearing on Friday, January 28, 1966.

Registration of all sources of radiation, except radioactive materials, has been initiated, and it is expected that 4,000–5,000 sources of radiation will be registered. The sources of radiation which will be registered are mostly medical, dental and industrial X-ray units. These X-ray units have not previously been under a radiological health program, and registration of these X-ray units will place their operation under a uniform set of recognized radiation protection standards for the first time. There has been no recent inspection of these units, and it will probably require a 3-year period to complete the initial inspection. Periodic surveys of these X-ray installations will be performed on a periodic basis after the initial inspection, and the frequency of the subsequent surveys will be determined mainly on the relative radiation hazard found in the previous surveys or initial inspection. Accelerators, mainly neutron generators used in activation analysis, are also being registered as nonlicensed sources of radiation.

Radium users are located in conjunction with the registration program, and licensing of radium users will be implemented concurrently with the AEC agreement licensing program. Possession of radium must be indicated on the registration forms which were sent to all medical facilities, physicians, dentists, educational institutions and industries. Radium suppliers have furnished the Division a list of all radium users in Louisiana. All current radium users and users of radioactive materials not under the AEC licensing program will be assisted by the Division in filing their initial license application.

All radioactive materials are being placed under a licensing program which requires a license for the possession and use of significant quantities of radioactive materials. A prior evaluation will be made on each application for radioactive material use to ascertain if the proposed program and use meet minimal acceptable radiation protection standards as indicated in the Louisiana Radiation Regulations. Licenses will be issued to applicants who have adequate radiation protection programs and who are experienced and competently trained to use radioactive materials.

Periodic inspections will be made to each licensee's facilities to determine if the radioactive materials are being used in conformity with the Louisiana Radiation Regulations and in accordance with sound health physics practices not explicitly stated in the regulations. Health Physicists from the Division of Radiation Control have been accompanying AEC compliance inspectors within the State for the past year. These inspections have served to familiarize the Division's Health Physicists with AEC compliance inspection procedures, and the inspections have been used to inform the current AEC licensees of the impending agreement state program.

Plans for shielding X-ray facilities in hospitals, doctors' offices, clinics, institutions and industry will be checked against standards established in the Louisiana Radiation Regulations. This service will be performed in conjunction with the Louisiana State Board of Health as one aspect of their program of reviewing construction plans for medical and institutional installations. The construction plans will be checked against standards and procedures established by the Division of Radiation Control. Shielding evaluation data determined by the Board of Health from the plans will be maintained by the Division of Radiation Control and any substandard installations will be corrected under the authority of the Division.

Radiation Emergency Reaction Teams have been established which can supervise the management of radiation accidents and incidents within the State except in case of nuclear attack. Reports of an urgent nature can be investigated by these teams. This plan has been made an integral part of the State Civil Defense disaster plan, and the Louisiana Division of Radiation Control is the responsible State agency for radiation accidents and incidents. Teams have been established in New Orleans, Baton Rouge, Lafayette, Ruston, Lake Charles, and the Natchitoches-Alexandria area. Each team consists of a radiation specialist, chosen for his radiation knowledge and for his access to a large variety of radiation detection instrumentation in constant use, and a physician who is experienced in the field of radiation effects. The Louisiana State Police provides primary communication coordination, notification of the appropriate teams, and emergency ground and air transportation. The Director of the Division of Radiation Control will coordinate the activities of the teams, and he can assume management control of the radiation emergency under the provisions of the Louisiana Nuclear Energy Act and the Louisiana Radiation Regulations whenever necessary to protect occupational or public health and safety or property. He is assisted by a radiologist, expert in the field of nuclear medicine, and by the Coordinator of the Atomic Energy Development Agency, who will serve in the capacity of a public information officer. Additional radiation detection equipment will be available from the Division of Radiation Control offices in Baton Rouge. Outside assistance can be requested from the Atomic Energy Commission, U.S. Public Health Service, and the Department of Defense. Health physics personnel employed by the Division and trained under its programs, will be available to other governmental agencies whenever their assistance is required in controlling radiation hazards. Division Health Physicists responded to a recent radiation incident report at the New Orleans International Airport. Personnel and property were immediately protected, and an investigation was initiated to determine if personnel had been overexposed. Assistance was provided by the U.S. Atomic Energy Commission during their investigation. Two Health Physicists were involved in this incident for more than 4 days.

Training programs to properly educate the users of radioactive materials and the general public are profitable programs which result in increased public confidence and proper utilization of radiation. Training seminars will be presented for X-ray technologists and isotope technicians, which will teach radiation protection techniques. Conferences and lectures will be held for radiologists and physicians to acquaint them with nuclear medicine applications and health physics practices. The industrial user will be apprised of new health physics practices and radiation protection programs which apply to newly developed isotope applications and radiation uses. Training programs designed to qualify personnel in proper health physics practices will be an integral part of the Division's regulatory program. The general public will be kept informed with factual information regarding radiation and the sound regulations which protect them.

RADIOLOGICAL HEALTH REVIEW

The Louisiana State Board of Health has been involved in some radiological health activities since the early 1940's. Initial activities which were concerned with X-ray machines and radium, were limited to recommendations of good practice procedures. A film badge service was provided in 1947 by the U.S. Public Health Service to ascertain radiation exposures to employees of the State Board of Health, local health units, and industrial personnel who were using X-ray equipment.

The Atomic Energy Commission made radioactive isotopes available to medical, institutional and industrial firms in 1946. Inspections of radioactive material users were conducted by the AEC, and a representative of the Board of Health accompanied many AEC inspectors after the AEC initiated their policy of inviting State representatives.

All shoe fluoroscopes underwent a physical survey in 1950 and the users of the shoe fluoroscopes were advised of the potential hazards. During subsequent years, followup surveys were made on the shoe fluoroscopes and their removal was recommended. Approximately 50 percent of the shoe fluoroscopes had been removed from use in 1958, and Acts 1958 No. 124 prohibited their use.

The State Board of Health has cooperated with the Louisiana Civil Defense Agency in radiological defense. Board of Health personnel have been trained as Civil Defense radiological monitors, and State Civil Defense officials have been kept informed of environmental radioactivity levels resulting from fallout. Training in environmental analysis has been received by Board of Health chemists from the U.S. Public Health Service. The Industrial Hygiene Section Chief also participated in offsite monitoring at the Nevada Test Site and in the Project Dribble Nuclear Test.

A voluntary dental X-ray survey program was initiated in November 1960, with the assistance and cooperation of the U.S. Public Health Service, and the Louisiana State Dental Society, which supplied some filters and collimators for the deficient X-ray units. Approximately 400 dentists were surveyed in this initial program. A voluntary survey of medical X-ray units in the Greater New Orleans Area was conducted by the Tulane University School of Medicine under contract with the U.S. Public Health Service and the State Board of Health cooperated with the Tulane University School of Medicine in conducting this study. Approximately 400 X-ray units in the New Orleans Area were surveyed.

Environmental radiation surveillance has been of interest to the Louisiana State Board of Health. Fallout measurements have been made on dust samples collected for air pollution studies in New Orleans and rain samples have been collected since 1956. Surface water samples, milk samples, and human hair have been collected for the U.S. Public Health Service. Monthly radioactivity measurements have been made on diets from a New Orleans children's home and special environmental samples were collected in conjunction with the visit of the NS *Savannah* to New Orleans.

ENVIRONMENTAL MONITORING

The Louisiana State Board of Health is providing a comprehensive environmental radiation surveillance program which will monitor the entire environment: water, air and food, including vegetables, fruit, marine foods, and milk. Surface water samples are collected at 31 locations and food samples will be taken from four parishes. Milk samples are taken from the five major production areas, and marine food samples are to be analyzed at random intervals in conjunction with the oyster water surveillance program Air sampling stations at six locations throughout the State are being operated in conjunction with one or more of the following networks: Las Vegas Offsite Monitoring System, National Radiological Sampling Network, National Air Sampling Network, and the Louisiana Network.

The Louisiana State Board of Health will direct the operation of the environmental monitoring program compatible with the standards and requirements established by the Division of Radiation Control. Technical assistance and consultation will be provided to the State Board of Health and the environmental monitoring data will be routinely directed to the Division of Radiation Control. The Board of Health will provide special environmental monitoring upon request at designated locations to assist the Division with data concerned with the operation of a licensee or registrant.

LICENSING AND REGISTRATION

The Louisiana Division of Radiation Control will license the possession and use of all types of radioactive materials. Quantities of special nuclear materials sufficient to form a critical mass will be retained under the AEC regulatory program. Licensing will be required for radioactive material not previously under a licensing program, such as radium, other natural radioactive materials, and accelerator-produced isotopes.

Exemption from licensing and regulatory controls have been provided in the Louisiana Radiation Regulations for certain small quantities of radioactive materials. A general license is issued in the Louisiana Radiation Regulations for certain uses and quantities of radioactive materials which do not require a prior evaluation of individual possession or use. Specific licenses will be based on a prior evaluation of all initial, amendment or renewal applications. This detailed appraisal will evaluate the quantity and type of radioactive materials, the proposed application, the experience and training of the user, the radiation detection equipment available, the handling procedures, the disposal method and the personnel monitoring. When appropriate, a pre-licensing survey of the user's facilities will be conducted. Licensing criteria will be similar to that utilized by the U.S. Atomic Energy Commission.

A medical advisory committee will evaluate applications for all nonroutine uses of radioactive materials in humans. This committee contains licensed physicians with medical experience in the use of radioisotopes and radiation. The medical advisory committee will have representatives of diagnostic radiology, therapeutic radiology, internal medicine, pathology and medical physics.

Provision has been made in the Louisiana Radiation Regulations for issuance of a license which will permit the institution to determine specific uses within the confines of broad license restrictions. This type of specific license will be issued to institutions having personnel with extensive training and experience in radiation who will make the specific evaluations on each proposed use.

Registration of all sources of radiation other than radioactive materials is required under the Louisiana Radiation Regulations. Certification of registration by the Division of Radiation Control will be required prior to placing the source of radiation into use. the registrant will be required to meet the same radiation protection standards established by the Louisiana Radiation Regulations which are applicable to licensees.

INSPECTIONS

Inspections of each licensee and registrant will be conducted by the Louisiana Division of Radiation Control health physics staff on a recurring basis. The inspections will be adequate to determine compliance with the Louisiana Radiation Regulations and to assist the licensee or registrant with the continuous maintenance of his radiation protection program. Licensees or registrants in the most hazardous category may be inspected on 4- to 6-month intervals. Each specific licensee whose program requires personnel monitoring or where there is a likelihood of a significant release of radioactivity to the environment, will be inspected within 1 year after the initiation of his program. The AEC priority system will be generally retained for each existing AEC specific licensee until they have been assigned their next inspection date, based on a current inspection. Frequency of subsequent inspections will depend upon their scope of operation, the relative radiation hazard, and the findings of the previous inspection. Other specific licensees will be inspected at the minimum rate of 10 percent per year. Each specific licensee will receive an inspection prior to the expiration date on his current Louisiana license. Inspections may be either announced or unannounced at the discretion of the Division of Radiation Control.

Some items reviewed by the Health Physicists are the administration of the user's organization, the quantity and types of radiation sources, the applications of radioactive material, storage facilities, personnel monitoring, the compliance with posting requirements, and the radiation levels in and around the facility. X-ray units will be checked for proper filtration and collimation. Proper protection of operating personnel will be checked. Licensees and registrants will be tentatively advised of the inspection results at the conclusion of the inspection, and preliminary recommendations concerning any substandard findings will be made. These findings and recommendations will be subject to review by the Division of Radiation Control and the Board of Nuclear Energy. The Division of Radiation Control may advise the licensee or registrant in writing of additional or concurrent inspection findings.

The Louisiana Nuclear Energy Act (R.S. 51:1058) authorizes the entry of the Division of Radiation Control personnel into any licensee's or registrant's facilities to determine their compliance with the Louisiana Radiation Regulations.

COMPLIANCE ENFORCEMENT

Minor items of noncompliance with the Louisiana Radiation Regulations and license or registration conditions may be brought to the licensees' or registrants' attention at the time of the inspection. The licensee or registrant will be advised of any items which could improve his radiation protection program. A statement of satisfactory compliance or a list of the items of noncompliance will be submitted to the licensee or registrant for his acceptance. If the licensee or registrant acknowledges the items of noncompliance and agrees to correct the items within a specified period of time, then no further administrative action will be taken. The items of noncompliance will be checked for proper correction during the next inspection.

More severe items of noncompliance will be reviewed by the Division of Radiation Control, and the licensee or registrant will receive formal written notification describing the item of noncompliance. The licensee or registrant is required to correct this deficiency within a period of time specified by the Division, and he is required to notify the Division in writing of the corrective action taken. A subsequent inspection will be scheduled, dependent upon the severity of the hazard, to check the corrective action.

Whenever the licensee or registrant fails to reply to the notice of noncompliance or fails to take appropriate corrective action, then the Division may terminate or modify the license or registration. The Division may by rule, regulation, or order, impose upon any licensee or registrant, such requirements, in addition to those established in the Louisiana Radiation Regulations, as it deems appropriate or necessary to minimize danger to public health and safety or property.

Should the Division of Radiation Control determine that an emergency exists, it shall have the authority to impound or to order the impounding of any source of radiation in the possession of any person who is not equipped to comply or fails to comply with the provisions of the Louisiana Radiation Regulations or the Louisiana Nuclear Energy Act. The Division may issue a regulation or order reciting the existence of an emergency which requires immediate action to protect the occupational or public health and safety.

ADMINISTRATIVE AND JUDICIAL REVIEW

Any person affected by the regulatory actions of the Division of Radiation Control may request a hearing which shall be held and that person will be admitted as a party to such proceedings. The Board of Nuclear Energy reviews and approves or rejects the policies, programs, and regulations of the Division. Any person who alleges he has been aggrieved by the final actions or decision of the Division of Radiation Control may request, in writing, within ten (10) days after the occurrence of the alleged grievance, that the Board of Nuclear Energy hold a hearing to investigate his complaint. The Board of Nuclear Energy has the power to subpoena records and individuals and to take testimony by deposition similar to civil judicial procedure. The decision of the Board of Nuclear Energy shall not become final for a period of thirty (30) days from the date of the decision. The complainant has

the right to appeal an adverse decision within thirty (30) days to the district court of East Baton Rouge Parish.

The Division of Radiation Control may request the Attorney General to file suit in East Baton Rouge Parish District Court against any individual who violates any rule, regulation, or order issued by the Division. Any person who wilfully violates the provisions of the Louisiana Nuclear Energy Act or any rules, regulations, and orders issued by the Division of Radiation Control or Board of Nuclear Energy is subject to civil court injunction, fine, and/or imprisonment.

RECIPROCITY AND COMPATABILITY

The Louisiana Radiation Regulations provide for the recognition of licenses issued by the U.S. Atomic Energy Commission and other Agreement States subject to specified conditions.

The Louisiana Nuclear Energy Act states that it is the policy of the State of Louisiana to institute and provide utilization and control programs compatible with standards and regulatory programs of the Federal Government and of the States. The Louisiana Division of Radiation Control will exercise its best effort toward achieving a close working relationship and a uniform regulatory program commensurable with other states and the U.S. Atomic Energy Commission.

DIVISION OF RADIATION CONTROL STAFF

The Division of Radiation Control staff will devote their full efforts to the radiation regulatory program in Louisiana. The Director of the Louisiana Division of Radiation Control will have the direct responsibility for the State's radiological health program. The Director and his assistant will supervise the administration of the State's regulatory program, and all radioactive material licenses will be reviewed by the Director or the Assistant to the Director. Licenses will be issued and registrations will be certified under the authority of the Director.

The health physics staff will participate in the initial review of license applications and registrations. The Health Physicists will be primarily responsible for conducting all license inspections and surveys of the registrant's facilities. Survey reports and inspections by the Health Physicists will be reviewed by the Director or his assistant. The radioactive materials program will be under the primary supervision of the Director, and the Assistant to the Director will exercise direct supervision over the registration program. The health physics staff will receive training and instruction from the Director and his assistant. Training received by the health physics staff includes procedures for performing radioisotope inspections, review and explanation of regulations, survey of X-ray units, shielding criteria for radiation facilities, use of radiation instruments and emergency procedures.

The Division of Radiation Control staff consists of the Director, Assistant to the Director, and three Health Physicists. An additional Health Physicist has been requested in fiscal year 1966–67. It is anticipated that a technical staff of six, including the Director and his assistant, will provide sufficient personnel to conduct an adequate radiation regulatory program in Louisiana. A clerical staff of three serves the technical staff, and an administrative assistant under the Board of Nuclear Energy handles some budgetary and personnel matters for the Division.

The Louisiana Nuclear Energy Act establishes the qualifications for the Director of the Louisiana Division of Radiation Control. The Director shall be a person having extensive academic training and practical experience in the field of health and radiation protection. The Assistant to the Director is a Civil Service position which requires a bachelor's degree and 3 years' experience in a radiation regulatory program or a bachelor's degree in a physical, biological or engineering science with course work in radiation physics or nuclear science and 2-years' experience in a radiation regulatory program. Minimum qualifications for health physicists on the Division or Radiation Control staff are a bachelor's degree in a physical, biological or engineering science with course work in radiation physics or nuclear science, or a bachelor's degree with 1 year's experience in a radiation regulatory program. Health physics positions are available at several levels, depending upon academic training and experience in radiation fields.

The Director of the Division of Radiation Control holds a doctorate in nuclear physics and he received specialized health physics training, partly at Oak Ridge National Laboratory in conjunction with his master's degree. Prior to his present position, he was the health physicist in charge of a large university program and assistant to the head of the Physics Department. The Assistant to the Director was recently Supervisor of Radiological Health of the radiation regulatory program in another state. He is a college graduate and has 3 years' experience in health physics and radiation regulatory programs. The present staff is highly qualified. One Health Physicist holds a master's degree in radiological health, one has had considerable graduate work in nuclear science and physics, and one holds an engineering degree with nuclear science course work. Biographical descriptions containing the academic training, education and experience in radiological health of the current Division of Radiation Control staff is available upon request.

INSTRUMENTATION

The Division of Radiation Control possesses a large variety of portable radiation detection instrumentation which can detect all types of radioactivity and measure radiation levels over a wide range. These instruments include Geiger-Muller survey meters, gas flow proportional counters, fast-slow neutron survey meters, multirange ionization meters, air samplers and a velometer. This portable instrumentation was designed to support field inspection activities and to answer instrumentation requirements for radiation emergencies.

Laboratory type instrumentation has been ordered which will provide identification of radioactive materials and precise measurements of activity. The laboratory instrumentation is being developed around a flexible system which will provide inputs from various types of radiation detectors, such as solid state, scintillation, gas flow, and proportional counters. The system will provide spectral means of identification and a multichannel analyzer will be an integral part of this system. Data output will be in a form compatible with existing electronic data processing systems for the purpose of providing accurate and rapid analysis. Laboratory services may be contracted with commercial companies whenever necessary, to perform analyses which require instrumentation not available to the Division.

Complete nuclear facilities are available at all times to the Division of Radiation Control at the Louisiana State University Nuclear Science Center. An arrangement has been made with Director of the LSU Nuclear Science Center to assist the Division of Radiation Control by making available their complete laboratory facilities. The Nuclear Science Center can provide complete nuclear laboratory support, including radiochemical hoods, high activity storage facilities, spectrum analysis, calibration and additional instrumentation. The personnel of the LSU Nuclear Science Center is available to assist the Division of Radiation Control whenever an emergency arises.

FINANCIAL SUPPORT

The State of Louisiana has provided the Board of Nuclear Energy and the Division of Radiation Control with ample funds to implement a comprehensive radiological health regulatory program in the 1964–65 fiscal year and the 1965–66 fiscal year. The State of Louisiana has fully supported the policies and programs of the Board of Nuclear Energy and the Division of Radiation Control, and there is every reason to expect continued support of this program in line with the State's policy to protect the health and welfare of its people. Fiscal year 1966–67 will terminate the organizational phase of the Division and a normal operational level will be established.

[F.R. Doc. 66–7554; Filed, July 11, 1966; 8:48 a.m.]

[Docket No. 50–257]

ATOMICS INTERNATIONAL, A DIVISION OF NORTH AMERICAN AVIATION, INC.

Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that Atomics International, a division of North American Aviation, Inc., Post Office Box 309, Canoga Park, Calif. 91304, has submitted an application dated June 10, 1966, and supplemented July 1, 1966, for a license to authorize the export of a 10-watt thermal Model L–77 research reactor to Interatom Internationale, Atomreaktorbau, G. m. b. H., Bensberg, Cologne, West Germany.

Upon finding that the reactor proposed for export is within the scope of the Agreement for Cooperation between the Government of the United States of America and the Federal Republic of Germany, and unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a formal hearing is filed with the U.S. Atomic Energy Commission by the applicant or an intervener as provided by the Commission's rules of practice (Title 10, CFR, Chapter I, Part 2), the Commission proposes to issue to Atomics International, a division of North American Aviation, Inc., a facility export license on Form AEC–250 containing the authority set forth in the text below authorizing the export of the reactor described in the application.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter I, Code of Federal Regulations, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission

does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated June 10, 1966, and supplemented July 1, 1966, is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 7th day of July 1966.

For the Atomic Energy Commission.

EBER R. PRICE,
Director, Division of State and Licensee Relations.

PROPOSED EXPORT LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations of the U.S. Atomic Energy Commission issued pursuant thereto, and in reliance on statements and representations heretofore made, Atomics International, a division of North American Aviation, Inc., Post Office Box 309, Canoga Park, Calif. 91304, is authorized to export a 10-watt thermal Model L–77 research reactor to Interatom Internationale, Atomreakterbau, G.m.b. H., Bensberg, Cologne, West Germany, subject to the terms and provisions herein. The license to export extends to the licensee's duly authorized shipping agent.

Neither this license nor any right under this license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954.

This license is subject to the right of recapture or control reserved by section 108 of the Atomic Energy Act of 1954, and to all other provisions of said Act, now or hereafter in effect and to all valid rules and regulations of the U.S. Atomic Energy Commission. This license is effective as of the date of issuance and shall expire on July 31, 1967.

For the Atomic Energy Commission.

[F.R. Doc. 66–7644; Filed, July 11, 1966; 11:30 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17326]

FLYING TIGER LINE INC.

Notice of Proposed Approval

Application of the Flying Tiger Line, Inc., for approval of control relationship pursuant to section 408 of the Federal Aviation Act of 1958, as amended, Docket 17326.

Notice is hereby given, pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the attached order under delegated authority. Interested parties are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., July 6, 1966.

J. W. ROSENTHAL,
Director, Bureau of Operating Rights.

ORDER APPROVING CONTROL RELATIONSHIP

Application of the Flying Tiger Line, Inc., for approval of acquisition under section 408 of the Federal Aviation Act of 1958, as amended, Docket 17326.

The Flying Tiger Line, Inc. (FTL), has requested Board approval under section 408 of the Federal Aviation Act of 1958, as amended (the Act), of its acquisition and activation of Flying Tiger Air Services, Inc. (Services).[1] The latter company[2] will engage in the operation of aircraft in contract, noncommon air carriage of cargo and personnel for governmental and commercial organizations overseas, the operation of ground properties and equipment, and the performance of ground services in support of its own air operations or the air operations of others. All of the air operations of Services will be conducted outside the geographical limits of the United States.[3]

FTL proposes to acquire for cash 10,000 shares of Services' capital stock, at $10 per share, this to comprise all of the issued and outstanding capital stock of Services. FTL does not propose to create interlocking officers or directors with Services.

FTL states further that at present Services will perform the transportation of cargo only for the Military Air Command (MAC) between points outside the United States and will perform the above-described ground services operations at military air bases and civilian airfields in support, at this time, of its own MAC operations. Further, since Services will be a wholly owned subsidiary of Tigers and will be leasing its equipment from Tigers its capital requirements will be nominal and will be furnished solely by its parent company.

FTL requests that the application be disposed of without a hearing inasmuch as the application does not affect the control of an air carrier directly engaged in air transportation as defined in the Act, the transaction is not inconsistent with the public interest, does not tend to result in the creating of a monopoly or to restrain competition, and no other person having a substantial interest in this proceeding is jeopardized.

No objections to the application or requests for a hearing have been received.[4]

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

Upon consideration of the application, it is concluded that Services is a person engaged in a phase of aeronautics within the meaning of section 408 of the Act, and that the control of Services by FTL is subject to that section. However, it is further concluded that such control relationships do not affect the control of an air carrier directly engaged in the operation of air transportation, do not tend to create a monopoly and do not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, and it is found that the public interest does not require a hearing. The control relationships are similar to others which have been approved by the Board and essentially do not present any new substantive issues.[5] It therefore appears that if Services confines its activities to those described herein, approval of the control relationships would not be inconsistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing control relationship should be approved under section 408(b) of the Act without a hearing.

Accordingly, it is ordered:

1. That the control relationship described herein be and it hereby is approved;
2. That the approval herein granted shall be effective only so long as Services does not engage in air transportation; and
3. That jurisdiction over this proceeding be retained for the purpose of amending or revoking the approval granted herein or for the purpose of imposing such other terms and conditions as may be found to be reasonable.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–7566; Filed, July 11, 1966; 8:49 a.m.]

[1] The application was filed May 13, 1966, and supplemented on May 25.

[2] Services was initially incorporated in the State of Delaware as Fliteline, Inc., but has remained inactive and has not issued its authorized capital stock. Notification has been given to the Secretary of the State of Delaware of an amendment to its certificate changing the corporate name to Flying Tiger Air Services, Inc.

[3] By Order E–23062, effective January 3, 1966, in Docket 16387, the Board approved FTL's acquisition of Mercury General American Corp. (Mercury General), a helicopter operator. FTL apparently intended to make use of Mercury General for the air and other services it now proposes to conduct through Services. FTL has since notified the Board that it has abandoned its acquisition of Mercury General.

[4] A petition of the Transport Workers Union of America for leave to intervene, filed May 27, 1966, was withdrawn on June 22.

[5] Application of Continental Air Lines, Inc., et al., Docket 16251; Order E–22466, July 22, 1965.

[Docket No. 17369]

AIR AFRIQUE

Notice of Prehearing Conference

Application for renewal of its foreign air carrier permit.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 19, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., July 7, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66–7567; Filed, July 11, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16636; FCC 66M-935]

HADDOX ENTERPRISES, INC.

Order Advancing Hearing

In re application of Haddox Enterprises, Inc., Columbia, Miss., Docket No. 16636, File No. BPH-4532; for construction permit.

Upon oral request on July 5, 1966, of counsel for the Broadcast Bureau and with the informal consent of counsel for the applicant thereto; *It is ordered,* This 6th day of July 1966, that the hearing heretofore scheduled for 10 a.m., on July 13, 1966, is hereby advanced to 9 a.m., on July 13, 1966, to remove a conflict in hearing commitments of Bureau counsel.

Released: July 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7569; Filed, July 11, 1966; 8:49 a.m.]

[Docket Nos. 16704, 16705; FCC 66M-933]

OLEAN BROADCASTING CORP. AND NORMANDY BROADCASTING CORP.

Order Scheduling Hearing

In re applications of Olean Broadcasting Corp., Glens Falls, N.Y., Docket No. 16704, File No. BPH-4804; Normandy Broadcasting Corp., Glens Falls, N.Y., Docket No. 16705, File No. BPH-4838; for construction permits.

It is ordered, This 5th day of July 1966, that Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 19, 1966, at 10 a.m.; and that a prehearing conference shall be held on July 28, 1966, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: July 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7570; Filed, July 11, 1966; 8:50 a.m.]

[Docket Nos. 16669, 16670; FCC 66M-936]

OLMSTEAD COUNTY BROADCASTING CO. AND NORTH CENTRAL VIDEO, INC.

Order Following Prehearing Conference

In re applications of Olmstead County Broadcasting Co., Rochester, Minn., Docket No. 16669, File No. BPH-5145; North Central Video, Inc., Rochester, Minn., Docket No. 16670, File No. BPH-5192; for construction permits.

Pursuant to agreements reached at the prehearing conference held this date: *It is ordered,* This 6th day of July 1966, as follows:

1. A further prehearing conference will be held on September 20, 1966, at 9 a.m.

2. The hearing heretofore scheduled for September 8, 1966, is postponed to September 29, 1966, at 10 a.m., in the offices of the Commission at Washington, D.C., pending the resolution of rulemaking which could eliminate the need for any comparative hearing on these applications.

Released: July 6, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7571; Filed, July 11, 1966; 8:50 a.m.]

[Docket No. 16125; FCC 66R-262]

TINKER, INC.

Order Continuing Hearing

In the matter of revocation of the license of Tinker, Inc., for standard broadcast station WEKY, Richmond, Ky., Docket No. 16125.

The Review Board has before it (a) an appeal from a ruling of the Hearing Examiner, filed by Tinker, Inc., on July 1, 1966; (b) comments on the appeal, filed by the Broadcast Bureau on July 1, 1966; and (c) the other matters of record herein.

It appearing, that the appeal is directed against the Examiner's Memorandum Opinion and Order of June 23, 1966 (FCC 66M-898), which denied Tinker, Inc.'s (a) written motion for stay of May 2, 1966, and (b) oral motion for continuance of June 23, 1966; and

It further appearing, that Tinker, Inc., sought a stay of the proceeding pending Commission action on Tinker, Inc.'s petition for review (filed May 2, 1966), of the Review Board's memorandum opinion and order of April 25, 1966 (FCC 66R-159); and that the Examiner's denial of the stay was premised on a holding that, because of the subject-matter of the petition for review, "it is more appropriate that a stay be considered by either the Review Board * * * or by the Commission"; and

It further appearing, that Tinker, Inc., later sought a continuance of the scheduled commencement of the hearing (from July 12, 1966, until September 12, 1966), on the ground "that the terminal illness of the mother of its principal, J. Francke Fox, prevents Mr. Fox from adequately participating in the preparation or hearing of Tinker's case"; and that the Examiner, although sympathetic toward the request, denied it out of public interest considerations relating to the time that has already been expended since the designation of this matter for hearing; [1] and

It further appearing, that the Broadcast Bureau "believes that in the circumstances present, some continuance is warranted and that the establishment of a date in early fall (September or October) would be in order"; and

It further appearing, that a grant by the Commission, in whole or in part, of the above-mentioned petition for review could have substantial effect upon the future course and conduct of the proceeding; that a stay pending the Commission's determination could actually facilitate the orderly and expeditious progress of the hearing; that a stay of the proceeding until 20 days after the release of the Commission document disposing of the petition for review is appropriate in the total circumstances presented; and that the Hearing Examiner may thereafter establish such further procedural dates as are then warranted by the Commission's action and all other pertinent considerations;

It is ordered, This 6th day of July 1966, that the appeal from ruling of Hearing Examiner, filed by Tinker, Inc., on July 1, 1966, is granted and the hearing herein is stayed to the extent indicated above, and the appeal is denied in all other respects.

Released: July 7, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-7573; Filed, July 11, 1966; 8:50 a.m.]

STANDARD BROADCAST APPLICATIONS READY AND AVAILBLE FOR PROCESSING

JULY 7, 1966.

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on August 16, 1966, the standard broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to §§ 1.227(b)(1) and 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on August 15, 1966, which involves a conflict necessitating a hearing with an application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on August 15, 1966, or (b) the earlier effective cutoff date which a listed application or by any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any

[1] On his own motion, however, the Examiner continued the hearing until July 26, 1966.

pending standard broadcast application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: June 30, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

Applications from the top of the processing line:

BML-2082 WENO, Nashville, Tenn.
Central Broadcasting Corp.
Has: 1430 kc, 1 kw, 5 kw-LS, DA-N, U, Madison.
Req: 1430 kc, 1 kw, 5 kw-LS, DA-N, U, Nashville.

BP-15129 New, Oshkosh, Wis.
The Fox River Broadcasting Co.
Req: 690 kc, 250 w, DA-D.

BP-16821 New, Brandon, Miss.
Wilbur J. Martin, Sr.
Req: 970 kc, 1 kw, DA-D.

BP-16842 KIKI, Honolulu, Hawaii.
Kiki, Ltd.
Has: 830 kc, 250 w, U.
Req: 830 kc, 10 kw, U.

BP-16846 New, Rifle, Colo.
Oil Shale Broadcasting Co.
Req: 810 kc, 1 kw, D.

BP-16847 New, Pastillo, Puerto Rico.
Grace Broadcasters, Inc.
Req: 1050 kc, 1 kw, D.

BP-16848 New, Gold Beach, Oreg.
James L. Hutchens.
Req: 1370 kc, 1 kw, D.

BP-16851 KLIV, San Jose, Calif.
Cal-Radio, Inc.
Has: 1590 kc, 500 w-5 kw-LS, DA-N, U.
Req: 1590 kc, 5 kw-DA-N, U.

BP-16856 New, Horseheads, N.Y.
Chemung County Radio.
Req: 1000 kc, 1 kw, D.

BP-16857 WLPM, Suffolk, Va.
Suffolk Broadcasting Corp.
Has: 1460 kc, 500 w, 1 kw-LS, DA-N, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-16858 New, Hemingway, S.C.
Hemingway Broadcasting Co., Inc.
Req: 1000 kc, 5 kw, D.

BP-16865 WBEC, Pittsfield, Mass.
WBEC, Inc.
Has: 1420 kc, 1 kw, DA-2, U.
Req: 1420 kc, 1 kw, DA-N, U.

BP-16869 New, Lima, N.Y.
Elim Bible Institute, Inc.
Req: 1140 kc, 1 kw, D.

BP-16871 New, Princeton, Minn.
P. M. Broadcasting Co.
Req: 1300 kc, 500 w, D.

BP-16872 New, McFarland, Calif.
Jack O. Koonce.
Req: 1590 kc, 500 w, DA-D.

BP-16876 New, Bloomington, Ind.
Bloomington Broadcasting Co.
Req: 1130 kc, 1 kw, D.

BP-16877 New, Kettering, Ohio.
Gem City Broadcasting Co.
Req: 1140 kc, 5 kw, DA-D (1 kw CH-DA).

BP-16878 New, Louisville, Ky.
Voice of the Ohio Valley.
Req: 1130 kc, 10 kw, DA-D.

BP-16879 New, West Yellowstone, Mont.
X X Broadcasting Corp.
Req: 920 kc, 1 kw, day.

BP-16880 New, Aliquippa, Pa.
Shawnee Broadcasting Co.
Req: 1130 kc, 250 w, day.

BP-16881 New, Greenville, Ohio.
Treaty City Radio, Inc.
Req: 1130 kc, 250 w, DA-D.

BP-16882 New, Mountlake Terrace, Wash.
Mount-Ed-Lynn, Inc.
Req: 1510 kc, 250 w, DA-D.

BP-16888 WRIN, Rennselaer, Ind.
Jasper County Broadcasting Corp.
Has: 1560 kc, 250 w, D.
Req: 1560 kc, 1 kw-500 w (CH), D.

BP-16889 New, Fair Bluff, N.C.
Universal Broadcasting Co.
Req: 1480 kc, 1 kw, D.

BP-16891 KAFF, Flagstaff, Ariz.
Guy Christian.
Has: 930 kc, 1 kw, D.
Req: 930 kc, 5 kw, D.

BP-16892 New, Madisonville, Tenn.
Monroe Broadcasters, Inc.
Req: 1250 kc, 500 w, D.

Applications from the top of the processing line—Continued

BP-16893 KVLL, Woodville, Tex.
Trinity Valley Broadcasting Co., Inc.
Has: 1220 kc, 250 w, D (Livingston, Tex.).
Req: 1220 kc, 250 w, D (Woodville, Tex.).

BP-16894 New, Burlington, Colo.
Burlington Radio.
Req: 1140 kc, 1 kw, D.

BP-16895 KUPD, Tempe, Ariz.
Tri-State Broadcasting Co., Inc.
Has: 1060 kc, 500 w, DA-1, U.
Req: 1060 kc, 10 kw-50 kw-LS, DA-2, U.

BP-16901 New, Langdon, N. Dak.
Arnold F. Petrich.
Req: 1080 kc, 1 kw, D.

BP-16902 New, Fulton, Miss.
Itawamba County Broadcasting Co.
Req: 1330 kc, 1 kw, D.

BP-16904 KANN, Ogden, Utah.
Darrell J. Iverson.
Has: 1250 kc, 1 kw, D.
Req: 1090 kc, 1 kw, D.

BP-16908 New, Springfield, Mo.
Babcom, Inc.
Req: 1060 kc, 500 w, D.

BP-16909 New, Libby, Mont.
X X Broadcasting Corp.
Req: 1340 kc, 250 w-1 kw-LS, U.

BP-16910 New, Red Springs, N.C.
K & R Broadcasting Corp.
Req: 710 kc, 1 kw, D.

BP-16912 New, Excelsior Springs, Mo.
Excelsior Springs Broadcasting Co.
Req: 1090 kc, 250 w, DA-D.

BP-16914 WJPS, Evansville, Ind.
Geyer Broadcasting Co., Inc.
Has: 1330 kc, 1 kw-5 kw-LS, DA-2, U.
Req: 1330 kc, 1 kw-5 kw-LS, DA-N-U.

BP-16915 New, Sallisaw, Okla.
Big Basin Radio.
Req: 1560 kc, 250 w, D.

BP-16917 New, Wanchese, N.C.
Outer Banks Radio Co.
Req: 1530 kc, 250 w, D.

BP-16919 New, Booneville, Ark.
Booneville Broadcasting Corp.
Req: 1560 kc, 500 w, D.

BP-16920 New, Monroe, N.C.
Smiles of Monroe, Inc.
Req: 1190 kc, 500 w, day.

BP-16921 New, Auburn-Opelika, Ala.
Faulkner Radio, Inc.
Req: 1520 kc, 5 kw, DA-D.

BP-16924 New, Jenkins, Ky.
Cardinal Broadcasting Co., Inc.
Req: 1000 kc, 1 kw, D.

BP-16936 WKOK, Sunbury, Pa.
Sunbury Broadcasting Corp.
Has: 1070 kc, 1 kw, 10 kw-LS, DA-2, U.
Req: 1070 kc, 1 kw, 10 kw-LS, DA-N, U.

BP-16937 WVAR, Richwood, W. Va.
R-S Broadcasting Co., Inc.
Has: 1280 kc, 1 kw, D.
Req: 600 kc, 1 kw, D,

BP-16938 WESX, Salem, Mass.
North Shore Broadcasting Corp.
Has: 1230 kc, 250 w-1 kw-DA-D, U.
Req: 1230 kc, 250 w-1 kw, U.

BP-16939 New, Rainsville, Ala.
Sand Mountain Advertising Co., Inc.
Req: 1500 kc, 1 kw, D.

BMP-11673 KBJM, Lemmon, S. Dak.
Lemmon Broadcasting Co., Inc.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w-1 kw-LS, U.

Application deleted from Public Notice of April 22, 1966 (82930) (31 F.R. 6460)

BP-16841 New, Clemson, S.C.
Tri-County Broadcasting Corp. of Clemson.
Req: 1540 kc, 1 kw, D.
(Assigned new File Number BP-17259.)

Application deleted from Public Notice of July 7, 1965 (FCC 65-610) (30 F.R. 8804)

BP-16607 KUDU, Ventura, Calif.
Tri-Counties, Public Service, Inc.
Has: 1590 kc, 1 kw-DA-1, U.
Req: 1590 kc, 5 kw-DA-2, U.
(Amended to increase power.)

[F.R. Doc. 66-7572; Filed, July 11, 1966; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

KAWASAKI KISEN KAISHA, LTD. AND SEATRAIN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Harvey M. Flitter, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.

Agreement 9559, between Kawasaki Kisen Kaisha, Ltd., and Seatrain Lines, Inc., establishes a through billing arrangement in the trades from Japan, Hong Kong, Formosa, Philippine Islands, Singapore, Malaysia (excluding Sabah, Sarawak), and Thailand to Puerto Rico with transshipment at the port of New York in accordance with terms and conditions set forth in the agreement.

Dated: July 7, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-7509; Filed, July 11, 1966; 8:45 a.m.]

[Docket No. 66-39; Independent Ocean Freight Forwarder License Application 915]

PORT SERVICES, INC.

Proceedings Regarding Application

By letter dated June 13, 1966, Port Services, Inc., 618 West Olney Road, Post Office Box 894, Norfolk, Va., was notified of the Federal Maritime Commission's intent to deny its application for an independent ocean freight forwarder license. The ground for denial is that applicant has failed to demonstrate to the satisfaction of the Commission that it is fit, willing, and able to carry on the business of forwarding as required by section 44(b), Shipping Act, 1916 (46 U.S.C. 841b), because information before the Commission indicates:

(1) Applicant has not demonstrated that it is or will carry on the business of forwarding as defined in section 1, Shipping Act, 1916 (46 U.S.C. 801);

(2) Applicant has failed to demonstrate that it possesses the necessary ocean freight forwarding experience to qualify for a license;

(3) Applicant has failed to submit sufficient financial data to enable the

Commission to determine its financial status;

(4) Applicant may not possess that degree of personal responsibility required of licensees; and

(5) Applicant has failed to submit adequate information concerning its corporate status.

Therefore, it is ordered, Pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 831, 841b), that a proceeding is hereby instituted to determine whether applicant qualifies for a license pursuant to sections 1 and 44 of the Shipping Act, 1916 (46 U.S.C. 801, 841b).

It is further ordered, That Port Services, Inc., be made respondent in this proceeding and that the matter be assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and a copy thereof and notice of hearing be served upon respondent, Port Services, Inc.

It is further ordered, That any persons, other than respondent, who desire to become a party to this proceding and to participate herein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, with a copy to respondent, on or before July 20, 1966, and;

It is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-7510; Filed, July 11, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 210]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 7, 1966.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

No. MC 52657 (Sub-No. 646 TA) (Correction), filed June 23, 1966, published FEDERAL REGISTER, issue of June 30, 1966, and republished as corrected, this issue. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill., 60620. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements by the truckaway method, from Little Ferry (Ridgefield), N.J., to points in Connecticut, New Jersey, New York, and Rhode Island; from Pittsburgh, Pa., to points in Maryland, Ohio, Pennsylvania, and West Virginia; and from Earnest (Norristown), Pa., to points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia, for 180 days, restricted to the transportation of vehicles manufactured or assembled at the site of the plant of American Motors (Canada), Ltd., in Bramton, Ontario, Canada, having an immediately prior movement by rail. Supporting shipper: American Motors Corp., 14250 Plymouth Road, Detroit, Mich. 48232. Send protests to: Charles J. Kudelka, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604. NOTE: The purpose of this republication is to add the restriction, inadvertently omitted in the previous publication.

No. MC 107107 (Sub-No. 371 TA), filed July 1, 1966. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Miami, Fla. 33142. Applicant's representative: Ford W. Sewell, director of traffic (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, and *related advertising and promotional materials*, when moving with candy and confectionery, in vehicles equipped with mechanical refrigeration, from New Orleans, La., to points in Georgia and Florida, for 180 days. Supporting shipper: Elmer Candy Corp., 540-44 Magazine Street, New Orleans, La. 70150. Send protests to: District Supervisor, Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 124083 (Sub-No. 28 TA), filed July 5, 1966. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 South Keystone Avenue, Indianapolis, Ind. 46203. Applicant's representative: Robert W. Loser, attorney at law, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground limestone*, in bulk, in dump vehicles, from Dolite Division of Charles Pfizer Co., located at Gibsonberg, Ohio, to Brockway Glass Co., Inc., at or near Lapel, Ind., for 180 days. Supporting shipper: Brockway Glass Co., Inc., Lapel, Ind. 46051. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 128325 TA, filed July 1, 1966. Applicant: RICHARD J. CODY, doing business as "MERIT" TRUCK WRECKER SERVICE, 2901 West 73d Avenue, Westminster, Colo. 80030. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Disabled or wrecked trucks*, tractors, trailers and motor vehicles by towing and hauling as well as transporting *operative replacement units* to the scene, by towing and hauling between points in Colorado, on the one hand, and, on the other, points in the States of Utah, Wyoming, Montana, South Dakota, Nebraska, Oklahoma, Texas, New Mexico, Arizona, and Kansas, for 180 days. Supporting shippers: (1) Interstate Motor Freight System, Post Office Box 16915, Denver, Colo.; (2) the Hertz Corp., 4605 Jackson, Denver, Colo.; (3) Bolz Adjustment Service, 100 West 13th Avenue, Denver, Colo.; (4) Garrett Freight Lines, Inc., 2555 31st Street, Denver, Colo.; (5) Red Owl Stores, Inc., Post Office Box 5148 TA, Denver, Colo.; (6) Mack Trucks, Inc., 4850 Vasquez Boulevard, Denver, Colo.; (7) Colorado Tank Lines, Inc., 3455 East 52d Avenue, Denver, Colo.; (8) Timpte, Inc., 5990 North Washington Street, Denver, Colo. Send protests to: District Supervisor, Luther H. Oldham, Interstate Commerce Commission, Bureau of Operations and Compliance, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 128359 (Sub-No. 1 TA), filed July 5, 1966. Applicant: JERSEY RENTALS, INC., 450 Market Street, Perth Amboy, N.J. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Perth Amboy, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning compounds* from Perth Amboy, N.J., to Wilmington, Del., Atlanta, Ga., Louisville, Ky., Baltimore, Md., Framingham, Mass., Detroit, Flint, and Ypsilanti, Mich., Kansas City and St. Louis, Mo., Cincinnati and Lordstown, Ohio, Conover and Lenoir, N.C., and Norfolk, Va., and materials and supplies used in the manufacture of cleaning compounds from Chatsworth, Ga., Chicago, Ill., Jeffersonville, Ind., North Adams, Mass., Detroit, Mich., Wyandotte, Mich., Niagara Falls, N.Y., Syracuse, N.Y., Painesville, Ohio, and York, Pa., to Perth Amboy, N.J., for 150 days. Supporting shipper: Crescent Chemical Corp., 450 Market Street, Perth Amboy, N.J. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations and Compliance, Interstate

Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7551; Filed, July 11, 1966; 8:48 a.m.]

[Notice 1379]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 7, 1966.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 179:

No. MC-FC-68954. By application filed July 5, 1966, GRAND ISLAND TRANSIT CORPORATION, 200 West Mohawk Street, Buffalo, N.Y., seeks temporary authority to lease the operating rights of GERALD J. WEBSTER and RUSSELL S. WEBSTER, doing business as GENESEE BUS LINES, 576 Crescent Avenue, East Aurora, N.Y., under section 210a(b). The transfer to GRAND ISLAND TRANSIT CORPORATION, of the operating rights of GERALD J. WEBSTER and RUSSELL S. WEBSTER, doing business as GENESEE BUS LINES, is presently pending.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7552; Filed, July 11, 1966; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 7, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40589—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 576), for interested rail carriers. Rates on synthetic plastic bottles, cans, containers or jars, in carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 54 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

FSA No. 40591—*Substituted service—C&O for Lee Bros., Inc.* Filed by Lee Bros., Inc. (No. 2), for itself and interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between Chicago, Ill., on the one hand, and Detroit, Mich., and Cincinnati, Ohio, on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief—Motortruck competition.

FSA No. 40592—*Returned printing paper winding cores.* Filed by O. W. South, Jr., agent (No. A4913), for interested rail carriers. Rates on returned printing paper winding cores, in carloads, between points in southern territory, including points in southern Illinois and Indiana and St. Louis, Mo., also from points in official (including Illinois) and western trunkline territories, to points in southern territory.

Grounds for relief—Carrier competition.

Tariff—Supplement 39 to Southern Freight Association, agent, tariff ICC S-519.

FSA No. 40593—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 374), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middlewest territory; between points in middlewest territory, on the one hand, and points in Central States, southwestern and Canadian territories, on the other; between points in Central States territory, on the one hand, and points in southwestern and Canadian territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 71 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40594—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 375), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle west territory; also between points in middle west territory, on the one hand, and, points in Central States and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 71 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40595—*Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 376), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle west territory; between points in middle west territory, on the one hand, and points in Central States, southwestern and Canadian territories, on the other; between points in Central States territory, on the one hand, and points in southwestern and Canadian territories, on the other; also between points in southwestern territory, on the one hand, and points in Canada, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 71 to Middlewest Motor Freight Bureau, agent, tariff MF-ICC 417.

FSA No. 40596—*Lumber and related articles from and to points in Southwestern Territory.* Filed by Southwestern Freight Bureau, agent (No. B-8875), for interested rail carriers. Rates on lumber and related articles, in carloads, between points in southwestern territory, on the one hand, and points on the C&O Ry., in southern and official-southern border territories, on the other.

Grounds for relief—Market competition.

Tariffs—Supplements 54 and 101 to Southwestern Freight Bureau, agent, tariffs ICC 4622 and 4562, respectively.

FSA No. 40597—*Scrap iron or steel to Eagle Pass and Laredo, Tex.* Filed by Texas-Louisiana Freight Bureau, agent (No. 578), for interested rail carriers. Rates on scrap iron, scrap steel, borings, filings and turnings, iron or steel, in carloads, from Kings Mill, Tex., to Eagle Pass and Laredo, Tex. (for export to Mexico).

Grounds for relief—Motortruck competition.

Tariff—Supplement 7 to Texas-Louisiana Freight Bureau, agent, tariff ICC 1036.

FSA No. 40598—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 154), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in southwestern territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 3 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1403.

FSA No. 40599—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 155), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middlewest territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 10 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1392.

FSA No. 40600—*Soda ash to Crystal City, Mo.* Filed by Western Trunk Line Committee, agent (No. A-2460), for interested rail carriers. Rates on soda ash (other than modified soda ash), in bulk, in covered hopper cars, in carloads, from Alchem, Stauffer, and Westvaco, Wyo., to Crystal City, Mo.

Grounds for relief—Market competition.

Tariff—Supplement 161 to Western Trunk Line Committee, agent, tariff ICC A-4411.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40590—*Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 577), for interested rail carriers. Rates on

used iron or steel barrels or drums, and synthetic plastic bottles, cans, containers or jars, in carloads, from, to, and between points in Texas, over interstate routes through adjoining states.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in construction combination rates.

Tariff—Supplement 54 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-7553; Filed, July 11, 1966; 8:48 a.m.]

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