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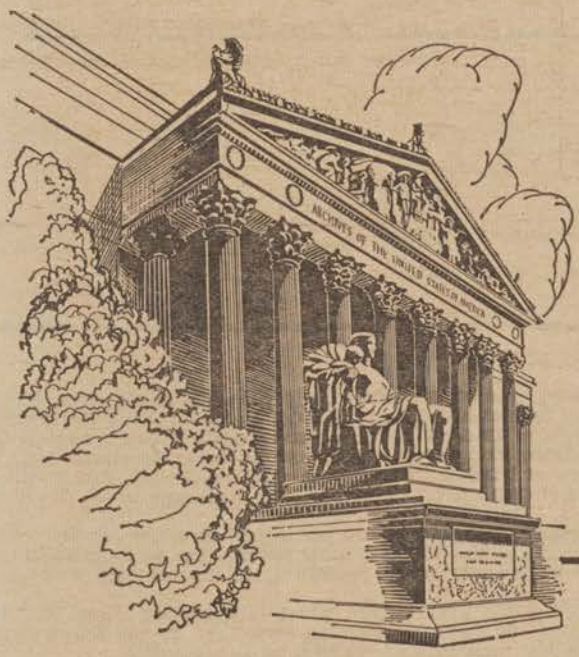

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Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 7]

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Miscellaneous Amendments

1. *Basis and purpose.* This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301 et seq.), the Agricultural Act of 1949, as amended (7 U.S.C. 1441 et seq.), the Sugar Act of 1948, as amended (7 U.S.C. 1100 et seq.), the Soil Bank Act (7 U.S.C. 1801 et seq.), the Food and Agriculture Act of 1962 (Public Law 87–703, approved Sept. 27, 1962, and Public Law 87–801, approved Oct. 11, 1962), the Feed Grain Act of 1963 (Public Law 88–26, approved May 20, 1963), the Agricultural Act of 1964 (Public Law 88–297, approved Apr. 11, 1964), and the Food and Agriculture Act of 1965 (Public Law 89–321, approved Nov. 3, 1965), for the purpose of: (1) Providing for accepting certifications of compliance with acreage limitations from the farm operator for additional crops (cotton, peanuts, rice, and flue-cured tobacco), setting forth provisions for the acceptance of certifications, and providing criteria for determining whether the operator's certification shall be considered as correct; (2) specifying the counties which are approved to accept the farm operator's certification of acreage in lieu of a farm visit. The counties selected were approved by the Deputy Administrator, based on recommendations of the State committee after due consideration to the age and condition of aerial photography, extent of changes in topographic features since the current photography was flown, and the number of official acreages which are available; (3) providing that farm producers shall not be adversely affected by ASCS errors in measurement services which have been requested and paid for by such producers; (4) providing uniform timing requirements for making an acreage adjustment and notifying the ASCS county office (or notifying the county office of intent to adjust acreage); (5) amending the provision relating to the responsibility for cost of farm visits to check adjusted acreages; (6) incorporating special provisions for adjusting tobacco acreages into this part. These provisions were formerly contained in Part 725 of this chapter; (7) amending disposition date for spring-seeded oats in certain counties in Washington; (8) listing ranges of row widths approved by the State committees under the authority contained in § 718.5; and (9) revising table of sections affected by State committee determinations as set forth in § 718.15.

2. The table of sections is amended to read as follows:

3. Section 718.2 is amended by (i) adding a new paragraph (c) to read as follows; (ii) redesignating old paragraph (c) as new paragraph (d); and (iii) deleting old paragraph (d).

§ 718.2 Definitions.

* * * * *

(c) "Certification county" means a county which has been approved by the Deputy Administrator to determine compliance with acreage allotments or other acreage requirements by accepting a certification of crop or land use acreage from the farm operator in lieu of a farm visit.

* * * * *

4. Section 718.5 is amended by amending paragraph (h) to read as follows:

§ 718.5 Determination of crop and land use acreages.

* * * * *

(h) *Measurement services*—(1) *Staking and referencing*—(i) *Cotton.* The county committee shall provide a staking and referencing service for cotton when the farm operator requests such service and pays the cost. The acreage staked and referenced shall not exceed the permitted acreage of cotton for the farm. If a staking and referencing service is found to be in error, and the producer has taken any action in reliance in good faith on such service, the acreage of cotton in the staked areas shall be considered to be the acreage which the service was requested unless the producer will be adversely affected thereby. If the entire farm permitted acreage of cotton is staked and referenced and all the cotton on the farm is within the staked area, the farm shall be considered to be in compliance with the permitted acreage of cotton.

(ii) *Other crops and land uses.* A staking and referencing service may be made available for other crops and land uses under the conditions prescribed in subdivision (i) of this subparagraph (1).

(2) *Other measurement services.* Other types of measurement service may be made available for any ASCS program purpose when the operator requests the service and pays the cost. An acreage measured under this provision will be considered as official acreage. A producer shall not be adversely affected by an error made by an ASCS employee in performing a measurement service when the operator has acted in reliance in good faith on such service. Compliance with the allotments, the permitted acreage, or the acreage limitation for any other program shall not be guaranteed unless staking and referencing is requested and performed for the entire program acreage requirements under the provisions of subparagraph (1) of this paragraph (h).

* * * * *

5. Section 718.7 is amended to read as follows:

§ 718.7 Report of acreage obtained by farm visit.

(a) *General.* Except as provided in §§ 718.8, 718.8a, and 718.8b, each farm for which a determination of compliance with a program acreage limitation is required, or for which an allotment for a crop subject to marketing quotas has been established and any other farm on which there is reason to believe an allotment crop subject to marketing quotas has been planted or will be harvested shall be visited for the purpose of obtaining a report of acreage. This report of acreage shall be obtained by a reporter or other authorized employee of the Department who shall enter on the farm if such entry will facilitate measurement or ascertainment of the acreage of the crop or land use for which a report is required. The report of acreage shall be on a form provided for that purpose, and shall not be considered complete unless signed by the farm operator or his representative. If requested to do so by any producer interested in the farm, the reporter shall present a written certification from the county office manager authorizing him to secure measurements and other compliance data applicable to that farm. The farm operator, his representative, or a producer on the farm shall be responsible for designating all fields and crops on the farm for which inspection or measurement is required,

for assisting the reporter in required measurements, and for furnishing names of all other producers having an interest in the farm.

(b) *Refusal to permit measurement*—(1) *Notice to farm operator.* If a farm operator refuses to permit acreage measurements for any crop or program for which measurements are required, the county office manager shall immediately notify the farm operator in writing that: (i) unless the acreage is measured he will be denied program benefits and (*a*) for rice no marketing card will be issued for the farm; (*b*) in the case of cotton, buyers of cotton in the vicinity will be notified that the farm is considered to be in excess of the cotton allotment; (*c*) for peanuts and tobacco (except flue-cured tobacco when acreage-poundage quotas are in effect), a 100 percent excess penalty card will be issued; and (*d*) for flue-cured tobacco when acreage-poundage quotas are in effect, no marketing card showing the farm is eligible for price support will be issued.

(ii) He will have 14 days from the date of the written notice to notify the county office he is willing to permit measurement and to pay the cost of making such measurements.

(2) *Referral to Regional Attorney.* If a measurement is not permitted within the prescribed 14-day period in any case involving a crop subject to a marketing quota, such case shall be submitted to the State committee for referral to the Regional Attorney for appropriate action.

(c) *Refusal to furnish information on other interested persons.* If a farm operator refuses to furnish information with respect to all other producers having an interest in the farm, the operator may be denied program benefits until such information is furnished to the county committee.

6. Section 718.8 is amended to read as follows:

§ 718.8 Report of acreage obtained from farm operator.

(a) *General.* A report of acreage and the land use, made on a form prescribed for such use and signed by the farm operator, may be accepted in lieu of a farm inspection and measurement under the following conditions:

(1) *For cotton, rice, peanuts, and tobacco.* When the farm operator certifies that an acreage of cotton, rice, peanuts, and tobacco has not been planted on the farm or, in case of peanuts, that none of the peanuts planted on the farm will be dug.

(2) *For wheat on farms not participating in the wheat program.* When the farm operator reports the acreage of wheat on the farm.

(3) *For conservation reserve farms.* When the farm operator certifies that:

(i) No soil bank base crops have been or will be planted on the farm during the current year, or an acreage of soil bank base crops has been or will be planted on the farm during the current year but the soil bank base established for the farm is equal to the total land in the farm, and

(ii) No soil bank base crops planted or to be planted are or will be located on the designated reserve area on the farm.

(4) *"Whole farm" conservation reserve contracts.* The acceptance of a certification in lieu of a farm visit pursuant to subparagraph (3) of this paragraph may be considered as meeting the conditions prescribed under subparagraph (1) of this paragraph when a "whole farm" conservation reserve contract is in effect for the farm.

(5) *For areas staked and referenced, or for which official acreages have been established.* When the farm operator reports all of the areas devoted to a crop or land use for the farm and official acreages have been established or a staking and referencing service has been performed in the current year for each area devoted to the crop or land use.

(b) *Visits to selected farms.* When report of acreage in lieu of inspections and measurements are accepted under the provisions of this part, visits shall be made to selected farms to verify the accuracy of the reports. Such visits may be made at any reasonable time during the program year. If the acreage as reported by the operator and the acreage as determined by measurement do not agree, the acreage as determined by measurement will be the acreage for program purposes unless changed by a remeasurement under § 718.13.

7. New §§ 718.8a and 718.8b are added to read as follows:

§ 718.8a Report of acreage obtained from rice or sugar company.

(a) *General.* Acreage measurements made by the company furnishing water for the production of rice on the farm or by the company contracting to process the sugarbeets or sugarcane produced on the farm may be accepted in lieu of farm inspection subject to the provisions in paragraph (b) of this section.

(b) *Conditions.* (1) Substantially all of the rice or sugar acreage in the county will be determined by the companies.

(2) No conservation reserve contract is in effect for the farm.

(3) In the case of rice, the company does not share in the crop.

(4) Visits are made to a representative number of farms to determine the acceptability of the measurements of each company representative who is determining crop acreages to be furnished to the county office. If, as a result of the farm visits, it is determined that the measurements of a company representative are not acceptable, no reports based on measurements by that representative shall be accepted, and county office personnel shall redetermine the acreage of the crop on all farms measured by the representative.

§ 718.8b Obtaining reports of acreage in certification counties.

(a) *General.* The farm operator shall file, not later than the dates specified in paragraph (c) of this section, a certification, on a form prescribed for such use, of the crops and land uses listed in paragraph (b) of this section as appropriate. Such certification, subject to the provisions of this section, may be accepted in lieu of farm inspection and measurement.

(b) *Applicability.* In counties approved for certification and which are listed in § 718.17, the farm operator's certifications of acreage may be accepted for wheat, feed grains, cotton, peanuts, rice, flue-cured tobacco, sugar crops, and acreage diverted under the wheat, feed grain, and cotton programs.

(c) *Final dates for filing certifications.* To be considered as timely filed the farm operator's certification must be filed:

(1) *For crops other than peanuts and sugar crops.* Not later than the disposition date for the crop.

(2) *For peanuts*—(i) *Initial certification.* Prior to issuance of marketing card for peanuts, but not later than November 1.

(ii) *Final certification.* When the peanut acreage, as initially certified, exceeds the allotment and the operator elects to adjust the acreage, a final certification of harvested acreage shall be filed after the peanuts are dug, but not later than November 1.

(3) *For sugar crops*—(i) *Initial certification*—(*a*) *Sugarbeets.* Not later than 30 days after normal completion of planting or such later date approved by the State committee.

(*b*) *Sugarcane.* Not later than 45 days prior to the earliest harvest date or such earlier date approved by the State committee.

(ii) *Final certification.* If the sugar crop acreage as initially certified exceeds the farm proportionate share and the operator elects to adjust the acreage, he shall notify the county office of his intention to adjust not later than 15 days prior to start of harvest of the crop. He shall then report to the county office when he has completed the acreage adjustment or has completed harvest of an acreage within the proportionate share whichever is earlier. Timing of the report shall be:

(*a*) *When excess is disposed of prior to harvest.* After completion of acreage adjustment and prior to start of harvest.

(*b*) *When excess will be disposed of after harvest.* After completion of harvest but prior to disposition of any of the crop.

(4) *For an acreage diverted from wheat, feed grains, or cotton.* Not later than the latest feed grain disposition date.

(d) *Failure to file a timely certification.* Except as provided in paragraph (e) of this section, if the farm operator does not file a certification of crop or land use acreages by the applicable date prescribed in paragraph (c) of this section, producers on the farm shall be deemed ineligible for any benefits under the program for which the certification was not timely filed.

(e) *Late filed certification.* The county committee may accept a certification of acreage after the date specified in paragraph (c) of this section upon receipt of satisfactory proof that the farm operator was prevented from filing

a timely certification because of reasons beyond his control.

(f) *Notice to farm operator.* The provisions of § 718.10 (a) through (d) shall not apply to acreages for which a certification of the farm operator is accepted in lieu of a farm visit.

(g) *Farm inspections and measurements.* Notwithstanding the provisions of this section, a representative number of farms for which a certification of acreage was accepted will be visited by an authorized ASCS representative and the crop or land use acreage will be measured.

(h) *Comparing certified and measured acreages.* If the crop or land use acreage as certified and the acreage determined by measurement do not agree, the acreage as determined by measurement shall be considered the acreage of the crop or land use for program purposes, and a notice of acreage shall be furnished the farm operator on a form prescribed by the Deputy Administrator, for such use.

(i) *Limitation on acreage adjustments after farm inspection and measurement.* Notwithstanding any other provisions in these regulations for adjustment of acreages, adjustment of acreages shall not apply when a certification is accepted in lieu of a farm visit under this section, except that (1) adjustment of sugar crop acreages shall be in accordance with Parts 850 and 855 of this chapter, (2) additional eligible land may be designated as diverted acreage to adjust a deficiency of diverted acreage as determined by measurement, provided that disposition of a crop to make the acreage eligible for diverted acreage shall not be permitted, and (3) disposition and reclassification of wheat or feed grains within the farm permitted acreage as provided in wheat and feed grain program regulations will be permitted except as provided in subparagraph (2) of this paragraph.

(j) *Farms considered in compliance.* For price support purposes, the county committee may presume that the producer has not knowingly overplanted and, therefore, is in compliance with his effective farm acreage allotment, if the acreage as determined by measurements does not exceed such allotment by more than the following amounts:

(1) *For peanuts on farms with an effective allotment of more than 1 acre.* Larger of 0.5 acre or 5 percent of the allotment, not to exceed 10 acres.

(2) *Rice and ELS cotton.* Larger of 0.5 acre or 5 percent of the allotment, not to exceed 15 acres.

(3) *Flue-cured tobacco.* Larger of 0.1 acre or 10 percent of the allotment, not to exceed 10 acres.

8. Section 718.13 is amended by (a) amending paragraph (a)(2) to read as follows, and (b) by deleting paragraph (d).

§ 718.13 Redetermination of acreage.

(a) *General.* * * *

(2) *Requested by producer.* If the farm operator or other producer interested in the crop requests a remeasurement of an acreage which he believes to be in error, such acreage shall be remeasured provided the producer deposits the cost of remeasurement with the county office and files a request for remeasurement within 15 days from the date of the notice of acreage or the disposition date for the crop, whichever is earlier.

* * * * *

9. Section 718.14 is amended to read as follows:

§ 718.14 Adjustment of acreage.

(a) *General.* If the farm operator or other producer on the farm elects to adjust the acreage of a crop or land use in accordance with applicable regulations, the farm shall be revisited for the purpose of determining the adjusted acreage under the conditions prescribed in this section. Disposition of excess tobacco must be witnessed by a representative of the county committee unless disposition is made before any tobacco on the farm has matured sufficiently for harvest. Unless the requirements for the measurement of an adjusted acreage are met, the acreage as determined prior to such adjustment shall be considered as the acreage for the farm in determining whether the applicable farm allotment has been exceeded or whether the applicable acreage requirements for any other program have been met. When the producer must pay the cost of determining the adjusted acreage, the rates to be charged shall be recommended by the county committee and approved by the State committee.

(b) *Timing requirements*—(1) *Notification of adjustment.* If the farm operator or other producer on the farm elects to adjust an acreage, he shall notify the county office manager by the applicable date specified in subdivisions (i) through (v) of this subparagraph (1) that he has adjusted the acreage or that he intends to adjust the acreage in case of tobacco. Notification is not required if the final acreage of the crop will be determined at ASCS expense under the conditions prescribed in paragraph (c)(1) of this section.

(i) *For crops and land uses where a disposition date has been established.* By the established disposition date or 15 days from the date of the notice of acreage, whichever is later.

(ii) *For tobacco.* (*a*) To be eligible for price support, 15 days from the date of the notice of acreage.

(*b*) To avoid a marketing quota penalty, before any marketing.

(iii) *For peanuts.* Before any marketing, except for peanuts which are harvested for green peanuts to be exempted notice must be given before any peanuts of the same type are picked or threshed.

(iv) *For deficient diverted acreage.* Fifteen days from the date of notice or the latest disposition date for feed grains, whichever is later.

(v) *For crop disposition to meet the conserving base requirement.* The established disposition date or 15 days from the date of the notice, whichever is later. Where an established disposition date is not applicable, 15 days from the date of the notice.

(2) *Substitution of diverted acreage.* Disposition of a crop to make land eligible for substitution for previously designated diverted acreage shall not be permitted after the latest disposition date for feed grain, or the disposition date for the crop to be disposed of, whichever is earlier.

(c) *Responsibility for cost of revisits to farms*—(1) *Adjustment of acreage.* If a producer on the farm elects to adjust an acreage, the cost of a farm visit which would not otherwise be required shall be paid by the producer, except that the visit will be made at ASCS expense when:

(i) The revisit is to determine the disposition or classification of an estimated acreage of sweet corn or sweet sorghums, or

(ii) The revisit is to determine the classification of an acreage of a grain mixture.

(2) *Release of diverted or conservation reserve acreage in designated emergency areas.* If a farm visit which would not otherwise be required is necessary in a designated emergency area for the purpose of determining an acreage of designated conservation reserve or diverted acreage which has been released for grazing or for the harvesting of a crop of hay, the cost of the visit shall be paid by the producer.

(3) *Substitution of diverted acreage.* If a farm visit which would not otherwise be required is necessary to measure acreage diverted in lieu of an acreage previously designated, the cost of the visit shall be paid by the producer.

(d) *Extension of time for adjustment of acreage.* If producers on a farm are unable to adjust an acreage within the time limit specified on the notice of acreage, any producer having an interest in the crop or program involved may request the county office manager to grant an extension of time. If the county office manager determines that the producers were prevented by reasons beyond their control from adjusting the acreage within the time specified, the date for adjustment may be extended to provide a reasonable period of time to make the adjustment.

(e) *Further adjustment after remeasurement or initial adjustment.* If the determination made as a result of the remeasurement of an acreage or after an initial adjustment reveals that the acreage is still in excess or is deficient in case of diverted acreage, a revised notice of acreage may be furnished to the farm operator providing for acreage adjustment within 7 days from the date of such notice or the applicable disposition date, whichever is later. Notwithstanding the provisions of this paragraph (e) for tobacco and peanuts, the revised notice of acreage shall provide for disposition in accordance with applicable program provisions.

(f) *No adjustment after harvest.* No adjustment shall be made in the planted acreage of any crop by disposition of excess acreage after any of the crop has been harvested from such acreage, except that:

(1) For flue-cured tobacco, credit may be given for unharvested flue-cured tobacco disposed of on an area from which some of the tobacco has been harvested if: (i) The operator was not notified of the excess acreage of flue-cured tobacco prior to the start of tobacco harvest on the farm; and (ii) it is determined that not more than 50 percent of the tobacco has been harvested from the area. Adjustment credit will be limited to the percentage the unharvested tobacco is of the total tobacco on the area prior to any harvest.

(2) For peanuts and tobacco (other than flue-cured) adjustment after harvest may be made in accordance with applicable regulations.

(g) *Failure to notify county office of intent or completion of adjustment of acreage*—(1) *Notice of disposition.* If the farm operator or other producer on the farm failed to notify the county office of completion of disposition of excess acreage in accordance with the provisions of paragraph (b) of this section, credit for disposition may be given if the producer pays the cost of determining the acreage and establishes to the satisfaction of the county committee that the crop on the excess acreage was in fact disposed of prior to the disposition date: *Provided, however,* That if a notice of farm marketing excess for cotton or rice has been issued on the basis of such excess acreage, no credit for disposition of such excess acreage prior to the disposition date can be given unless application, in writing, to so establish such disposition, is filed with the county committee within 15 days after the mailing date of the farm marketing excess notice. The determination of the county committee, with respect to the application shall be evidenced by the issuance and mailing of a revised notice of farm marketing excess.

(2) *Notice of intention to adjust acreage.* In the case of tobacco, the county committee may accept a notice of intention filed after the date specified on the notice of acreage upon receipt of satisfactory proof that the producer was prevented from notifying the county office by the date specified because of conditions beyond his control.

(3) *Notice of adjustment of deficient diverted acreage.* If all program requirements relating to eligibility for diversion payment are met except for timely notifying the county office of the adjustment of deficient diverted acreage, additional eligible acreage may be designated if the county committee determines that the producer failed to make timely notification of the adjustment of acreage due to a misunderstanding of his responsibility under the program regulations.

10. Section 718.15 is amended to read as follows:

§ 718.15 State committee options.

(a) *Deviations from prescribed standards.* If general cultural practices in the area warrant such action, the State committee, upon approval of the Deputy Administrator, (1) may establish a minimum row width for specific crops of less than 4 links prescribed in § 718.2(g); (2) may increase the minimum area and width requirement for deductible area under § 718.5(f); (3) may increase the minimum area and width requirements for adjusment credit under § 718.5(g)(2); (4) may provide for computing acreages for fields and subdivisions under § 718.9(b)(3) in acres and tenths, dropping all hundredths; and (5) may decrease the five-tenths (0.5) acre minimum error requirement under § 718.13(c)(2) to not less than one-tenth (0.1) acre.

(b) *Table of State committee determinations.* The following table sets forth the deviations from prescribed standards as established by State committees. It also sets forth the ranges of row widths as established under the provisions of § 718.5(e)(2). These determinations are effective for 1966 and subsequent years.

TABLE OF SECTIONS AFFECTED BY STATE COMMITTEE DETERMINATIONS

State	Section 718.2(g) normal row width	Section 718.5(f) deduction credit	Section 718.5(g)(2) adjustment credit	Section 718.9(b)(3) acreage computations	Section 718.13(c)(2) remeasurement refund	Section 718.5(e)(2) range of row widths
Alabama	16 inches for peanuts					34–46 inches.
Arizona						36–42 inches.
Arkansas						Do.
California	30 inches for cotton	Around the field perimeter 1 row for row crops.	Within the planted area (1) 4 rows for all row crops except cotton; (2) 20 links for close-sown crops.			Do.
Colorado				Acres and tenths		33–48 inches.
Connecticut					0.25 acre	
Delaware		Minimum area 0.1 acre for all crops and land uses except tobacco.—Minimum width 6 links.		Acres and tenths	0.2 acre	
Florida	18 inches for peanuts					36–42 inches.
Georgia	16 inches for peanuts				0.1 acre	Do.
Idaho		Minimum width, 36 inches	Minimum width, 36 inches	Acres and tenths		Do.
Illinois			For row crops—4 rows except along field boundaries. For solid seeded crops—15 links except along field boundaries. Along field boundaries—credit for 4 links or 1-row width, whichever is greater.	Acres and tenths		38–42 inches.
Indiana		Minimum width, 5 links except 15 links for terraces, permanent irrigation and drainage ditches, and sod waterways.	Minimum area, 0.5 acre for all crops and land uses except tobacco. Minimum width, 5 links.	do	0.1 acre for tobacco	32–42 inches.
Iowa		Minimum width, 7 links	Minimum width, 7 links	do		
Kansas	20 inches for sugarbeets.		Minimum area, 0.5 acre for all crops and land uses except tobacco and sugarbeets.	do		38–42 inches.
Kentucky			Minimum width for tobacco; (1) Inside planted area and along end boundaries, the smaller of 10 links or 2 rows; (2) Along boundaries parallel to the rows in the field, 1 row.			36–44 inches.
Louisiana		Unplanted contour levees within rice field are not eligible for deduction.	Minimum area 1 acre. Minimum width 0.5 chain, except for cotton, peanuts, corn, grain sorghums, and barley.			38–42 inches.

State	Section 718.2(g) normal row width	Section 718.5(f) deduction credit	Section 718.5(g)(2) adjustment credit	Section 718.9(b)(3) acreage computations	Section 718.13(c)(2) remeasurement refund	Section 718.5(e)(2) range of row widths
Maine				Acres and tenths		
Maryland				do		
Massachusetts				do		
Michigan				do		
Minnesota	20 inches for sugarbeets.	Minimum area, 0.1 acre for tobacco and sugarbeets; 0.3 acre for all other crops and land uses. Minimum width, 10 links.	Minimum area, 0.1 acre for tobacco and sugarbeets; 0.3 acre for all other crops and land uses. Minimum width, 10 links.	do		36–40 inches.
Mississippi		Minimum width, (1) For terraces, 36 inches; (2) For irrigation and drainage ditches, and sod waterways, 0.1 chain; (3) For deduction around the perimeter of the field, 2 rows (72 inches) for row crops; 0.1 chain for close-sown crops; (4) For deductions within the planted area, 4 rows (144 inches) for row crops when an intertilled or fallowstrip planting pattern is not involved; 0.2 chain for close-sown crops.	Minimum area, 0.3 acre except for cotton destroyed by installation of an irrigation system. Minimum width, 0.1 chain.			32–44 inches.
Missouri		Minimum width, 10 links (6.6 feet) for all crops except tobacco.	10 links (6.6 feet) for all crops except tobacco.		0.1 acre for tabacco	36–42 inches.
Montana	22 inches for sugarbeets.			Acres and tenths		32–63 inches.
Nebraska	do	Minimum area, 0.5 acre for all crops and land uses except sugarbeets.	Minimum area, 0.5 acre for all crops and land uses except sugarbeets.	do		36–42 inches.
Nevada				Acres and tenths		38–42 inches.
New Jersey				do		36–40 inches.
New Mexico				do		
New York		Minimum width, 8 links (63 inches).	Minimum width, 8 links (63 inches).		0.2 acre	
North Carolina	18 inches for peanuts; 30 inches for corn.					36–42 inches.
North Dakota	20 inches for sugarbeets.					32–42 inches.
Ohio					Acres and tenths	Do.
Oklahoma				Acres and tenths	3 percent or 0.3 acre, whichever is larger.	38–42 inches.
Oregon	20 inches for sugarbeets.	Minimum width, for close-sown crops within the planted area, 6 feet.		do		
Pennsylvania				do		
South Carolina						36–42 inches.
South Dakota		Minimum area, 0.5 acre for all crops except sugarbeets.	Minimum area, 0.5 acre for all crops except sugarbeets.	Acres and tenths		
Tennessee			Minimum width: (1) For row crops other than tobacco, 4 rows; (2) For tobacco (a) along field boundary 1 row; (b) within planted area, 2 rows.		For tobacco, 0.1 acre	36–42 inches.
Texas	18 inches for vegetable crops; 30 inches for sugarbeets.	Minimum width, 9 links				32–42 inches.
Utah	22 inches			Acres and tenths		
Virginia				Acres and tenths for crops except tobacco.	For areas of less than 5 acres, 10 percent or 0.1 acre, whichever is larger.	32–48 inches.
Washington	22 inches for sugarbeets.			Acres and tenths		
West Virginia				do		
Wisconsin	32 inches for tobacco	Minimum width, (1) For all crops except tobacco, 6 links; (2) For terraces, permanent irrigation and drainage ditches and sod waterways, 72 inches.	Minimum width for diverted acreage 6 links.	do	0.1 acre for tobacco	36–42 inches.
Wyoming	20 inches for sugarbeets.			do		

11. Section 718.16 is amended for the States of California, Montana, Washington, and Wisconsin to revise disposition dates for certain counties as follows:

§ 718.16 Crop disposition dates.

* * * * *

(b) *Crop disposition dates by States.*

* * *

CALIFORNIA

(1) *Wheat, Barley, Oats, and Rye.* * * *

* * * * *

(4) *Cotton—August 1.* Fresno, Imperial, Kern, Kings, Los Angeles, Madera, Merced, Riverside, San Benito, San Bernardino, San Diego, Stanislaus, and Tulare.

(5) *Rice.* * * *

* * * * *

MONTANA

(1) *Wheat, Barley, Rye, Corn, Grain Sorghum*—(i) *July 15.* All counties except Glacier and Toole.

(ii) *July 21.* Glacier and Toole.

(2) *Oats.* * * *

* * * * *

WASHINGTON

(1) *Wheat, Barley, Oats, and Rye*—(i) *June 15.* * * *

(ii) *June 25.* * * *

(iii) *July 1.* * * *

(iv) *July 10.* * * *

(v) *July 15.* Chelan, Clallam, Clark, Columbia (area 2), Cowlitz, Douglas, Grant (area 1), Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas (area 1), Klickitat (area 1), Lincoln, Mason, Okanogan (area 2), Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Spokane (August 10 for spring-seeded oats), Thurston, Wahkiakum, Walla Walla (over 1,205 feet elevation), Whatcom, and Yakima.

(vi) *July 20.* * * *

(vii) *July 25.* * * *

(viii) *August 1 (except August 10 for spring-seeded oats).* Pend Oreille and Stevens.

(ix) *August 10.* * * *

(x) *August 15.* * * *

* * * * *

WISCONSIN

(1) *Wheat, Barley, and Rye.*—(i) *June 20.* Delete Ozaukee and Washington.

(ii) *July 5.* Add Ozaukee and Washington.

(iii) *July 15.* * * *

* * * * *

12. A new § 718.17 is added to read as follows:

§ 718.17 List of certification counties.

(a) *General.* In counties listed in this section acceptance of a certification of crop and land use acreages from the farm operator in lieu of a farm visit under the provisions of § 718.8b is authorized.

(b) *Certification counties by States.*

ALABAMA

Baldwin, Barbour, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clarke, Clay, Cleburne, Coffee, Colbert, Coosa, Dale, De Kalb, Escambia, Franklin, Henry, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Mobile, Montgomery, Morgan, Perry, St. Clair, Tallapoosa, Tuscaloosa, Walker, Washington, and Winston.

ARIZONA

Cochise, Maricopa, and Pinal.

ARKANSAS

Arkansas, Crittenden, Cross, Drew, Independence, Lafayette, Lawrence, Little River, Lonoke, Miller, Phillips, Poinsett, Prairie, and Randolph.

CALIFORNIA

Alameda, Butte, Colusa, Fresno, Glenn, Imperial, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mendocino, Merced, Modoc, Monterey, Napa, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Yolo, and Yuba.

COLORADO

Adams, Alamosa, Arapahoe, Archuleta, Baca, Bent, Boulder, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Custer, Delta, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Grand, Gunnison, Huerfano, Jackson, Jefferson, Kiowa, Kit Carson, La Plata, Larimer, Las Animas, Lincoln, Logan, Mesa, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Prowers, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache, San Miguel, Sedgwick, Teller, Washington, Weld, and Yuma.

FLORIDA

Alachua, Columbia, Escambia, Gadsden, Hamilton, Lafayette, Leon, Madison, Okaloosa, Santa Rosa, Suwannee, Walton, and Washington.

GEORGIA

Appling, Atkinson, Bacon, Ben Hill, Berrien, Brooks, Bulloch, Candler, Clayton, Coffee, Colquitt, Cook, Coweta, Dawson, Emanuel, Evans, Fannin, Fayette, Forsyth, Gilmer, Grady, Habersham, Hall, Heard, Irwin, Jeff Davis, Lanier, Lowndes, Lumpkin, Mitchell, Montgomery, Pierce, Putnam, Rabun, Richmond, Schley, Tattnall, Thomas, Tift, Toombs, Towns, Treutlen, Troup, Union, Upson, Ware, Wayne, Whitfield, and Worth.

DELAWARE

All counties.

IDAHO

All counties.

ILLINOIS

All counties.

INDIANA

Adams, Allen, Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Cass, Clark, Clinton, Daviess, Dearborn, Decatur, De Kalb, Delaware, Dubois, Fayette, Floyd, Fountain, Franklin, Fulton, Grant, Hamilton, Hancock, Harrison, Henry, Howard, Huntington, Jackson, Jasper, Jay, Jefferson, Jennings, Johnson, Lawrence, Madison, Marion, Miami, Montgomery, Newton, Ohio, Orange, Parke, Pulaski, Randolph, Ripley, Rush, Scott, Shelby, Spencer, Steuben, Switzerland, Tippecanoe, Tipton, Union, Vermillion, Wabash, Warren, Washington, Wayne, Wells, White, and Whitley.

IOWA

Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines Dickinson, Dubuque, Fayette, Floyd, Fremont, Guthrie, Hancock, Harrison, Henry, Howard, Humboldt, Ida, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Linn, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, Muscatine, O'Brien, Osceola, Page, Plymouth, Polk, East Pottawattamie, West Pottawattamie, Poweshiek, Ringgold, Sac, Scott, Shelby, Sioux, Tama, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright.

KANSAS

All counties.

KENTUCKY

Crittenden and Union.

LOUISIANA

Ascension, Assumption, East Carroll, Grant, Iberia, Iberville, Jeff Davis, Lafourche, Madison, Morehouse, Red River, St. Charles, St. James, St. John, St. Mary, Tangipahoa, Tensas, Terrebonne, Washington, West Baton Rouge, and West Carroll.

MARYLAND

Baltimore, Caroline, Cecil, Dorchester, Harford, Kent, Queen Annes, and Talbot.

MICHIGAN

Alcona, Allegan, Alpena, Antrim, Barry, Bay, Berrien, Branch, Calhoun, Cass, Cheboygan, Clinton, Crawford, Eaton, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Jackson, Kalamazoo, Kalkaska, Kent, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Oakland, Ogemaw, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, and Wayne.

MINNESOTA

Anoka, Benton, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Houston, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, Martin, Meeker, Morrison, Mower, Murray, Nobles, Olmsted, West Otter Tail, East Otter Tail, Pipestone, Redwood, Renville, Rock, Sherburne, Steele, Swift, Todd, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

MISSISSIPPI

Lee, Lowndes, Noxubee, Rankin, Tunica, Union, Washington, Wayne, and Yalobusha.

MISSOURI

Adair, Andrew, Atchison, Audrain, Barry, Boone, Buchanan, Caldwell, Callaway, Camden, Carroll, Carter, Cedar, Chariton, Christian, Clark, Clay, Clinton, Crawford, Dade, Dallas, Dent, Douglas, Greene, Grundy, Harrison, Hickory, Holt, Howell, Iron, Jackson, Knox, Laclede, Lafayette, Lawrence, Lewis, Lincoln, Linn, Livingston, McDonald, Macon, Madison, Maries, Marion, Mercer, Miller, Monroe, Montgomery, Nodaway, Ozark, Perry, Pettis, Phelps, Pike, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Francis, Saline, Schuyler, Scotland, Scott, Shannon, Shelby, Stone, Sullivan, Taney, Texas, Washington, Wayne, Webster, Worth, and Wright.

MONTANA

All counties.

NEBRASKA

Adams, Antelope, Banner, Boone, Box Butte, Buffalo, Butler, Cheyenne, Clay, Colfax, Custer, Dawes, Dawson, Deuel, Fillmore, Franklin, Furnas, Garden, Gosper, Greeley, Hall, Hamilton, Harlan, Howard, Jefferson, Kearney, Kimball, Knox, Logan, Madison, Merrick, Morrill, Nance, Nuckolls, Phelps, Pierce, Platte, Polk, Saline, Scotts Bluff, Sheridan, Sherman, Sioux, Stanton, Thayer, Valley, Wayne, Webster, and York.

NEVADA

Churchill and Nye.

NEW JERSEY

Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Salem, Somerset, Sussex, and Warren.

NEW MEXICO

Chaves, Colfax, Curry, De Baca, Eddy, Harding, Hidalgo, Lea, Luna, Otero, Quay, Roosevelt, and Union.

NEW YORK

Albany, Allegany, Cayuga, Chemung, Clinton, Columbia, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Herkimer, Jefferson, Lewis, Livingston, Monroe, Montgomery, Niagara, Onondaga, Ontario, Orange, Orleans, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Ulster, Washington, Wayne, Wyoming, and Yates.

NORTH CAROLINA

Alamance, Bladen, Caswell, Columbus, Cumberland, Duplin, Durham, Edgecombe, Forsyth, Franklin, Granville, Greene, Guilford, Harnett, Hoke, Johnston, Jones, Lenoir, Martin, Nash, Orange, Pender, Person, Pitt, Robeson, Rockingham, Sampson, Scotland, Stokes, Surry, Vance, Wake, Wayne, Wilson, and Yadkin.

NORTH DAKOTA

Burke, Burleigh, Dickey, Divide, Dunn, Golden Valley, McIntosh, McLean, Mercer, Morton, Oliver, Renville, Sargent, Sioux, and Ward.

OHIO

All counties.

OKLAHOMA

Alfalfa, Beaver, Blaine, Bryan, Caddo, Canadian, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Craig, Custer, Dewey, Garfield, Garvin, Grady, Grant, Greer, Harmon, Jackson, Jefferson, Kay, Kingfisher, Kiowa, Logan, McClain, McCurtain, Major, Muskogee, Noble, Nowata, Oklahoma, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Stephens, Texas, Tillman, Tulsa, Washington, and Washita.

OREGON

Baker, Benton, Clackamas, Columbia, Crook, Deschutes, Douglas, Gilliam, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, and Yamhill.

PENNSYLVANIA

All counties.

SOUTH CAROLINA

Berkeley, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Horry, Kershaw, Lee, Marion, Marlboro, Richland, Sumter, and Williamsburg.

SOUTH DAKOTA

Aurora, Beadle, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codington, Corson, Custer, Davison, Deuel, Dewey, Douglas, Edmunds, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lincoln, Lyman, McCook, McPherson, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Sanborn, Shannon, Spink, Stanley, Sully, Todd, Tripp, Turner, Union, Walworth, Washabaugh, Yankton, and Ziebach.

TENNESSEE

Bledsoe, Bradley, Coffee, Davidson, Dickson, Franklin, Gibson, Grundy, Hamilton, Hickman, Humphreys, Lewis, Marion, Marshall, Perry, Polk, Rhea, Rutherford, Sequatchie, Trousdale, Van Buren, and Warren.

TEXAS

Aransas, Armstrong, Bailey, Bowie, Carson, Cass, Castro, Cherokee, Cochran, Collin, Collingsworth, Crosby, Dallam, Dawson, Deaf Smith, Donley, Floyd, Garza, Gray, Gregg, Hale, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Leon, Lipscomb, Lubbock, Lynn, Moore, Nueces, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, San Patricio, Sherman, Swisher, Terry, Wheeler, and Yoakum.

UTAH

All counties.

VIRGINIA

Accomack, Albemarle, Alleghany, Amherst, Augusta, Bath, Bedford, Bland, Botetourt, Caroline, Carroll, Charles City, Chesapeake (City), Chesterfield, Clarke, Craig, Culpeper, Essex, Fairfax, Fauquier, Floyd, Fluvanna, Franklin, Frederick, Giles, Gloucester, Goochland, Greene, Hampton (City), Hanover, Henrico, Henry, Highland, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Madison, Mathews, Middlesex, Montgomery, Nelson, New Kent, Newport News (City), Northhampton, Northumberland, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince William, Pulaski, Rappahannock, Richmond, Roanoke, Rockbridge, Rockingham, Shenandoah, Spotsylvania, Stafford, Virginia Beach (City), Warren, Westmoreland, Wythe, and York.

WASHINGTON

Asotin, Benton, Clark, Columbia, Franklin, Garfield, Grant, Island, Kittitas, Klickitat, Lewis, Lincoln, Okanogan, San Juan, Spokane, Stevens, Walla Walla, Whitman, and Yakima.

WEST VIRGINIA

Berkeley, Grant, Hampshire, Hardy, Jackson, Jefferson, Kanawha, Mason, Mineral, Monroe, Morgan, Pendleton, Putnam, Roane, and Summers.

WISCONSIN

Barron, Brown, Burnett, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Door, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marquette, Milwaukee, Oneida, Outagamie, Ozaukee, Portage, Price, Racine, Richland, Rock, Rusk, Sauk, Sawyer, Sheboygan, Taylor, Vernon, Walworth, Washburn, Washington, Waukesha, Waupaca, Waushara, Winnebago, and Wood.

WYOMING

Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Lincoln, Natrona, Niobrara, Park, Platte, Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston.

Effective date. Since the determination of acreages and compliance is now in progress in many States, it is necessary that this amendment becomes effective as soon as possible. Accordingly, it is hereby determined that compliance with the notice, public procedure, and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest and the provisions of this part shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 8, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-8778; Filed, Aug. 15, 1966; 8:45 a.m.]

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

PART 919—PEACHES GROWN IN MESA COUNTY, COLO.

Expenses and Rate of Assessment

On July 29, 1966, notice of rule making was published in the FEDERAL REGISTER (31 F.R. 10275) regarding proposed expenses and the related rate of assessment for the period beginning March 1, 1966, and ending February 28, 1967, pursuant to the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in Mesa County, Colo. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 919.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Administrative Committee during the period March 1, 1966, through February 28, 1967, will amount to $14,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 919.41, is fixed at $0.0475 per bushel basket of peaches, or equivalent quantity of peaches in other containers or in bulk.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) shipments of the current crop of peaches grown in Mesa County, Colo., are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable peaches handled during the aforesaid period; and (3) such period began on March 1, 1966, and said rate of assessment will automatically apply to all such peaches beginning with such date.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

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

Dated: August 11, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-8874; Filed, Aug. 15, 1966; 8:46 a.m.]

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.

Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment to be effective under Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945), regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oreg., was published in the FEDERAL REGISTER July 21, 1966 (31 F.R. 9874). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit written data, views, or arguments pertaining thereto not later than 15 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to said amended marketing agreement and order, it is hereby found and determined that:

§ 945.219 Expenses and rate of assessment.

(a) *Expenses.* The reasonable expenses that are likely to be incurred during the fiscal period beginning June 1, 1966, and ending May 31, 1967, by the Idaho-Eastern Oregon Potato Committee, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, will amount to $31,000.00.

(b) *Rate of assessment.* The rate of assessment to be paid by each handler in accordance with the amended marketing agreement and this part, shall be fourteen one-hundredths of a cent ($0.0014) per hundredweight, or equivalent quantity, of potatoes handled by him

as the first handler thereof during the fiscal period.

(c) *Reserve.* Unexpended income in excess of expenses for the fiscal period ending May 31, 1967, may be carried over as a reserve.

(d) *Definition of terms.* Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective time of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) the relevant provisions of this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began on June 1, 1966, and the rate of assessment herein fixed will automatically apply to all assessable potatoes beginning with such date.

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

Dated: August 11, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–8875; Filed, Aug. 15, 1966; 8:46 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Consumer and Marketing Service (Meat Inspection), Department of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 318—REINSPECTION AND PREPARATION OF PRODUCTS

Approval of Substances for Use in Bacon

On April 27, 1966, there was published in the FEDERAL REGISTER (31 F.R. 6378), a notice of a proposed amendment to § 318.7 of the Federal Meat Inspection Regulations (9 CFR 318.7) to add bacon to the list of products to which approved phosphates may be added. After due consideration of all relevant matters presented in connection with such notice and under the authority of the Meat Inspection Act, as amended and extended (21 U.S.C. 71–96) and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), the portion of the chart relating to phosphates in § 318.7(b) (4) is amended as indicated below:

§ 318.7 Approval of substances for use in the preparation of meat food products.

* * * * * *

(b) * * *

(4) * * *

Class of substance	Substance	Purpose	Products	Amount
* * *	* * *	* * *	* * *	* * *
Phosphates	Disodium phosphate.	To decrease amount of cooked out juices.	Cured hams, pork shoulder picnics, and loins; canned hams and pork shoulder picnics; chopped ham; and bacon.	5.0% of phosphate in pickle at 10% pump level; 0.5% of phosphate in product (only clear solution may be injected into product).
	Monosodium phosphate.	do	do	Do.
	Sodium hexametaphosphate.	do	do	Do.
	Sodium tripolyphosphate.	do	do	Do.
	Sodium pyrophosphate.	do	do	Do.
	Sodium acid pyrophosphate.	do	do	Do.
* * *	* * *	* * *	* * *	* * *

The purpose of this amendment is to permit approved phosphates in bacon cures. Phosphates are safe. They are presently approved for use in cures for hams, pork shoulder picnics, pork loins, canned pork products, and chopped ham.

All comments received as a result of the FEDERAL REGISTER notice favored the proposed amendment.

(34 Stat. 1260–1265, as amended, 41 Stat. 241; sec. 306, 46 Stat. 689, as amended; 21 U.S.C. 71–91, 96; 19 U.S.C. 1306)

Since this amendment relieves restrictions it may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 11th day of August 1966.

R. K. SOMERS,
Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 66–8900; Filed, Aug. 15, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER D—AIRMEN

[Docket No. 7395; Rescission of Amendments 61–21, 63–4, 65–8]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

PART 65—CERTIFICATION: AIRMEN OTHER THAN FLIGHT CREWMEMBERS

Prerequisites for Written Tests

On May 27, 1966 (31 F.R. 7609), the Agency published amendments to Parts 61, 63, and 65 of the Federal Aviation Regulations to remove from the airman certification regulations all requirements that applicants for airman certificates meet aeronautical experience requirements before taking the prescribed written tests, and to remove the requirement that an applicant for an airline transport pilot certificate must meet the general eligibility requirements (other than age) before taking the written test. The intent of the amendments was to provide more flexibility in the order in which certain parts of the airman tests could be taken by applicants. The Agency had determined, in conformity with its policy of providing the best possible service to the public, and in order to reduce the required extent of applicants' travel for certification purposes, that the showing of technical qualifying experience is necessary only before the prescribed oral, practical, or flight test required. Since the amendments were considered to be procedural in nature and to result in providing applicants for the airman certificates affected an additional benefit, notice and public procedure thereon were not considered required.

The amendments were to become effective June 26, 1966. After publication and before that date, the Agency received several communications from certificated schools and airmen indicating that there may have been some misunderstanding of the effect of the amendments on the character of airman standards and expressing apprehension that the amendments would result in the lowering of substantive standards. The Agency thereupon determined that an extension of the effective date of the amendments would be in the public interest, to allow for the furnishing of any specific examples of possible adverse effect of the amendments on the quality

of airman certification. Accordingly, on June 24, 1966, the effective date of the amendments was changed to August 15, 1966 (31 F.R. 8913, June 28, 1966).

Responsive to permission given by the extension of effective date, the Agency received communications from several sources including certificated mechanics and representatives of certificated mechanic schools asserting that the amendments would have an adverse effect on the quality of airman certification. Adverse effect would be caused, it was asserted, for instance, by fostering the taking of written tests, both original and retakes, by increased numbers of unqualified applicants on a "nothing to lose" basis and thereby making more difficult the proper composition, monitoring, and processing of these tests. Also, it was asserted, the standards for taking the written examination would be lowered and with them the high quality of mechanic standards overall that flows from a total "teaching-learning process". In other words, it was asserted that the amendments would encourage a student to take the written test before he has completed the "education phase" and if he is successful it could lessen the incentive for the student to become an educated technician. These views also were expressed at a conference held between the Agency and the representatives of certificated mechanic schools on August 2, 1966.

In view of these assertions and the imminence of the August 15, 1966, effective date, the Agency has determined that it would be in the public interest to rescind the amendments before they become effective. It is contemplated that a notice of proposed rule making on the substance of the amendments will be issued at an early date, to give all interested parties fuller opportunity to participate in the making of the proposed rules.

This rescission of the subject amendments leaves the affected portions of Parts 61, 63, and 65 exactly as they were prior to the issuance of the amendments on May 23, 1966.

In consideration of the foregoing, Amendments 61-21, 63-4, and 65-8 to Parts 61, 63, and 65 of the Federal Aviation Regulations, respectively, are rescinded, effective August 12, 1966.

(Sec. 313(a) and 601 of the Federal Aviation Act of 1958, 49 U.S.C. 1354(a) and 1421)

Issued in Washington, D.C., on August 12, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-8934; Filed, Aug. 15, 1966; 8:48 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-WE-97]

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

Designation of Restricted Areas and Alteration of Restricted Area and Controlled Airspace; Correction

The purpose of this amendment is to alter F.R. Doc. No. 66-8082 (31 F.R. 10027) which designates the Sand Springs, Nev., Restricted Area R-4812, and the Carson Sink, Nev., Restricted Area R-4813. In paragraphs 3 and 4 the amendments to §§ 73.151 and 73.123, respectively, should read §§ 71.151 and 71.123.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the original date of effectiveness may be retained.

In consideration of the foregoing, the amendatory material appearing on page 6 of F.R. Doc. 66-8082 is altered, effective immediately, as hereinafter set forth.

1. In paragraph 3, delete "§ 73.151" and substitute "§ 71.151" therefor.

2. In paragraph 4, delete "§ 73.123" and substitute "§ 71.123" therefor.

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

Issued in Washington, D.C., on August 10, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66-8863; Filed, Aug. 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-44]

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 which would alter the Dayton, Ohio (Montgomery County) (31 F.R. 2178) transition area.

The Dayton, Ohio, Montgomery County Airport VOR Radial 146 instrument approach procedure has been amended. The procedural change will alter the approach radial from 146° to 136° M. To provide airspace protection for the amended procedure, an alteration of the Dayton, Ohio (Montgomery County) 700-foot floor transition area will be required.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed amendment is hereby adopted effective 0001 e.s.t., October 13, 1966 as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Dayton, Ohio (Montgomery County) transition area and substitute in lieu thereof the following:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 39°35'20" N., 84°13'20" W., of Montgomery County Airport, Dayton, Ohio; and within 2 miles each side of the Montgomery County VOR 135° radial extending from the 6-mile radius area to 8 miles southeast of the VOR, excluding the portion which lies within the Middletown, Ohio, transition area.

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

Issued in Jamaica, N.Y., on August 1, 1966.

OSCAR BAKKE,
Director, Eastern Region.

[F.R. Doc. 66-8865; Filed, Aug. 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-68]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter the time of designation for the Sioux Ordnance Depot, Nebr., Restricted Area R-4701.

The Department of the Army has reevaluated its requirements for R-4701 and has requested the time of designation be changed from 0900 to 2100 m.s.t., Monday through Friday, to 0900 to 1600 m.s.t. each Friday.

Since this amendment reduces the burden on the public, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 73.47 (31 F.R. 2320), the Sioux Ordnance Depot, Nebr., Restricted Area R-4701 is amended by deleting "Time of designation: 0900 to 2100 m.s.t., Monday through Friday." and substituting "Time of designation: 0900 to 1600 m.s.t., Friday, only." therefor.

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

Issued in Washington, D.C., on August 10, 1966.

WILLIAM E. MORGAN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 66-8864; Filed, Aug. 15, 1966; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-166]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Special Tonnage Tax and Light Money, Syrian Arab Republic

AUGUST 11, 1966.

The Secretary of State advised the Secretary of the Treasury on July 22, 1966, that the Department of State has obtained satisfactory proof from the Government of the Syrian Arab Republic that as of July 10, 1966, no discriminating duties of tonnage or imports are imposed or levied in ports of the Syrian Arab Republic upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into the Syrian Arab Republic in such vessels from the

United States or from any foreign country.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR, ch. II), and pursuant to the authorization given to me by Treasury Department Order No. 190, Revision 4, December 15, 1965 (30 F.R. 15769), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of the Syrian Arab Republic, and the produce, manufactures, or merchandise imported into the United States in such vessels from the Syrian Arab Republic or from any other foreign country. This suspension and discontinuance shall take effect from July 10, 1966, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, § 4.22, Customs Regulations, is amended by the insertion of "Syrian Arab Republic" immediately after "Switzerland" in the list of countries exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

(R.S. 161, as amended, 4219, as amended, 4225, as amended, 4228, as amended; sec. 3, 23 Stat. 119, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121, 128, 141)

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-8878; Filed, Aug. 15, 1966; 8:46 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 31—NONALCOHOLIC BEVERAGES

Soda Water

Effective upon publication of this document in the FEDERAL REGISTER, § 31.1 *Soda water; identity; label statement of optional ingredients* (31 F.R. 1066, 5489) is editorially amended by changing in paragraph (b) (10) the words "methyl or propyl paraben," to read "methylparaben or propylparaben,".

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371 (a))

Dated: August 8, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8894; Filed, Aug. 15, 1966; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

POLYSORBATE 80

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6A2005) filed by Delta Chemical Corp., 3915 Air Park Street, Memphis, Tenn. 38118, and other relevant material, has concluded that the food additive regulations should be amended to prescribe the safe use of polysorbate 80 as a wetting agent in scald solutions for defeathering poultry. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.1009(c) is amended by adding thereto a new subparagraph, as follows:

§ 121.1009 Polysorbate 80.

* * * * *

(c) * * *

(9) It is used as a wetting agent in scald water for poultry defeathering, followed by potable water rinse. The concentration of the additive in the scald water does not exceed 0.0175 percent.

* * * * *

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.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: August 9, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8895; Filed, Aug. 15, 1966; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER B—CLAIMS AND ACCOUNTS

PART 536—CLAIMS AGAINST THE UNITED STATES

Claims Arising From Negligence of Military Personnel or Civilian Employees Under the Federal Tort Claims Act

Paragraph (o) of § 536.29 is revised to read as follows:

§ 536.29 **Claims arising from negligence of military personnel or civilian employees under the Federal Tort Claims Act.**

* * * * *

(o) *Settlement*—(1) *Settlement authority.* (i) The Judge Advocate General is delegated authority to settle claims not in excess of $2,500 under this section.

(ii) Subject to such limitations as may be imposed by The Judge Advocate General each of the following is delegated authority to settle claims not over $2,500 under this section:

(*a*) All officers of The Judge Advocate General's Corps assigned to the U.S. Army Claims Service, Fort Holabird, Md., subject to such limitations as may be imposed by the Chief, U.S. Army Claims Service.

(*b*) The commander of each of the following commands, or his staff judge advocate:

(*1*) Each of the numbered armies within the continental United States;

(*2*) Military District of Washington, U.S. Army;

(*3*) U.S. Army Forces Southern Command;

(*4*) U.S. Army, Alaska;

(*5*) U.S. Army, Pacific.

(*c*) The Judge Advocate General may delegate claims settlement authority to other commands where the need for such authority can be demonstrated. Requests for delegation of authority will be forwarded to The Judge Advocate General, Attention: Chief, U.S. Army Claims Service, Fort Holabird, Md. 21219, through command channels, with justification and recommendations.

(2) *Approving authority.* Each of the following is delegated authority under this section subject to monetary limits set forth below, to—

(i) Approve claims in the full amount claimed; or

(ii) Approve claims for less than the amount claimed if accepted by the claimant in full satisfaction and final settlement.

(a) *Claims not over $1,000.* (1) Any commanding officer authorized to exercise general courts-martial jurisdiction, or his staff judge advocate;

(2) An officer of The Judge Advocate General's Corps assigned to a maneuver claims service or a disaster claims office when designated by the commander of a command listed in subparagraph (1) (ii) of this paragraph, subject to such limitation as the designating commander may prescribe;

(3) A district or division engineer, Corps of Engineers, or the Chief of Engineers.

(b) *Claims not over $500.* Any commanding officer not authorized to exercise general courts-martial jurisdiction, but having a judge advocate assigned to his staff, or his judge advocate.

[AR 27-22, May 20, 1966] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 401-424, 60 Stat. 842-847; 28 U.S.C. 2671-2680)

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-8862; Filed, Aug. 15, 1966; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 73—RADIO BROADCAST SERVICES

Rebroadcast

1. In the 1963 revision of Part 3 which redesignated it as Part 73 (adopted Dec. 13, 1963), one line was omitted from paragraph (a) of § 73.121. It is the purpose of this amendment to restore the omitted line. Since the change adopted herein is of an editorial nature, prior notice and rule-making proceedings are unnecessary and would not serve the public interest.

2. Accordingly, pursuant to the authority contained in sections 4(i) and 325(a) of the Communications Act of 1934, as amended, and § 0.261 of the Commission's rules and regulations: *It is ordered,* That, effective August 16, 1966, Part 73 of the rules is amended to read as follows:

§ 73.121 Rebroadcast.

(a) The term "rebroadcast" means reception by radio of the programs of a radio station, and the simultaneous or subsequent retransmission of such programs by a broadcast station.

NOTE: 1: As used in § 73.121, program includes any complete program or part thereof, or any signals if other than A-3 emission.

NOTE 2: In case a program is transmitted from its point of origin to a broadcast station entirely by telephone facilities in which a section of such transmission is by radio, the broadcasting of this program is not considered a rebroadcast.

* * * * *

(Secs. 4, 325, 48 Stat., 1066 as amended, 1091; 47 U.S.C. 154, 325)

Adopted: August 11, 1966.

Released: August 11, 1966.

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

[F.R. Doc. 66-8886; Filed, Aug. 15, 1966; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

Correction

In F.R. Doc. 66-8150 appearing in the issue for Thursday, July 28, 1966, at page 10194, make the following change in the table in § 10.46(a): In column 2, under "Rails and gallinules (except coots)", opposite the State "New Hampshire," the entry "do" should read "Sept. 1—Nov. 9."

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter X—Oil Import Administration, Department of the Interior

BULLETIN 2 — ALLOCATIONS — REFINERS AND PETROCHEMICAL PLANTS

1. Under Oil Import Regulation 1 (rev. 5) (31 F.R. 7745), inputs to a particular facility or a particular unit or group of units within a facility do not constitute the basis for an allocation of imports pursuant to section 9 (petrochemical plants) and an allocation pursuant to section 10 or 11 (refiners). In an instance in which a facility or unit or group of units within a facility can, by reason of inputs and output, be regarded either as refinery capacity or as a petrochemical plant, the applicant must elect to treat the facility, unit, or group of units either as refinery capacity or as a petrochemical plant.

2. If a facility or a unit or group of units within a facility is treated as a petrochemical plant for the purposes of an application for an allocation of imports under section 9 of Oil Import Regulation 1 (rev. 5) and if an alloaction is made on that basis, the facility, unit, or group of units will be regarded by the Oil Import Administration as a petrochemical plant for the "input year (October 1 through September 30) upon which an allocation for the next succeeding allocation period will be made.

Example. Company A includes the inputs to its facility at Windrow in an application for an allocation of imports under section 9 for the allocation period January 1, 1966–December 31, 1966. An allocation is made to Company A on that basis. For the input year October 1, 1965, through September 30, 1966, the facility at Windrow will be regarded by the Oil Import Administration as a petrochemical plant, and the inputs to the facility during that period will constitute a basis only for an allocation under section 9 for the allocation period beginning January 1, 1967. During the calendar year 1966, Company A decides to treat a group of units within the facility as refinery capacity and a group of units as a petrochemical plant, for the purpose of making application for allocations of imports, and so notifies OIA. Assuming that each group meets the requirements of the regulations, OIA will recognize the new designations during the "input year" October 1, 1966–September 30, 1967, and with respect to Company A's applications for the allocation period beginning January 1, 1968.

3. If a facility or unit or group of units within a facility is treated as refinery capacity for the purposes of an allocation of imports under section 10 or 11 of Oil Import Regulation 1 (rev. 5) and if an allocation is made on that basis, the facility, unit, or group of units will be regarded by OIA as refinery capacity for the input year (October 1 through September 30) upon which an allocation for the next succeeding allocation period will be made.

ELMER L. HOEHN,
Administrator,
Oil Import Administration.

Approved: August 15, 1966.

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 66-8973; Filed, Aug. 15, 1966; 11:40 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 924]

FRESH PRUNES GROWN IN WASHINGTON AND OREGON

Approval of Expenses and Fixing of Rate of Assessment for 1966–67 Fiscal Year

Consideration is being given to the following proposals submitted by the Washington-Oregon Fresh Prune Marketing Committee, established under the marketing agreement and Order No. 924 (7 CFR Part 924) regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oreg., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(a) That expenses that are reasonable and likely to be incurred by said committee, during the period beginning April 1, 1966, and ending March 31, 1967, will amount to $10,890.

(b) That there be fixed, at $1.00 per ton of fresh prunes, the rate of assessment payable by each handler in accordance with § 924.41 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall 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 10th 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)).

Dated: August 11, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–8872; Filed, Aug. 15, 1966; 8:46 a.m.]

[7 CFR Part 948]

[Area 3]

IRISH POTATOES GROWN IN COLORADO

Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering approval of the expenses and rate of assessment, hereinafter set forth which were recommended by the area committee for Area No. 3 established pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948). This marketing order regulates the handling of Irish potatoes grown in the State of Colorado and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall 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 15th 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)).

§ 948.251 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the area committee for Area No. 3, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, to enable such committee to perform its functions pursuant to the provisions of the aforesaid amended agreement and order during the fiscal period ending May 31, 1967, will amount to $2,500.

(b) The rate of assessment to be paid by each handler in Area No. 3 pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, shall be $0.00125 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending May 31, 1967, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

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

Dated: August 11, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66–8873; Filed, Aug. 15, 1966; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 5]

ANTIOXIDANTS USED AS CHEMICAL PRESERVATIVES OF FATTY EMULSIFIERS

Proposal To Exempt Declaration of Presence in Fabricated Food

Notice is given that Emory Industries, Inc., 4300 Carew Tower, Cincinnati, Ohio 45202, a manufacturer of food, has submitted a petition proposing a regulation to exempt antioxidants in fabricated food from label declaration when such antioxidants are in such food due to having been used as preservatives of fatty emulsifiers that are components of such food. Conditions of the exemption would be that the antioxidants are (1) preservatives for the emulsifiers only, (2) in the food in insignificant quantities, and (3) in the food only from being in the emulsifiers.

The exemption would be limited to those antioxidants that are not food additives within the meaning of section 201(s) of the Federal Food, Drug, and Cosmetic Act, or if they are food additives, are used in the emulsifiers in accordance with section 409 of the Act and the regulations thereunder.

The petitioner's proposal is based on the effectiveness of the antioxidants in preserving fat-derived emulsifiers and would limit the quantity of the antioxidant present to the minimum required to produce the desired technical effect. The petitioner states that presently such antioxidants, which are generally recognized as safe by qualified experts, are limited to 200 parts per million of the total oil or fat content of the food.

Accordingly, it is proposed that Part 5 be amended by adding thereto the following new section:

§ 5._____ Antioxidants in fatty emulsifiers that are components of food.

Antioxidants added to fatty emulsifiers as chemical preservatives for the emulsifiers are deemed to be incidental additives and are exempt from label declaration as ingredients of food fabricated from such emulsifiers when:

(a) The antioxidants added as chemical preservatives for the emulsifiers are not food additives within the meaning of section 201(s) of the Federal Food, Drug, and Cosmetic Act, are present at a level not greater than necessary to accomplish their intended chemical preservative effect and in no instance exceed 200 parts per million by weight of the emulsifier,

or if food additives, are used in the emulsifiers in accordance with section 409 of the act and regulations thereunder.

(b) The antioxidants referred to in paragraph (a) of this section are present at nonfunctional and insignificant levels and do not exert any effect on the fabricated food containing such emulsifiers.

The petition in its entirety as presented by Emory Industries, Inc., is on file for public review at the Hearing Clerk's office of the Department of Health, Education, and Welfare.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(i), 701(a), 52 Stat. 1048, 1055; 21 U.S.C. 343(i), 371(a)), and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are hereby invited to submit written comments regarding this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be submitted, preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: August 5, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8901; Filed, Aug. 15, 1966; 8:48 a.m.]

[21 CFR Part 19]

CHEESE AND CHEESE PRODUCTS

Proposal To Amend Identity Standards by Listing Carrageenan as an Optional Ingredient in Cream Cheese, and Guar Gum and Carrageenan as Optional Ingredients in Neufchatel Cheese

Notice is given that a petition has been filed by Stein, Hall & Co., Inc., 605 Third Avenue, New York, N.Y. 10016, proposing that:

1. The standard of identity for cream cheese (21 CFR 19.515 be amended to permit optional use of carrageenan.

2. The standard of identity for neufchatel cheese (21 CFR 19.520) be amended to permit optional use of guar gum and carrageenan.

The petitioner proposes that the 0.5 percent weight limitation for optional ingredients specified in the subject standards remain unchanged, and that carrageenan, when used as proposed, be declared on the label of the food by the generic term "vegetable gum." No proposal was made as to the declaration of guar gum.

Grounds set forth in the petition to support the proposed amendments are that the use of guar gum and carrageenan improves the texture of the cheeses, prevent separation of whey from curd, and prevents the cheese from sticking to the container lids, and, when used in cream cheese, gives the hot-pack cream cheese the desirable texture of cold-pack cream cheese which is more crumbly.

The Commissioner proposes that, if the proposal to permit carrageenan as an optional ingredient in the subject cheeses is adopted, the required label declaration be the common name "carrageenan" rather than "vegetable gum." Also, the Commissioner has concluded that, as in the case of other cheeses, declaration of guar gum under the generic term "vegetable gum" is appropriate for the subject cheeses.

As proposed, § 19.515 (b)(2) and (c) and § 19.520 (b)(2) and (c) would be amended to read as follows:

§ 19.515 Cream cheese; identity; label statement of optional ingredients.

* * * * *

(b) * * *

(2) In the preparation of cream cheese, one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, guar gum, carrageenan, gelatin, algin, or propylene glycol alginate may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished cream cheese.

* * * * *

(c) When an optional ingredient listed in paragraph (b)(2) of this section is present in cream cheese, the label shall bear the statement "_____ added" or "with added _____," the blank being filled in with the word or words "vegetable gum," "carrageenan," "gelatin," "algin," or "propylene glycol alginate," or any combination of two or more of these, as the case may be. Wherever the name "cream cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement specified in this section, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

§ 19.520 Neufchatel cheese; identity; label statement of optional ingredients.

* * * * *

(b) * * *

(2) In the preparation of neufchatel cheese, one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, guar gum, carrageenan, gelatin, algin, or propylene glycol alginate may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished neufchatel cheese.

* * * * *

(c) When an optional ingredient listed in paragraph (b)(2) of this section is present in neufchatel cheese, the label shall bear the statement "_____ added" or "with added _____," the blank being filled in with the word or words "vegetable gum," "carrageenan," "gelatin," "algin," or "propylene glycol alginate," or any combination of two or more of these, as the case may be. Wherever the name "neufchatel cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement specified in this section, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: August 9, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8896; Filed, Aug. 15, 1966; 8:48 a.m.]

[21 CFR Part 20]

FROZEN DESSERTS

Proposal To Amend Identity Standards by Listing Microcrystalline Cellulose as an Optional Ingredient in Ice Cream and Fruit Sherbet

Notice is given that a petition has been filed by American Viscose Division of FMC Corp., 1617 John F. Kennedy Boulevard, Philadelphia, Pa. 19103, proposing that the identity standards for ice cream (§ 20.1) and fruit sherbet (§ 20.4) be amended by listing microcrystalline cellulose as an optional ingredient. Due to cross-references, the proposal to amend § 20.1 also applies to the identity standards for frozen custard (§ 20.2) and ice milk (§ 20.3). It is proposed that the microcrystalline cellulose be permitted in an amount not to exceed 1.5 percent by weight of the finished ice cream (and by cross-reference, frozen custard and ice milk) and 0.5 percent by weight of the finished fruit sherbet. Also, the weight of microcrystalline cellulose added to frozen desserts will not be counted as contributing toward meeting the requirements for minimum weight per gallon or minimum weight of food solids per gallon.

Grounds stated in the petition in support of the proposals are that incorporation of microcrystalline cellulose in frozen desserts: Improves resistance of the food to texture changes during storage; reduces adverse effect on texture by "heat shock" or short periods of temperature elevation during commercial

and home storage; imparts to frozen desserts a better body and increased "chewiness" or "bite resistance"; provides improved extrusion properties, due to increased stiffness, thereby facilitating frozen dessert manufacture; and, in the case of ice milk, yields a product with a "warmer" taste sensation.

The Commissioner of Food and Drugs proposes on his own initiative the requirement that labels of frozen desserts containing microcrystalline cellulose bear a statement to that effect.

It is proposed that Part 20 be amended:

1. In § 20.1 by changing the third sentence from the end of paragraph (a), by adding to paragraph (f) a new subparagraph and by revising paragraph (g)(3), as follows:

§ 20.1 Ice cream; identity; label statement of optional ingredients.

(a) * * * The finished ice cream contains not less than 1.6 pounds of total solids to the gallon and weighs not less than 4.5 pounds to the gallon; except that when the optional ingredient microcrystalline cellulose specified in paragraph (f)(6) of this section is used, the finished ice cream contains not less than 1.6 pounds of total solids to the gallon and weighs not less than 4.5 pounds to the gallon exclusive, in both cases, of the weight of the microcrystalline cellulose.

* * *

* * * * *

(f) * * *

(6) Microcrystalline cellulose, in a quantity not to exceed 1.5 percent by weight of the finished frozen dessert.

(g) * * *

(3)(i) If the food is subject to the requirements of subparagraph (2)(ii) of this paragraph or if it contains any artificial flavor not simulating the characterizing flavor, the label shall also bear the words "artificial flavor added" or "artificial _____ flavor added," the blank being filled with the common name of the flavor simulated by the artificial flavor in letters of the same size and prominence as the words that precede and follow it.

(ii) When the optional ingredient microcrystalline cellulose specified in paragraph (f)(6) of this section is used, the label shall bear the statement "microcrystalline cellulose added" or "with microcrystalline cellulose".

(iii) When two or more of the optional ingredients specified in paragraphs (b)(2) and (f)(6) of this section are used, such words may be combined; for example, "microcrystalline cellulose and artificial flavor added."

(iv) Wherever the name of the characterizing flavor appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words prescribed by this subparagraph shall immediately and conspicuously precede or follow such name, in a size reasonably related to the prominence of the name of the characterizing flavor and in any event the size of the type is not less than 6-point on packages containing less than 1 pint, not less than 8-point on packages containing at lease 1 pint but less than one-half gallon, not less than 10-point on packages containing at least one-half gallon but less than 1 gallon, and not less than 12-point on packages containing 1 gallon or over; *Provided, however*, That where the characterizing flavor and a trade mark or brand are presented together, other written, printed, or graphic matter that is a part of or is associated with the trade mark or brand, may intervene if the required words are in such relationship with the trade mark or brand as to be clearly related to the characterizing flavor: *And provided further*, That if the finished product contains more than one flavor of ice cream subject to the requirements of this subparagraph, the statements required by this subparagraph need appear only once in each statement of characterizing flavors present in such ice cream, e.g., "VANILLA flavored, CHOCOLATE and STRAWBERRY flavored, artificial flavors added."

2. By revising § 20.3(e) to read as follows:

§ 20.3 Ice milk; identity; label statement of optional ingredients.

* * * * *

(e) The quantity of food solids per gallon is not less than 1.3 pounds; except that when the optional ingredient microcrystalline cellulose specified in § 20.1(f)(6) is used the quantity of food solids per gallon is not less than 1.3 pounds, exclusive of the weight of the microcrystalline cellulose.

3. In § 20.4 by changing the last sentence of paragraph (a), by adding to paragraph (e) a new subparagraph (11), and by adding to paragraph (g) a new subparagraph (4), as follows:

§ 20.4 Fruit sherbets; identity; label statement of optional ingredients.

(a) * * * The finished fruit sherbert weighs not less than 6 pounds to the gallon; except that when the optional ingredient microcrystalline cellulose specified in paragraph (e)(11) of this section is used, the finished fruit sherbet weighs not less than 6 pounds to the gallon, exclusive of the weight of the microcrystalline cellulose.

* * * * *

(e) * * *

(11) Microcrystalline cellulose, in a quantity not to exceed 0.5 percent of the weight of the finished fruit sherbet.

* * * * *

(g) * * *

(4) When the optional ingredient microcrystalline cellulose specified in paragraph (e)(11) of this section is used, the label shall bear the statement "microcrystalline cellulose added" or "with added microcrystalline cellulose."

* * * * *

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: August 9, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8897; Filed, Aug. 15, 1966; 8:48 a.m.]

[21 CFR Part 138]

DRUGS

Official Names

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 508, 76 Stat. 1789; 21 U.S.C. 358) and the Administrative Procedure Act (sec. 4, 60 Stat. 238; 5 U.S.C. 1003) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), the Commissioner proposes the promulgation of the following new regulation for the purpose of designating official names for drugs in compliance with section 508 of the act:

PART 138—DRUGS; OFFICIAL NAMES

Sec.
138.1 Definitions and interpretations.
138.2 Drugs; official names.

AUTHORITY: The provisions of this Part 138 issued under secs. 508, 701(a), 52 Stat. 1055, 76 Stat. 1789; 21 U.S.C. 358, 371(a).

§ 138.1 Definitions and interpretations.

(a) As used in this Part 138, "act" means the Federal Food, Drug, and Cosmetic Act, section 201-902, 52 Stat. 1040 (21 U.S.C. 321-392), with all amendments thereto.

(b) The definitions and interpretations contained in section 201 of the act shall be applicable to such terms when used in this Part 138.

(c) The term "official name" means, with respect to a drug or ingredient thereof, the name designated in this Part 138 under section 508 of the act as the official name.

§ 138.2 Drugs; official names.

The following are designated official names under section 508 of the act and are "established" names within the meaning of section 502(e) of the act:

Chemical name or description	*Official name*
9-Aminoacridine, salt with 4-hexylresorcinol.	Acrisorcin.
6-(D-2-Amino-2-phenylacetamido)-3,3-dimethyl-7-oxo-4-thia-1-azabicyclo-[3.2.0]heptane-2-carboxylic acid.	Ampicillin.
2-Aminopurine-6-thiol, hemihydrate.	Thioguanine.
Bis (dimethylthiocarbamoyl) disulfide.	Thiram.
2-*sec*-Butyl-2-methyl-1,3-propanediol dicarbamate.	Mebutamate.
1-(*p*-Chlorobenzoyl)-5-methoxy-2-methylindole-3-acetic acid.	Indomethacin.
7-Chloro-1,3-dihydro-3-hydroxy-5-phenyl-2*H*-1,4-benzodiazepin-2-one.	Oxazepam.
7-Chloro-1,3-dihydro-1-methyl-5-phenyl-2*H*-1,4-benzodiazepin-2-one.	Diazepam.
6-Chloro-3,4-dihydro-2-methyl-3-{[(2,2,2-trifluoroethyl)thio]-methyl}-2*H*-1,2,4-benzothiadiazine-7-sulfonamide 1,1-dioxide.	Polythiazide.
6-Chloro-3,4-dihydro-3-(5-norbornen-2-yl)-2*H*-1,2,4-benzothiadiazine-7-sulfonamide 1,1-dioxide.	Cyclothiazide.
l-2-(*p*-Chloro-α-[2-(dimethylamino)-ethoxy]-benzyl)pyridine.	Rotoxamine.
Dihydrohydroxycodeinone	Oxycodone.
l-3-(3,4-Dihydroxyphenyl)-2-methylalanine.	Methyldopa.
1-(2,3-Dihydroxypropyl-3,5-diiodo-4(1*H*)-pyridone.	Iopydol.
3,5-Diiodo-4(1*H*)-pyridone	Iopydone.
1-(*p*,α-Dimethylbenzyl) camphorate 1:1 salt with 2,2'-imino-diethanol.	Tocamphyl.
α,α-Dimethylphenethyl-amine.	Phentermine.
5-Ethyl-3-methyl-5-phenylhydantoin.	Mephenytoin.
N-Ethyl-2-phenyl-*N*-(4-pyridylmethyl)-hydracrylamide.	Tropicamide.
2-Ethylthioisonicotin-amide.	Ethionamide.
17β-Hydroxy-2-(hydroxymethylene)-17α-methyl-5α-androstan-3-one.	Oxymetholone.
2-(Hydroxymethyl)-2-methylpentyl butylcarbamate carbamate.	Tybamate.
6-Hydroxy-β,2,7,-trimethyl-5-benzofuranacrylic acid, δ-lactone.	Trioxsalen.
Leurocristine	Leurocristine.
D-3-Mercaptovaline	Penicillamine.
3-Methoxy-19-nor-17α-pregna-1,3,5(10)-trien-20-yn-17-ol.	Mestranol.
2,4,7-Triamino-6-phenylpteridine.	Triamterene.
5-[(3,5-Xylyloxy)methyl]-2-oxazolidinone.	Metaxalone.

Any interested person may, within 60 days from the date of publication of this notice 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 comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: August 9, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-8898; Filed, Aug. 15, 1966; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 50]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Technical Specifications for Facility Licenses; Safety Analysis Reports

The Atomic Energy Commission has under consideration several amendments to its regulation, 10 CFR Part 50, Licensing of Production and Utilization Facilities, to (1) establish a revised system of technical specifications which would focus attention on items more directly related to public safety, (2) provide for systematic documentation of the technical and operational bases for specifications, and (3) provide guidance as to the content of preliminary safety analysis reports and safety analysis reports required of applicants for permits to construct, and licenses to operate, production or utilization facilities.

Licenses to operate utilization or production facilities include "technical specifications" in accordance with section 182 of the Atomic Energy Act of 1954, as amended (the Act). It is intended that the technical specifications will set forth the specific characteristics of the facility and the conditions for its operation that are required to provide adequate protection to the health and safety of the public. The technical specifications are a part of the license, and cannot be changed without prior Commission approval.

In 1962, the Commission amended § 50.36 of 10 CFR Part 50 to specify that technical specifications will be designed to include "those significant design features, operating procedures and operating limitations which are considered important in providing reasonable assurance that the facility will be constructed and operated without undue hazard to the public health and safety." To provide guidance as to matters the Commission generally expected to be covered by technical specifications, Appendix A was added to 10 CFR Part 50 at the same time.

Experience has shown that the degree of detail contained in technical specifications prepared in accordance with Appendix A of Part 50 is not necessary for purposes of public safety. It is believed that the system for technical specifications now proposed is better adapted to focus the attention of both licensee management and the Commission on those features and characteristics of a facility that are important to safety.

In the proposed system, emphasis would be placed on two general classes of technical matters: (1) Those related to prevention of accidents, and (2) those related to mitigation of the consequences of accidents. By systematic analysis and evaluation of a particular facility, each applicant would be required to identify, at the construction permit stage, those items that are directly related to maintaining the integrity of the physical barriers between radioactivity and the public. Such items would be expected to be the subjects of technical specifications in the operating license. Section 50.34 would be amended to add a new paragraph (b) to require explicitly a preliminary safety analysis report to be submitted in support of the application at the construction permit stage and to define the information required at that time. The preliminary safety analysis report would contain (a) a description and safety assessment of the site, (b) a summary description of the facility, (c) the preliminary design of the facility, (d) a safety analysis and evaluation of the preliminary design, and (e) a preliminary plan for conduct of operations. Items expected to be the subject of technical specifications would also be identified in the preliminary safety analysis report. Thus, the preliminary safety analysis report would emphasize the principal safety features of the facility and their relation to the site.

With respect to final safety analysis reports, § 50.34 would be further revised to emphasize the need for analysis and evaluation, and to indicate more definitively what information the Commission requires. As amended, § 50.34 would require the report to include information describing the facility, an explanation of the design bases and limits on its operation, and evaluations to show that safety functions will be accomplished.

Under the proposed amendments to § 50.36, with the filing of an application for an operating license, the applicant would be required to propose for Commission review and approval, and the license would include, technical specifications derived from the analysis and evaluation presented in the safety analysis report. For each of the specifications in categories 1, 2, 3, and 4 mentioned below, the applicant would be expected to provide a summary of the technical bases for the specification. The technical specifications would fall into five general categories, which would be defined in § 50.36 as revised: (1) Safety limits and maximum safety system settings, (2) minimum conditions for operation, (3) surveillance requirements, (4) design features, and (5) administrative controls.

"Safety limits" and "maximum safety system settings" would be established for the important process variables. Control of these variables, which would usually be few in number, would be sufficient to provide an adequate degree of protection for each of the barriers which guard against uncontrolled release of radioactivity. "Safety limits" would be established at a level significantly above the normal operating range, but low enough to assure that the barriers are adequately protected. Exceeding such a

limit would be considered an undesirable reduction of safety margins which could increase the possibility of violating a barrier. The proposed amendment would, therefore, provide that if a safety limit is exceeded, the reactor must be shut down until the Commission has authorized resumption of operation (§ 50.36(d)(1)(i)). "Maximum safety system settings" would be established at levels sufficiently low so that anticipated abnormal situations could be corrected without exceeding safety limits. If the safety system should not function as required, the licensee would be required to take corrective action, notify the Commission, and review and evaluate the matter (§ 50.36(d)(1)(ii)). He would also be required to maintain a record of the results of the review and evaluation.

The "minimum conditions for operation" would specify the lowest functional capability or performance levels necessary to assure safe operation of the facility. The conditions generally would cover (1) the equipment or systems necessary to verify compliance with safety limits and (2) the required engineered safeguard systems. If a minimum condition for operation were not met, the proposed amendment would require that the licensee shut down the facility or follow any remedial action specified in the technical specification until the condition could be met (§ 50.36(d)(2)). The licensee would be required to review and evaluate the matter and maintain a record of the results of the review and evaluation.

"Surveillance requirements" would be the provisions relating to the test, calibration, or inspection of systems or components required to assure that operation will be within the safety limits and that the minimum conditions for operation will be satisfied (§ 50.36(d)(3)). The action to be taken if surveillance indicates substandard performance would be specified in one of the other categories of specifications.

"Design features" of the facility would be those features of the facility important to safety, such as materials of construction and geometric characteristics, which are not included in the categories of safety limits and maximum safety system settings, minimum conditions for operation, or surveillance requirements (§ 50.36(d)(4)).

"Administrative controls" would be the requirements relating to organization and management, procedures, record keeping, review and audit systems, and reporting that are considered necessary to provide assurance and evidence that the facility will be managed and operated in a safe manner (§ 50.36(d)(5)).

The analysis and evaluation of the facility required under the proposed amendments to § 50.34 should provide (1) the necessary information from which technical specifications will be selected, and (2) the detailed bases for the specifications. Since Appendix A to Part 50 would no longer serve a useful function, the Appendix and references to it in § 50.36 would be deleted.

Section 50.59 would be revised to (1) clarify the requirement for records of changes made by a licensee, (2) redefine the term "unreviewed safety question" and (3) make referral of proposed changes to the Advisory Committee on Reactor Safeguards (ACRS) permissive rather than mandatory. Paragraph (e) of § 50.59 presently requires the Commission to refer to the ACRS requests for changes, tests or experiments or for changes in technical specifications for facilities of a type described in § 50.21(b) or § 50.22, or a testing facility, which present significant safety considerations not described in or implicit in the safety analysis report. Under the amended rule, such referral would not be mandatory.

Since the proposed amendments would place increased emphasis on systematic analysis and evaluation of a facility, in order to provide a sound basis for each technical specification, the preparation of technical specifications by the applicant will require a carefully prepared safety analysis report. A "Guide for the Organization and Contents of Safety Analysis Reports," REG–1, which is consistent with the proposed amendments has been prepared. The guide is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and copies may be obtained by addressing a request to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545. Sample technical specifications are being developed by the Commission and will be made available from time to time to provide additional assistance to applicants.

The Commission expects that the provisions of the proposed amendments relating to technical specifications and safety analysis reports, to the extent that they are not inconsistent with the Commission's regulations, will be useful as interim guidance until such time as the Commission takes further action on them.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendments to 10 CFR Part 50 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments or in connection with the aforementioned guide should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 120 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

1. A new paragraph (u) is added to § 50.2 to read as follows:

§ 50.2 Definitions.

* * * * *

(u) "Design bases" means information which identifies the specific function of a major component or system of a facility in terms of performance objectives, and the specific values or range of values chosen for controlling parameters as reference bounds or limits for design.

2. Section 50.34 is revised to read as follows:

§ 50.34 Contents of applications; technical information safety analysis report.[1]

(a) Each application for a license to operate a production or utilization facility shall include a safety analysis report.[2] The safety analysis report shall include information that describes the facility, explains the bases for its design and the limits on its operation, and presents a safety evaluation of its systems and major components and of the facility as a whole, and shall include the following:

(1) A description and analysis of the systems and major components of the facility, with emphasis upon performance requirements, the bases upon which such requirements have been established, and the evaluations required to show that safety functions will be accomplished. The description shall be sufficient to permit understanding of the system designs and their relationship to safety evaluations.

(i) For nuclear reactors, such items as the reactor core, reactor coolant system, instrumentation and control systems, electrical systems, containment system, other engineered safeguard systems, auxiliary and emergency systems, power conversion systems, radioactive waste handling systems, and fuel handling systems shall be discussed insofar as they are pertinent;

(ii) For facilities other than nuclear reactors, such items as the chemical, physical, metallurgical, or nuclear process to be performed, instrumentation and control systems, electrical systems, auxiliary and emergency systems, and radioactive waste handling systems shall be discussed insofar as they are pertinent.

(2) The kinds and quantities of radioactive materials expected to result from the operation and the means for controlling and limiting radioactive effluents and radiation exposures within the limits set forth in Part 20 of this chapter.

(3) An analysis and evaluation of the facility as a whole to show the integrated capability of the systems provided to protect the public from the consequences of gross equipment failures.

(4) The following information concerning facility operation:

(i) The applicant's organizational structure, allocations of responsibilities

[1] The term "safety analysis report" is used for "hazards summary report" as proposed for comment on Jan. 21, 1966 (31 F.R. 832).

[2] For the assistance of applicants, the Commission has published a "Guide for the Organization and Contents of Safety Analysis Reports," REG–1, which may be obtained from the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or by writing the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

and authorities, and personnel qualifications requirements;

(ii) Managerial and administrative controls to be used to assure safe operation;

(iii) Plans for preoperational testing and initial operations;

(iv) Plans for conduct of normal operations, including surveillance and periodic testing of safety systems and components;

(v) Plans for coping with emergencies; and

(vi) Proposed technical specifications prepared in accordance with the requirements of § 50.36.

(b) Each application for a construction permit shall include a preliminary safety analysis report. The report shall cover all pertinent subjects specified in paragraph (a) of this section as fully as available information permits.[3] The minimum information to be included shall consist of the following:

(1) A description and safety assessment of the site on which the facility is to be located, with appropriate attention to features affecting facility design. Special attention should be directed to the site evaluation factors identified in Part 100 of this chapter.

(2) A summary description and discussion of the facility, with special attention to design and operating characteristics, unusual or novel design features, and principal safety considerations.

(3) The preliminary design of the facility, including:

(i) The principal design criteria for the facility;[4]

(ii) The design bases and the relation of the design bases to the principal design criteria;

(iii) Information relative to materials of construction, general arrangement and approximate dimensions, sufficient to provide reasonable assurance that the final design will conform to the design bases with adequate margin for safety;

(4) A preliminary safety analysis and evaluation of the facility;

(5) An identification of variables, conditions or other items expected to be the subjects of technical specifications for the facility; and

(6) A preliminary plan for the applicant's organization, training of personnel, and conduct of operations.

3. Section 50.36 is revised to read as follows:

§ 50.36 Technical specifications.

(a) Each applicant for a permit authorizing construction of a production or utilization facility shall identify those items which the applicant expects to be the subjects of technical specifications in the operating license. This paragraph shall not be deemed applicable to an application for a construction permit filed prior to _____.[5]

(b) Each applicant for a license authorizing operation of a production or utilization facility shall include in his application proposed technical specifications in accordance with the requirements of this section. A summary statement of the bases or reasons for technical specifications shall also be included in the application, but shall not become part of the technical specifications.

(c) Each license authorizing operation of a production or utilization facility of a type described in § 50.21 or § 50.22 will include technical specifications. The technical specifications will be derived from the analyses and evaluation included in the safety analysis report, and amendments thereto, submitted pursuant to § 50.34. The Commission may include such additional technical specifications as the Commission finds appropriate.

(d) Technical specifications will include items in the following categories:

(1) *Safety limits and maximum safety system settings.* (i) Safety limits are limits upon important process variables which are found to be necessary to reasonably protect the integrity of each of the physical barriers which guard against the uncontrolled release of radioactivity. If any safety limit is exceeded, the reactor shall be shut down until the Commission authorizes resumption of operation.

(ii) Maximum safety system settings are settings for automatic protective devices related to the variables on which safety limits have been placed pursuant to subdivision (i) of this subparagraph (1). A maximum safety system setting shall be so chosen that automatic protective action will correct the most severe abnormal situation anticipated before a safety limit is exceeded. If the automatic safety system does not function as required, the licensee shall take appropriate corrective action, notify the Commission, review the matter and record the results of the review and corrective action taken and the reasons therefor.

(2) *Minimum conditions for operation.* Minimum conditions for operation are the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a minimum condition for operation is not met, the licensee shall shut down the facility or follow any remedial action specified in the technical specification, until the condition can be met. The licensee shall review the matter, and record the results of the review and corrective action taken and the reasons therefor.

(3) *Surveillance requirements.* Surveillance requirements are requirements relating to test, calibration, or inspection of systems or components necessary to assure that facility operation will be within the safety limits and that the minimum conditions of operation will be met.

(4) *Design features.* Design features are those features of the facility important to safety, such as materials of construction and geometric arrangements, which are not otherwise covered in categories described in subparagraphs (1), (2), and (3) of this paragraph (d).

(5) *Administrative controls.* Administrative controls are the provisions relating to organization and management, procedures, record keeping, review and audit, and reporting that are considered necessary to assure operation of the facility in a safe manner.

(e)(1) This section shall not be deemed to modify the technical specifications included in any license issued prior to _____.[5] A license in which technical specifications have not been designated shall be deemed to include the entire safety analysis report as technical specifications.

(2) An applicant for a license authorizing operation of a production or utilization facility to whom a construction permit has been issued prior to _____[5] may submit technical specifications in accordance with this section, or in accordance with the requirements of this part in effect prior to _____.[6]

(3) At the initiative of the Commission or the licensee, any license may be amended to include technical specifications of the scope and content which would be required if a new license were being issued.

4. Paragraphs (b), (c), and (e) of §50.59 are revised to read as follows:

§ 50.59 Authorization of changes, tests and experiments.

* * * * *

(b) The licensee shall maintain records of changes in the facility and of changes in procedures made without prior Commission approval pursuant to this section, to the extent that such changes constitute changes in the facility as described in the safety analysis report or constitute changes in procedures as described in the safety analysis report, and the reasons therefor. The licensee shall also maintain records of tests and experiments carried out without prior Commission approval pursuant to this section. The licensee shall furnish annually to the Commission, or at such shorter intervals as may be specified in the license, a report containing a brief description of such changes, tests and experiments, including a summary of the reasons for each change, test or experiment.

(c) A proposed change, test or experiment shall be deemed to involve an unreviewed safety question if (1) the probability of occurrence or the consequences of an accident or malfunction of equipment important to safety previously evaluated in the safety analysis report may be increased; or (2) if a possibility for an accident or malfunction of a different type than any evaluated pre-

[3] The applicant may provide information required by this paragraph in the form of a discussion, with specific references, of similarities to and differences from, facilities of similar design for which applications have previously been filed with the Commission.

[4] For assistance in determining principal design criteria for the facility, the applicant may consult the "General Design Criteria for Nuclear Power Plant Construction Permits" AEC Press Release, Nov. 22, 1965, H-252.

[5] Effective date of amendment.

viously in the safety analysis report may be created; or (3) if the margin of safety as defined in the basis for any technical specification is reduced.

* * * * *

(e) With respect to requests for changes, tests or experiments or for changes in technical specifications for a facility of a type described in § 50.21 (b) or § 50.22, or a testing facility:

(1) If the Commission determines that the proposed change, test or experiment presents significant safety considerations not described or implicit in the safety analysis report it may refer the request to the Advisory Committee on Reactor Safeguards. The Commission will promptly notify the licensee of any referral to the Advisory Committee on Reactor Safeguards.

(2) If the Commission determines that the proposed change, test or experiment does not present significant hazards considerations not described or implicit in the safety analysis report, it may authorize such change, test or experiment without referral to the Advisory Committee on Reactor Safeguards for a report and without a prior public hearing, upon finding that there is reasonable assurance that the health and safety of the public will not be endangered.

* * * * *

5. Appendix A is deleted.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 8th day of August 1966.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 66-8876; Filed, Aug. 15, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 298]

[Docket No. 17614]

CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Removal of Regularity Limitations on Air Taxi Operations in Hawaii

AUGUST 11, 1966.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment of Part 298 of its Economic Regulations which would remove the regularity limitations on point-to-point air taxi operations within Hawaii.

The basis for the proposed amendment is discussed in the Explanatory Statement. The amendment is proposed under the authority of sections 204(a) and 416 of the Federal Aviation Act of 1958, 72 Stat. 743, 771; 49 U.S.C. 1324, 1386.

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before September 30, 1966, will be considered by the Board. Copies of all such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. upon receipt thereof.

By the Civil Aeronautics Board:

[SEAL] MABEL MCCART,
Acting Secretary.

Explanatory Statement. By ER-438 adopted July 20, 1965 (30 F.R. 9201), the Board amended its Economic Regulation Part 298, Classification and Exemption of Air Taxi Operators, by partially removing the regularity limitations with respect to point-to-point air taxi operations in Hawaii. Thus, Hawaiian air taxis were authorized for 2 years (from August 23, 1965) to engage in regular air transportation to or from airports or landing places which are located 15 or more air miles from airports used by the route carriers.[1] In ER-438 the Board noted that the Hawaiian transportation market is unique in that all interisland common carrier passenger traffic moves by air and the public is completely dependent for regular service on the two certificated air carriers.[2] It further stated that removal of the regularity restrictions would (1) permit regular service to noncertificated points, thereby conveniencing the traveling public, benefiting the communities involved and providing a service for which there is a public demand; (2) provide services which differ from those provided by the certificated carriers in that smaller equipment would be used, a greater number of frequencies offered, and a more direct service provided; [3] and (3) aid in promoting the growth and development of the outer islands by stimulating air traffic between the island of Oahu and the other islands. The Board then concluded that such a partial relaxation of the regularity and frequency restrictions [4] would have, at most, a modest impact on the certificated carriers by way of diversion which was justified by the peculiar dependency of the State on air traffic and the importance of air taxi services to the future development of the industrial and commercial potential of the Islands. The Board also provided for the filing of periodic reports showing traffic, revenue, schedules and markets with respect to such regular point-to-point operations.

After reviewing the matter, the Board now tentatively finds that the regularity restrictions on air taxis in providing point-to-point service in Hawaii should be removed. The financial position of the route carriers has improved significantly. The recent period has witnessed a marked increase in traffic and improvement in the operating results of the Hawaiian route carriers. Thus, for the 12 months ended March 31, 1966, Aloha and Hawaiian had operating profits before subsidy of $528,771 and $344,519, respectively; in terms of return on investment these amounts are equivalent to 5.8 percent for Aloha and 5.0 percent for Hawaiian. This indicates that both carriers are close to earning a reasonable return on investment without subsidy support. We believe that the current favorable trend in earnings will continue, especially in view of the forecast lower seat-mile costs of the recently-introduced turbojet equipment,[5] as well as the current rate of traffic growth which has averaged over 15 percent for the past 3 years. It is thus apparent that the special needs of these carriers for protection against possible air taxi competition no longer exist.

In view of the foregoing, we believe there is no longer any sound reason for denying to the Hawaiian Islands the same type of unrestricted air taxi operations which we have permitted in the other States and territories.[6] This is especially so in view of the peculiar dependency of the Islands upon air transportation for all inter-island transportation of persons. Although the two certificated carriers provide service at convenient times and with multiple frequencies in many of their markets, the fact remains that persons desiring to travel between many points are completely dependent upon the schedules of the certificated carriers. It appears to the Board that persons willing to pay the necessarily higher fares which these carriers will be required to charge and to accept the lesser comfort and convenience of small aircraft should be permitted to do so. Moreover, the need for this supplemental type of service is evidenced by the large number of communications which the Board has recently received from members of the Hawaiian public urging removal of the

[1] The amendment also permitted air taxis to provide regular sightseeing services within Hawaii for an indefinite period without a reporting requirement.

[2] Hawaiian Airlines, Inc. (Hawaiian); Aloha Airlines, Inc. (Aloha).

[3] To serve the growing traffic to and from resort areas in the outlying islands, air taxis, unlike the route carriers, can fly directly to the small landing strips alongside these new resort hotels, thus obviating surface transportation over winding roads requiring considerable driving time in some instances which is necessary when certificated services are used.

[4] As stated above, the Board relaxed the regularity restrictions so as to permit air taxis to schedule service to or from airports or landing areas which are located 15 or more air miles from an airport served by a certificated carrier.

[5] Hawaiian provides service with two DC-9's and Aloha is operating BAC 1-11 fan jets (Official Airline Guide, June 1966). The profits for the year ended Mar. 31, 1966 do not reflect the probable lower operating expenses from the institution of these jet operations in April 1966.

[6] Restrictions on air taxi operations would remain only between points served by route helicopter carriers, in Alaska, and with respect to the carriage of mail (§ 298.21 (b), (c), (d), and (f)).

regularity restriction on air taxi operations in the islands.[7]

The Board proposes to retain the existing requirement for the filing of semiannual reports with respect to scheduled point-to-point air taxi operations in the islands (existing § 298.21(e)). These reports will supply the Board with data concerning points served, schedules operated and traffic carried and should assist the Board in maintaining surveillance over air taxi operations, in assessing their effect upon the operations of the certificated carriers and in determining the feasibility of instituting further rule making or certificate amendment proceedings.[8]

Proposed rule. It is proposed to amend Part 298 of the Economic Regulations (14 CFR Part 298) by modifying § 298.21 (e) so as to remove the regularity provisions with respect to point-to-point air transportation within Hawaii. As amended, § 298.21(e) reads as follows:

§ 298.21 Scope of service authorized.

* * * * *

(e) *Regular air taxi service in Hawaii.* Air taxi operators may provide service on a regular and/or frequent basis in Hawaii (1) in tourist sightseeing service as defined in this part, and (2) in other air transportation: *Provided,* That the authorization contained in this subparagraph (2) is conditioned upon the air taxi operator's filing with the Board within 15 days after each semiannual period terminating on June 30 and December 31 of each year a report setting forth for the applicable period (i) all pairs of airports or places between which regular or frequent service was operated; (ii) the number of one-way trips operated for each pair of airports or places; and (iii) the number of one-way passengers carried for each pair of airports or places. The data required by the above proviso may be submitted in such written form as the carrier may choose or on CAB Form 298 which the Board will provide upon request.[9] This report shall be addressed to the Civil Aeronautics Board, Washington, D.C. 20428, Attention: Director, Bureau of Accounts and Statistics.

[F.R. Doc. 66-8882; Filed, Aug. 15, 1966; 8:47 a.m.]

[7] These letters indicate a high volume of present and potential users of air taxi services and point to the fact that the present restriction on air taxi service between airports both of which are within 15 air miles of airports served by certificated carriers prevents service in markets for which there is at least some demand.

[8] Simultaneously with the issuance of this notice, we are instituting a show cause proceeding to enlarge the certificate authority of the route carriers so that they can serve any point in Hawaii. Docket 17613, Order E-24066.

[9] Available from Publications Section, Civil Aeronautics Board, Washington, D.C. 20428.

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-SW-41]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would designate a transition area at Marfa, Tex.

It is proposed to designate the Marfa, Tex., transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of Marfa Municipal Airport (latitude 30°-22'15" N., longitude 104°01'15" W.) and within 5 miles NE and 8 miles SW of the Marfa VOR 324° and 144° radials (313° and 133° magnetic) extending from the 7-mile radius area to 14 miles SE of the VOR.

Designation of the Marfa, Tex., transition area would provide airspace protection for aircraft executing the instrument approach and departure procedure proposed at Marfa Municipal Airport.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Post Office Box 1689, Fort Worth, Tex. 76101. 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 Chief, Air Traffic Division. 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 official Docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

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

Issued in Fort Worth, Tex., on August 8, 1966.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 66-8866 Filed, Aug. 15, 1966; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 213]

[Reg. M]

NATIONAL BANKS

Foreign Activities

The Board of Governors of the Federal Reserve System is considering the adoption of a revision of Part 213 (Reg. M)—Foreign Branches of National Banks—pursuant to section 25 of the Federal Reserve Act (12 U.S.C. 601-604a) and particularly the amendment to that section by section 12(b) of Public Law 89-485, approved July 1, 1966 (80 Stat. 236), which relates to the acquisition and holding of shares of, and loans or extensions of credit to, foreign banks by national banks.

The proposed revision of Part 213 would add thereto new provisions to implement section 12(b) of Public Law 89-485 which added to section 25 of the Federal Reserve Act paragraph "Third" authorizing any national bank having a capital and surplus of $1 million or more, with the permission of the Board, and upon such conditions and under such regulations as it may prescribe, (1) to acquire and hold stock or other evidences of ownership in any foreign bank that does no business in the United States (except incidental to its foreign activities), and (2) to make loans or extensions of credit to such a bank, without regard to section 23A of the Federal Reserve Act (12 U.S.C. 371c), but within limits prescribed by the Board.

The proposed revision makes no substantive changes in the present sections of Part 213 dealing with foreign branches of national banks. It does, however, amend the title of Part 213 to read "Foreign Activities of National Banks".

Like present Part 213, the provisions proposed to be added thereto apply to State member banks as well as to national banks.

The stock acquisitions in and loans or extensions of credit to foreign banks made pursuant to the revised regulation will be considered foreign investments for purposes of the guidelines issued under the Voluntary Foreign Credit Restraint effort presently in effect.

The proposed revision of Part 213 is as follows:

PART 213—FOREIGN ACTIVITIES OF NATIONAL BANKS [1a]

Sec.
213.1 Authority and scope.
213.2 Definitions.
213.3 Foreign branches.
213.4 Acquisition and holding of stock in foreign banks.
213.5 Loans or extensions of credit to foreign banks.
213.6 Conditions.

[1a] The text corresponds to the Code of Federal Regulations, Title 12, Ch. II, Pt. 213; cited as 12 CFR Pt. 213. The subject matter of this part is in addition to that contained in 12 CFR Pt. 211 (Reg. K).

§ 213.1 Authority and scope.[1b]

Pursuant to authority conferred upon it by section 25 of the Federal Reserve Act[2] (the "Act"), as amended (12 U.S.C. 601–604a), the Board of Governors of the Federal Reserve System (the "Board") prescribes the following regulations relating to (a) foreign branches of national banks, (b) the acquisition and holding of stock in foreign banks by national banks, and (c) loans or extensions of credit to or for the account of such foreign banks by national banks.

§ 213.2 Definitions.

For the purposes of this part—

(a) "Foreign branch" means any branch established by a national bank pursuant to section 25 of the Act.

(b) "Foreign country" or "country" means any foreign nation or colony, dependency, or possession thereof, any overseas territory, dependency, or insular possession of the United States, or the Commonwealth of Puerto Rico.

(c) "Foreign bank" means a bank organized under the law of a foreign country and not engaged, directly or indirectly, in any activity in the United States except as, in the judgment of the Board of Governors of the Federal Reserve System, shall be incidental to the international or foreign business of such foreign bank.

§ 213.3 Foreign branches.

(a) *Establishing foreign branches.* A foreign branch may be established with prior Board permission. If a national bank has established a branch in a foreign country, it may, unless otherwise advised by the Board, establish other branches in that country after 30 days' notice to the Board with respect to each such branch.

(b) *Further powers of foreign branches.* In addition to its other powers, a foreign branch may, subject to §§ 213.3(c) and 213.6 and so far as usual in connection with the transaction of the business of banking in the places where it shall transact business:

(1) Guarantee customers' debts or otherwise agree for their benefit to make payments on the occurrence of readily ascertainable events,[3] if the guarantee or agreement specifies its maximum monetary liability thereunder; but, except to the extent secured with respect thereto, no national bank may have such liabilities outstanding (i) in an aggregate amount exceeding 50 percent of its capital and surplus or (ii) for any customer in excess of the amount by which 10 percent of its capital and surplus exceeds the aggregate of such customer's "obligations" to it which are subject to any limitation under section 5200 of the Revised Statutes (12 U.S.C. 84);

(2) Accept drafts or bills of exchange drawn upon it, which shall be treated as "commercial drafts or bills" for the purposes of paragraphs (c), (d), and (e) of § 203.1 of this chapter (Reg. C);

(3) Acquire and hold securities (including certificates or other evidences of ownership or participation) of the central bank, clearing houses, governmental entities, and development banks of the country in which it is located, unless after such an acquisition the aggregate amount invested by the branch in such securities (exclusive of securities held as required by the law of that country or as authorized under section 5136 of the Revised Statutes (12 U.S.C. 24)) would exceed 1 percent of its total deposits on the preceding year end call report date (or on the date of such acquisition in the case of a newly established branch which has not so reported);

(4) Underwrite, distribute, buy, and sell obligations of the national government of the country in which it is located;[4] but no bank may hold, or be under commitment with respect to, obligations of such a government as a result of underwriting, dealing in, or purchasing for its own account in an aggregate amount exceeding 10 percent of its capital and surplus;

(5) Take liens or other encumbrances on foreign real estate in connection with its extensions of credit, whether or not of first priority and whether or not such real estate is improved or has been appraised;

(6) Extend credit to an executive officer of the branch in an amount not to exceed $20,000 or its equivalent in order to finance the acquisition or construction of living quarters to be used as his residence abroad, provided each such credit extension is promptly reported to its home office.

(7) Pay to any officer or employee of the branch a greater rate of interest on deposits than that paid to other depositors on similar deposits with the branch.

(c) *Limitations.* Nothing in paragraph (b) of this section shall authorize a foreign branch to engage in the general business of producing, distributing, buying, or selling goods, wares or merchandise or, except as permitted by paragraph (b)(4) of this section, to engage or participate, directly or indirectly, in the business of underwriting, selling, or distributing securities.

(d) *Suspending operations during disturbed conditions.* The officer in charge of a foreign branch may suspend its operations during disturbed conditions which, in his judgment, make conduct of such operations impracticable; but every effort shall be made before and during such suspension to serve its depositors and customers. Full information concerning any such suspension shall be promptly reported to the branch's home office, which shall immediately send a copy thereof to the Board through the Federal Reserve Bank of its district.

§ 213.4 Acquisition and holding of stock in foreign banks.

(a) *General.* With the prior consent of the Board, and subject to the provisions of section 25 of the Act and this part, a national bank may acquire (other than through a broker, dealer, or stock exchange firm or representative) and hold the stock or other evidences of ownership in one or more foreign banks: *Provided*, That the aggregate amount invested in the stock or other evidences of ownership in all foreign banks, taken together with investments by the national bank in the shares of corporations operating under section 25 of the Act or organized under section 25(a) of the Act, shall not exceed 10 percent of the national bank's capital and surplus. Nothing contained in this part shall prevent the acquisition and holding of stock or other evidences of ownership in a foreign bank where such acquisition is necessary to prevent a loss upon a debt previously contracted in good faith; but such stock or other evidences of ownership shall be disposed of within 6 months from the date of acquisition unless such time is extended by the Board.

(b) *Limitations.* (1) Stock or other evidences of ownership in a foreign bank shall be disposed of as promptly as practicable if (i) such bank should engage in the business of underwriting, selling, or distributing securities in the United States or (ii) the national bank is advised by the Board that its holding is inappropriate under section 25 of the Act or this part; (2) in computing the amount which may be invested in the stock or other evidences of ownership in foreign banks under this section, there shall be included any indirect acquisitions or holdings in such foreign banks whether through a corporation operating under section 25 of the Act or organized under section 25(a) of the Act or otherwise. Unless otherwise specified, "stock", "shares", and "evidences of ownership" in this section include any rights to acquire stock, shares, or evidences of ownership.

(c) *Required information.* The following information shall be submitted by a national bank applying for the consent of the Board to acquire and hold stock or other evidences of ownership in a foreign bank pursuant to this section (unless previously furnished): (1) The cost, number, and class of shares to be acquired, and the proposed carrying value of such shares on the books of the national bank; (2) recent balance sheet and income statement of the foreign bank; (3) brief description of the foreign bank's business (including full information concerning any business transacted in the United States); (4) lists of directors and principal offices (with address and principal business affiliation of each) and of all shareholders known to the issuing bank holding 10 percent or more of any class of the foreign bank's stock or other evidences of ownership, and the amount held by each; and (5) information concerning the rights and privileges of the various classes of shares outstanding.

[1b] The provisions of this part apply to State member banks of the Federal Reserve System as well as to national banks.

[2] Pertinent portions of this section are printed in the appendix.

[3] Including, but not limited to, such types of events as nonpayment of taxes, rentals, customs duties, or costs of transport and loss or nonconformance of shipping documents.

[4] Including obligations issued by any agency or instrumentality, and supported by the full faith and credit, of such government.

(d) *Reports.* A national bank shall inform the Board through the Federal Reserve Bank of its district of the cost and number of shares of a foreign bank acquired pursuant to this section.

§ 213.5 Loans or extensions of credit to foreign banks.

(a) A national bank which holds directly or indirectly stock or other evidences of ownership in a foreign bank may make loans or extensions of credit to or for the account of such foreign bank without regard to section 23A of the Act: *Provided*, That the aggregate amount of loans or extensions of credit to any such foreign bank shall not exceed 10 percent of the capital and surplus of the national bank or, in the case of all such foreign banks, the aggregate amount of such loans or extensions of credit shall not exceed 20 percent of the capital and surplus of the national bank.

(b) For the purposes of this section, (1) the term "extensions of credit" shall include (i) any acquisition of stock or other evidences of ownership; (ii) any purchase of securities, other assets or obligations under repurchase agreement; (iii) the discount of promissory notes, bills of exchange, conditional sales contracts, or similar paper with recourse; and (2) noninterest bearing deposits to the credit of a national bank shall not be deemed to be a loan or extension of credit to the bank of deposit, nor shall the giving of immediate credit to a bank upon uncollected items received in the ordinary course of business be deemed to be a loan or extension of credit to the depositing bank.

§ 213.6 Conditions.

(a) The continued or prospective exercise of any power under this part shall be subject to any notice interpreting or applying it that a national bank may receive from the Board, and such bank shall immediately comply therewith.

(b) The Board may from time to time require a national bank to submit information regarding compliance with this part.

This notice is published pursuant to section 4 of the Administrative Procedure Act and the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.1).

To aid in the consideration of this matter, interested persons may submit any relevant data, views, or arguments. Although such material may be sent directly to the Board, it is preferable that it be sent to the Federal Reserve Bank of the district which will forward it to the Board to be considered. All such material should be submitted in writing to be received not later than the 20th day of September, 1966.

Dated at Washington, D.C., this 9th day of August 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-8877; Filed, Aug. 15, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF LOUISIANA

Oil and Gas Lease Sale; Correction

F.R. Doc. No. 66-7927 (31 F.R. 9879) is corrected as follows: In the table for "Official Leasing Map, Louisiana Map No. 8" the description for Tract No. La. 1750, now reading "that portion in Zone 3 [2]" should read "that portion of the S½ in Zone 3 [2]".

JOHN O. CROW,
Associate Director,
Bureau of Land Management.

AUGUST 10, 1966.

[F.R. Doc. 66-8870; Filed, Aug. 15, 1966; 8:45 a.m.]

Geological Survey

[Wyoming 136]

WYOMING

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

NONCOAL LANDS:

T. 42 N., R. 109 W.,
Secs. 1 to 36, inclusive.

The area described aggregates about 23,110 acres.

ARTHUR A. BAKER,
Acting Director.

AUGUST 8, 1966.

[F.R. Doc. 66-8884; Filed, Aug. 15, 1966; 8:47 a.m.]

[Wyoming 137]

WYOMING

Coal Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

NONCOAL LANDS

T. 43 N., R. 109 W., in part unsurveyed,
Secs. 1 to 36, inclusive.

The area described aggregates about 23,067 acres.

ARTHUR A. BAKER,
Acting Director.

AUGUST 8, 1966.

[F.R. Doc. 66-8883; Filed, Aug. 15, 1966; 8:47 a.m.]

Office of the Secretary

ADMINISTRATOR, SOUTHWESTERN POWER ADMINISTRATION, ET AL.

Notice of Basic Compensation

AUGUST 8, 1966.

Pursuant to the provisions of section 108 of the Federal Salary and Fringe Benefits Act of 1966 (Public Law 89-504, approved July 18, 1966), the salaries of the Administrator, Southwestern Power Administration, the Governor of Guam, and the Governor of the Virgin Islands were adjusted to $25,890 per annum.

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 66-8867; Filed, Aug. 15, 1966; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Antidumping—ATS 643.3-W]

BULK, CRUDE, UNDRIED SOLAR SALT FROM MEXICO

Determination of Sales at Not Less Than Fair Value

AUGUST 9, 1966.

On April 19, 1966, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that bulk, crude, undried solar salt imported from Mexico, manufactured by Cia Exportadora de Sal, Baja California, Mexico, is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until May 19, 1966, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

After consideration of all comments received, I hereby determine that bulk, crude, undried solar salt imported from Mexico, manufactured by Cia Exportadora de Sal, Baja California, Mexico, is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19, U.S.C. 160(a)).

Statement of new or additional reasons: As a result of the submissions it was noted that the tentative determination had inadvertently omitted stating that the cost of selling in the United States had been deducted wherever applicable. The record is here corrected to show that the cost of selling in the United States was deducted where applicable in arriving at exporter's sales price. All other material contained in the submissions was found after due consideration to have no significant effect on the conclusions which furnished the basis for the tentative determination.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-8879; Filed, Aug. 15, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

August 1966 CCC Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during August 1966 are as announced by the U.S. Department of Agriculture. The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, flax, and linseed oil.

Dry beans are being withdrawn from sale.

Round lot sales of corn and redemptions of payment-in-kind commodity export certificates with corn were discontinued on July 14. Effective August 1, CCC-owned corn will not be offered for barter and credit sales, however private stocks may be exported under both programs. Corn, grading sample, as a result of inspections of continuing shipments to fill sales previously made will continue to be offered for sale. Offerings of corn in CCC binsites are continuing.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM–3) for August 1966 are 5 percent for U.S. bank obligations and 6 percent for foreign bank obligations, without regard to credit periods involved up to a maximum of 36 months. Commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program as provided under specific commodity listings. Commodities from private stocks now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown rice, cottonseed oil, soybean oil, and dairy products.

Information on commodities available under Title IV, P.L. 480, private trade agreements, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The following commodities are currently available for barter: Cotton (upland and extra long staple), tobacco, wheat, oats, and grain sorghum. (In addition, private stocks of corn, grain sorghum, wheat, wheat flour, tobacco, cottonseed, and soybean oils are eligible for barter programing under barter contracts covering procurements for Federal agencies that will reimburse CCC, except that hard red winter, hard red spring, and durum wheats, and flour produced from those wheats, may not be exported through west coast ports.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities or—for specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea and the Communist-controlled area of Viet Nam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10 (c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 108 percent of the 1966 support price for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel—in store).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
$0.06½	$0.03¼	Minneapolis—No. 1 DNS ($1.56) 108 percent+$0.03¼; $1.72¼. Portland—No. 1 SW ($1.46) 108 percent+$0.03¼; $1.61¼. Kansas City—No. 1 HRW ($1.43) 108 percent+$0.03¼; $1.58¼. Chicago—No. 1 RW ($1.49) 108 percent+$0.03¼; $1.64¼.

D. *Availability information.* Contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales will be made pursuant to the following announcements:

A. Announcement GR–345 (Revision III, July 6, 1962, as amended) for export under the wheat export-payment-in-kind program. When Hard Red Winter, Hard Red Spring, or durum wheat is delivered on the west coast by CCC to cover sales under GR–345, evidence

of export must show exportation from west coast ports. Exports of these classes of wheat through west coast ports will not be eligible for P.L. 480 sales. When sold through west coast ports for dollars, these wheats must be exported to destinations west of the 170th meridian, west longitude and east of the 60th meridian, east longitude, and to countries on the west coast of Central and South America.

B. Announcement GR-346 (Revision I, June 23, 1960, as amended) for export as flour.

C. Announcement GR-261 (Revision II, Jan. 9, 1961, as amended and supplemented), for export as wheat and under Announcement GR-262 (Revision II, Jan. 9, 1961, as amended), for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. Hard Red Winter, Hard Red Spring, and durum wheat will not be sold for barter through west coast ports under these announcements. Sales from the west coast under the CCC Export Credit Program may only be exported to destinations west of the 170th meridian, west longitude and east of the 60th meridian, east longitude, and to countries on the west coast of Central and South America.

D. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price support rate [2] (published loan rate plus 20 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store [1] basis No. 2 Yellow Corn 14 percent MT 2 percent F.M.).*

Markup in-store received by—	Examples
Truck	
$0.17¾	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.06+$0.03 +$0.17¾); $1.26¾. Agricultural Act of 1949 stat. minimums: McLean County, Ill. ($1.06+$0.20 +$0.03); 105 percent +$0.17¾; $1.53¾.

D. *Availability information.* For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS Grain Offices shown at the end of this sales list.

Export.

Corn is not available for export sale.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemption. Such formula price shall be the applicable 1966 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1966 price-support rate [2] (published loan rate plus 53 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.09	$0.03¼	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.50+$0.09); $1.59. Kansas City, Mo. (ex-rail) ($1.78+ $0.03¼); $1.81¼. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.50+$0.53); 105 percent +$0.09; $2.23. Kansas City, Mo. (ex-rail) ($1.78+ $0.53); 105 percent +$0.03¼; $2.46¼.

D. *Availability information.* For information on CCC grain sorghum sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of grain sorghum from other locations, contact the Kansas City, Evanston, Portland, or Minneapolis ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1966 price-support loan rate for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable barley as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1966 price-support rate [2] (published loan rate plus 20 cents per bushel) for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section, applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.05¾	$0.03¼	Feed grain program domestic PIK certificate minimums: Cass County, N. Dak ($0.76+ $0.05¾); $0.81¾. Minneapolis, Minn. (ex-rail) ($0.99 +$0.03¼); $1.02¼. Agricultural Act of 1949; statutory minimums: Cass County, N. Dak. ($0.76+ $0.20); 105 percent +$0.05¾; $1.06¾. Minneapolis, Minn. (ex-rail) ($0.99 +$0.20); 105 percent +$0.03¼; $1.28¼.

D. *Availability information.* For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Kansas City, Evanston, Minneapolis, or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for barley. Sales will be made pursuant to the following announcements.

A. Announcement GR-368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales.

C. *Available.* Kansas City, Evanston, and Minneapolis ASCS grain offices.

OATS, BULK

Unrestricted use.

A. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1966 price-support rate[3] for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markups and examples (dollars per bushel in-store[1] basis No. 2 XHWO).*

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
$0.04¼	Redwood County, Minn. ($0.56+$0.03 quality differential); 105 percent +$0.04¼; $0.60¼.

C. *Nonstorable.* At not less than the market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through the ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements:

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to arrangements for barter and approved CCC credit and other designated sales.

C. *Available.* Kansas City, Evanston, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent[3] of the applicable 1966 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
$0.06½	$0.03¼	Rollete County, N. Dak. ($0.89); 105 percent+$0.06½; $1.00¼. Minneapolis, Minn. (ex-rail) ($1.23); 105 percent+$0.03¼; $1.33¼.

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Availability information.* Sales at bin sites are made through ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements:

A. Announcement GR–368 (revised Mar. 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit and other designated sales.

C. *Available.* Evanston, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1966 loan rate plus 5 percent, plus 13 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR–369, Revision III, rice export program—payment-in-kind, and under GR–379, Revision I, for approved credit sales.

Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO–C–32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the current loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO–C–31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions). No cotton will be delivered prior to August 1, 1966. Cotton may be acquired at its current market price, which shall be the highest price offered but not less than the minimum determined by CCC, and in no event at less than the loan rate for such cotton.

Export.

A. *CCC Disposals for Barter.* Competitive offers under the terms and conditions of Announcements CN–EX–24 (Acquisition of Upland Cotton for Export under the Barter Program) and No–C–28 (Sale of Upland Cotton CCC Credit and Barter Programs—1964–66 Marketing Years), as amended, for replacement cotton only.

B. *CCC disposals for barter (1966–67 Marketing Year).* Competitive offers under the terms and conditions of Announcements CN–EX–28 (Acquisition of Upland Cotton for Export under the Barter Program) and NO–C–31 (described above), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcements NO–C–6 (revised July 22, 1960), as amended, and NO–C–10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. *CCC sales for export.* Competitive offers under the terms and conditions of Announcements CN–EX–20 (Foreign-Grown Extra Long Staple Cotton Export Program) and NO–C–23 (Sale of Foreign-Grown Extra Long Staple Cotton), as amended.

Competitive offers under the terms and conditions of Announcements CN–EX–22 (Extra Long Staple Cotton Export Program) and NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

B. *CCC credit sales and barter.* Competitive offers under the terms and conditions of Announcements CN–EX–26 (Purchase of Extra Long Staple Cotton for Export under the Export Credit Sales Program), CN–EX–27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and NO–C–27 (Sale of Extra Long Staple Cotton), as amended.

Availability information. Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED

A. *Domestic crushing or export.*

1. Shelled peanuts of less than U.S. No. 1 grades may be purchased for foreign or domestic crushing.

2. U.S. Medium—Virginia type—for export.

3. Terms and conditions of sales as set forth in Peanut Announcement PR–1 effective July 1, 1966, and the lot list.

B. When stocks of any of the above categories are available in their area of responsibility, weekly lot lists are issued by the following:

GFA Peanut Association, Camilla, Ga.

Peanut Growers Cooperative Marketing Association, Franklin, Va.

Southwestern Peanut Growers' Association, Gorman, Tex.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C., to which all bids are submitted.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price but not less than the applicable 1966 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store[1]).*

Markup per bushel received by—		Examples of minimum prices (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents $0.08	*Cents* $0.03½	Minneapolis..	No. 1.....	$3.33

C. *Nonstorable.* At not less than market price as determined by CCC.

D. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

Export.

A. Announcement PS–GR–4, Revision 1, as amended, dispositions of flaxseed, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

B. Announcement GR–212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit sales. Such sales will be at the domestic market price as determined by CCC less the applicable export payment allowance. The flaxseed to be exported shall be No. 2 grade, or better.

C. *Available.* Through the Minneapolis Grain Merchandising ASCS Office.

LINSEED OIL, RAW (BULK)

Export.

Under Announcement PS–GR–4, Revision 1, as amended, dispositions of raw linseed oil, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP–14: Spray process, U.S. Extra Grade, 21.60 cents per pound.

Export.

Competitive bid, under MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and approved CCC credit.

Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

BUTTER

Unrestricted use.

Announced prices, under MP–14: 70.5 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 69.75 cents per pound—Washington, Oregon, and California. All other States 69.50 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter and CCC credit.

Any butter offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP–14: 49.0 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 48.0 cents per pound.

Export.

Competitive bid under Announcement MP–10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP–10. Sales under this announcement may be made for application to CCC credit.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP–10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES

[1] The formula price delivery basis for bin site sales will be f.o.b.

[2] To compute, multiply applicable support price by 1.05 round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight and handling charges.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo. 64141. Telephone: Emerson 1–0860.

Alabama, Alaska, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming.

Branch Office—Evanston ASCS Branch Office, 2201 Howard Street, Evanston, Ill. 60202. Telephone: Long Distance—University 9–0600 (Evanston Exchange). Local—Rogers Park 1–5000 (Chicago, Ill.).

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: 334–2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: 226–3361.

Idaho, Nevada, Oregon, Utah, and Washington (domestic and export sales), Arizona and California (export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif. 94704. Telephone: Thornwall 1–5121.

Arizona and California (domestic sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: 334–3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: 527–7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y. 10013. Telephone: 264–8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: 556–6185.

(Issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614–617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on August 8, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 66–8797; Filed, Aug. 15, 1966; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23(66)–16]

WOODHAM TRADING, LTD., AND GLOVET TRADERS, LTD.

Order Extending Temporary Denial of Export Privileges

In the matter of Woodham Trading Ltd., and Glovet Traders, Ltd., 13 Upper Berkeley Street, London W.1, England, respondents; File 23(66)–16.

An order temporarily denying export privileges for a period of 60 days was issued against the above respondents on June 10, 1966 (31 F.R. 8501). Said order was issued in connection with an investigation instituted by the Investigations Division, Office of Export Control, Bureau of International Commerce. On the evidence presented there was reasonable basis to believe that respondent Woodham Trading, Ltd., purchased substantial quantities of automotive spare parts and equipment from the United States and reexported quantities of said parts and equipment from the United Kingdom to Cuba in violation of the U.S. Export Regulations. There was also reasonable basis to believe that respondent Glovet Traders, Ltd., in connection with an export control document and for the purpose of effecting an exportation from the United States, made false and misleading statements to the Office of Export Control. Further, on the evidence presented there was reasonable basis to believe that the respondents participated together in some phases of business transactions and that by reason of their close connection and affiliation and interlocking directorship the two firms are related to one another in a business sense.

The Director of said Investigations Division has applied under § 381.11 of the Export Regulations for an extension of the temporary denial order for an additional 60 days. He has represented that since the temporary denial order was issued in this case on June 10, 1966, written interrogatories have been served on respondents and that said interrogatories have not yet been answered. The Director of the Investigations Division further represents that if an order denying to these respondents export privileges for an indefinite period (because of their failure to answer interrogatories) is not entered against them, a charging letter alleging violations of the U.S. Export Regulations will be issued against them in the near future. The matter has been considered by the Compliance Commissioner and he has reported his recommendation to me that the present temporary denial order be extended for an additional 60 days. He has found that such extension is reasonably necessary for the protection of the public interest and for effective enforcement of the law. I confirm these findings.

In connection with the application for extension of the temporary denial order,

evidence was presented on behalf of the Director, Investigations Division for the purpose of naming Commodity Export, Ltd., London, England, as a related party to the respondent Glovet Traders, Ltd. The evidence presented shows that Commodity Export, Ltd., is engaged in the export business dealing in steel and machinery; that it is located at the same address as Glovet Traders, Ltd., and that there is interlocking directorate between said two firms. On the evidence presented there is reasonable basis to believe that within the meaning of § 382.1(b) of the Export Regulations, Commodity Export, Ltd., is a related party to Glovet Traders, Ltd., and a determination is hereby made that by reason of the affiliation and connection of said Commodity Export, Ltd., with Glovet Traders, Ltd., the said Commodity Export, Ltd., is a related party to Glovet Traders, Ltd. To prevent evasion of this order it is hereby determined that all of the prohibitions and restrictions of this order are applicable to Commodity Export, Ltd., as though it was named as respondent herein.

Accordingly, it is hereby ordered:

I. The prohibitions and restrictions of the temporary denial order issued in this matter on June 10, 1966 (31 F.R. 8501) are hereby continued in full force and effect.

II. The respondents, their successors, assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any successor and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order continues in full force and effect the temporary denial order which was entered on June 10, 1966, and shall remain in effect for a period of 60 days from the expiration of said temporary denial order, unless it is hereafter amended, modified, or vacated in accordance with the provisions of the U.S. Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with respondents or any related party, or whereby the respondents or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, transshipment, reexportation, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondents.

VII. In accordance with the provisions of § 382.11(c) of the Export Regulations, the respondents or any related party may move at any time to vacate or modify this extended temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

Dated: August 9, 1966.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 66-8861; Filed, Aug. 15, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

COCA-COLA CO.

Notice of Filing of Petition for Food Additive Methylene Chloride

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 7A2061) has been filed by The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga. 30301, proposing an amendment to § 121.1039 *Methylene chloride* to provide for the safe use of methylene chloride as a solvent in extracting caffeine from green coffee beans. A tolerance is proposed of 25 parts per million of methylene chloride in decaffeinated roasted coffee and of 10 parts per million in decaffeinated soluble coffee extract (instant coffee).

Dated: August 9, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8899; Filed, Aug. 15, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 17423]

AEROVIAS CONDOR DE COLOMBIA, LTDA.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on September 16, 1966, at 10 a.m. (local time) in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., August 10, 1966.

[SEAL] WALTER W. BRYAN,
Hearing Examiner.

[F.R. Doc. 66-8880; Filed, Aug. 15, 1966; 8:46 a.m.]

[Docket 17613; Order No. E-24066]

ALOHA AIRLINES, INC., HAWAIIAN AIRLINES, INC.

Certificate Amendment Proceeding; Order To Show Cause and Denying Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of August 1966.

On December 10, 1963, Aloha Airlines filed an application for amendment of its certificate of public convenience and necessity (Docket 14915). Aloha requests that its certificate be amended so as to authorize the carrier to engage in air transportation "between any pair of points in the State of Hawaii." On July 1, 1966, Aloha filed a motion for expedited hearing on its certificate application. On the same day, Aloha filed an application for exemption authority to engage in air transportation "between any two points in the State of Hawaii" (Docket 17462). Aloha also requests that a similar exemption be granted Hawaiian Airlines.

Answers in opposition to Aloha's motion and exemption application were filed by Hawaiian Airlines. A reply to Hawaiian's answer has been submitted by Aloha.

Today, Aloha and Hawaiian hold nearly identical certificates and their scheduled service for all practical purposes is fully competitive. Both carriers inaugurated comparable jet schedules are authorized to serve the same points within the Islands except that Hawaiian alone is authorized to serve Hana on the Island of Maui and Kamuela on the Island of Hawaii. The two carriers in most instances are scheduling side-by-side service within the Islands. In May of this year, for example, the carriers inaugurated comparable jet schedules over their competitive routes.[1]

Traffic within the Islands has shown substantial growth during the past decade. This growth has been most evident during the last few years. For example, in 1962, the carriers handled 876,000 passengers. In 1964, the traffic carried by both carriers increased to 1,119,000 passengers, or approximately 40 percent. Intensified resort development has taken place on the major islands, and even greater resort development is expected within the near future. Air transportation within the State of Hawaii is unique. Transportation between the Islands is limited to the airplane, and surface transportation on each Island is often severely restricted because of the rough terrain and the lack of a modern highway system. Many new recreation areas, including resort hotel complexes are rapidly developing, and some of these are inaccessible except by air. To meet these needs new airports are being built and the need for air transportation within the Islands is growing.

In order to accommodate this anticipated increase in tourist travel as well as the expanding needs of commercial traffic between the Islands, we believe that broader operating authority is required for both Hawaiian and Aloha. To provide both carriers optimum competitive flexibility, and to afford the State of Hawaii a full pattern of regularly scheduled air service by the two certificated carriers, we believe that both carriers' certificates should be amended.

Aloha's exemption request raises complex and controversial questions which in our view should not be disposed of through the exemption process. Although Hawaiian's objections are directed primarily to the question of authorizing Aloha to serve Kamuela on the Island of Hawaii, a right which was recently denied Aloha,[2] the issues raised by a request for area-type authority for both carriers within the State of Hawaii are far-reaching and present problems which should be examined by the Board in greater depth than is now possible. We do not believe it necessary or appropriate, however, to undertake a full certificate proceeding in order to explore the question of authorizing new service by both Hawaiian and Aloha on an area basis. A normal certificate proceeding usually entails considerable delay and is costly for the carriers. We shall therefore propose that each carrier's certificate be amended in such a manner as to give the carriers broad and coextensive operating rights within the State of Hawaii, and shall direct each carrier to show cause why its certificate should not be so amended (a sample certificate for each carrier is attached[3]).[4] All interested persons, including Aloha and Hawaiian will have the opportunity to comment on such a course of action and to present any relevant and pertinent evidence in support of their position. We have examined Hawaiian's objections to Aloha's exemption and certificate amendment requests, but rather than deal with them here we shall consider all arguments, pro and con, in response to our order.[5]

Accordingly, the Board shall direct both Hawaiian and Aloha and any other interested person to show cause why the certificate of public convenience and necessity of each carrier should not be amended, so as to designate the Islands of Oahu, Molokai, Lanai, Maui, Hawaii, and Kauai as points at which scheduled air transportation shall be authorized.

At present Aloha is authorized to serve Upolu Point, Kailua, and Hilo on the Island of Hawaii and is permitted to engage in air transportation between these three points. Hawaiian is permitted to engage in air transportation between Puunene Airport or Kahului Airport, Island of Maui, on the one hand, and Hana Airport, Island of Maui, on the other hand. None of these authorizations will be affected by our proposed action herein. Upon amendment of the carriers' certificates as proposed, service may be provided at additional airports on each of the designated islands not now served or authorized for service by either Aloha or Hawaiian, provided an appropriate airport notice is filed pursuant to section 202.3 of the Board's Economic Regulations. Under these proposed certificates Aloha and Hawaiian will be required to furnish air transportation through the airport or airports presently used by the carrier unless there is outstanding an order of the Board authorizing suspension of service, and each carrier will be permitted to furnish air transportation at any additional airport for which an airport notice has been approved by the Board. Our proposed action will not preclude either Aloha or Hawaiian from engaging in air transportation between two or more airports on any of the Islands designated above.[6]

By Order E–21771, February 8, 1965, the Board directed all interested persons to show cause why the Board should not issue an order amending the certificates of Aloha and Hawaiian so as to delete Upolu Point therefrom. The amendments proposed in Order E–21771 will become moot should our proposed action herein become final action of the Board. In that instance we shall vacate Order E–21771.

Accordingly, it is ordered:

1. That all interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions reached herein, issuing to Aloha and Hawaiian an amended certificate of public convenience and necessity in the form attached hereto authorizing each carrier to engage in air transportation of persons, property, and mail between and within the Islands of Kauai, Oahu, Lanai, Molokai, Maui, and Hawaii, and vacating Order E–21771, supra;

2. That all interested persons having objections to issuance of the aforesaid order shall, within 15 days from the service date hereof, file with the Board and serve upon all persons made parties to this proceeding a statement setting forth in full detail all objections;

3. That in the event that objections are timely filed pursuant to paragraph 2 above, this proceeding shall be set for hearing before an Examiner of the Board;

4. That, in the event no objections are filed, all further procedural steps will be deemed waived and the issues herein will be submitted to the Board for final action;

5. That no petitions for reconsideration of this order will be entertained;

6. That Aloha's application for an exemption in Docket 17462 be and it hereby is denied;

7. That Aloha's motion for prompt hearing on its certificate application in Docket 14915 be and it hereby is denied;

8. That a copy of this order shall be served on Aloha Airlines, Inc., and Hawaiian Airlines, Inc., and the State of Hawaii, who are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 66–8881; Filed, Aug. 15, 1966; 8:46 a.m.]

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[1] Hawaiian has taken delivery of its two DC–9's and is operating both aircraft, and Aloha has taken delivery of one of the two BAC 1–11's it has ordered.

[2] Order E–22436, July 14, 1965.

[3] Filed as part of the original document.

[4] Aloha has requested that Aloha and Hawaiian be granted authority "to engage in air transportation between *any two points* in the State of Hawaii." (Italics added.) We believe that a better course of action would be to designate each Island in the State of Hawaii as a point to be served by the carriers and to permit service between airports at a given point, subject only to the proper filing of an airport notice. In our view, such a course of action fully satisfies the requirements of section 401(e)(1) of the Act.

[5] Hawaiian contends that Aloha has failed to make a proper showing for expedited treatment of its certificate application. While this may or may not be so, we have decided on our own initiative to undertake show cause proceedings to amend the certificates of both carriers on an expedited basis for the reasons set forth above.

[6] Concurrently, with this order the Board is issuing an order instituting a rule making proceeding to liberalize the operational limitations of Part 298 of the Board's regulations under which the Hawaiian air taxis are presently restricted.

[Docket 17403]

LEEWARD ISLANDS AIR TRANSPORT SERVICES, LTD.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on August 17, 1966, at 10 a.m., e.d.s.t., in Room 211, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., August 11, 1966.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 66-8935; Filed, Aug. 15, 1966; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1686]

LINCOLN PRINTING CO.

Order Suspending Trading

AUGUST 10, 1966.

The common stock, 50 cents par value, and the $3.50 cumulative preferred stock, no par value, of Lincoln Printing Co., being listed and registered on the Midwest Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and the 8 percent convertible debenture bonds due March 13, 1968, being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Midwest Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 11, 1966, through August 20, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-8868; Filed, Aug. 15, 1966; 8:45 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

AUGUST 10, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 11, 1966, through August 20, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-8869; Filed, Aug. 15, 1966; 8:45 a.m.]

FEDERAL AVIATION AGENCY

POLICY GOVERNING USE OF WASHINGTON NATIONAL AIRPORT

Postponement of Effective Date

On July 1, 1966, the Federal Aviation Agency issued a policy statement to apply to operations at Washington National Airport, effective August 7, 1966. Subsequent to the publication of this policy statement in the FEDERAL REGISTER on July 2, 1966 (31 F.R. 9148), the Agency has issued two notices of proposed rule making relating to limitations governing the number of operations each hour at Washington National Airport. A notice relating to air carrier operations was issued July 27, 1966, and published in the FEDERAL REGISTER July 28, 1966 (31 F.R. 10199), and a notice relating to all other operations was issued August 2, 1966, and published in the FEDERAL REGISTER on August 4, 1966 (31 F.R. 10476).

Pending a decision by the Agency as to the final action to be taken on the proposals contained in these two notices, it is appropriate to postpone indefinitely the August 7, 1966, effective date of the policy statement.

In consideration of the foregoing, the August 7, 1966, effective date of the "Policy Governing Use of Washington National Airport" published in the FEDERAL REGISTER on July 2, 1966 (31 F.R. 9148), is hereby postponed indefinitely.

Issued in Washington, D.C., on August 10, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-8932; Filed, Aug. 12, 1966; 3:21 p.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11290, 16298; FCC 66M-1075]

IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY (WOI)

Order Continuing Hearing

In re applications of Iowa State University of Science and Technology (WOI), Ames, Iowa, Docket No. 11290, File No. BSSA-276; for special service authorization to operate additional hours from 6 a.m. to local sunrise c.s.t. with 1 kw.; Iowa State University of Science and Technology (WOI), Ames, Iowa, Docket No. 16298, File No. BP-16060; for construction permit.

The Hearing Examiner having under consideration the advisability of changing the date of hearing;

It appearing that an existing transportation strike has made it impossible for interested parties to secure travel accommodations and that the end of the strike is at present unpredictable; and

It further appearing that for the accommodation of all parties, including a large number of witnesses, it is desirable that the date of further hearing be established with greater certainty; and

It further appearing that counsel for all parties have agreed, on the record, that a continuance under these circumstances is a virtual necessity;

It is ordered, This 9th day of August 1966, that the further hearing scheduled for August 15, 1966, is continued to September 19, 1966, in Des Moines, Iowa.

Released: August 10, 1966.

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

[F.R. Doc. 66-8887; Filed, Aug. 15, 1966; 8:47 a.m.]

[Docket Nos. 16702, 16703; FCC 66M-1076]

T. V. BROADCASTERS, INC., AND TRI-CITY BROADCASTING CO., INC.

Order Governing Course of Hearing

In re applications of T. V. Broadcasters, Inc., Vineland, N.J., Docket No. 16702, File No. BPCT-3539; Tri-City Broadcasting Co., Inc., Vineland, N.J., Docket No. 16703, File No. BPCT-3716; for construction permit for new television broadcast station.

Counsel for all parties having met informally with the Hearing Examiner, it has been determined that exhibits on the financial issue will be exchanged on September 2 and there will be notification for witnesses by September 9. The existing date for commencement of hearing of September 14 will stay;

It is ordered, this 9th day of August 1966, that the foregoing schedule will be observed.

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

Released: August 10, 1966.

[F.R. Doc. 66-8888; Filed, Aug. 15, 1966; 8:47 a.m.]

TARIFF COMMISSION

[AA1921-48]

LEATHER WORK SHOES FROM CZECHOSLOVAKIA

Determination of No Injury or Likelihood Thereof

AUGUST 11, 1966.

On May 11, 1966, the Tariff Commission received advice from the Treasury Department that work shoes, leather, men's and boys', from Czechoslovakia are being, or are likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. Accordingly, on May 12, 1966, the Commission instituted Investigation No. AA1921-48 under section 201(a) of that Act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Public notices of the institution of the investigation and of a public hearing to be held in connection therewith were published in the FEDERAL REGISTER (31 F.R. 7266 and 7421). The hearing was held on June 21 and 22, 1966.

In arriving at a determination in this case, due consideration was given by the Commission to all written submissions from interested parties, all testimony adduced at the hearing, and all information obtained by the Commission's staff.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being and is not likely to be injured, or prevented from being established, by reason of the importation of work shoes, leather, men's and boys', from Czechoslovakia, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Statement of reasons. As the Commission has pointed out in previous determinations, sales at less than fair value are not made unlawful by the Antidumping Act. They are subject to additional duty if they are found to be injurious[1] by the Tariff Commission. The Commission's responsibility is to determine whether or not sales which have been found by the Treasury Department to have been or likely to be made at less than fair value are injurious.

Leather work shoes, which are generally made with heavy leather uppers, durable stitching, and special soles, are a distinct product within the footwear industry. Plants that produce work shoes, as distinguished from those that produce dress shoes, require special stitching machines, needles, thread, and other special machinery and supplies. Machines for producing work shoes are for the most part not interchangeable with those for producing dress shoes. The market for these shoes is clearly distinguishable from that for other types of footwear. Consequently, there is a definable work-shoe industry.

Imports of like or directly competitive work shoes began entering the United States in significant quantities in 1963. Of these, LTFV imports from 1963 to date have represented a small proportion of the domestic consumption of work shoes. In each of the years 1963-65, the ratio of LTFV imports to U.S. consumption, even when the scope of the industry is considered in a narrow sense urged by the complainant, was found to be less than 4 percent.

This relatively low level of LTFV imports is not, of course, conclusive evidence of lack of material injury to the domestic industry. In this case, however, both domestic and imported work shoes are sold nationally. U.S. production and sales have increased markedly during the relevant period to the point where domestic suppliers have been hard put to fulfill demand; and prices for domestic shoes comparable to the LTFV imports have increased. The importer has not sold shoes to the important retail and discount chains because of interchannel competitive conditions and some reluctance on the part of mass distributors to carry work shoes made in a Communist country.

In sum, since 1963 there have been marked increases in the demand for work shoes, in prices of both the LTFV imports and domestic work shoes, in aggregate domestic production and sales of such shoes, and in U.S. consumption of work shoes. The Commission concludes, therefore, that an industry in the United States is not being materially injured as a result of the LTFV imports.

The Commission, is fully aware of the possibility that imports may increase in the future or that conditions may otherwise change so as to alter the competitive situations. However, the Commission's investigation has disclosed no basis for concluding that a significant change in the current competitive situation is imminent. Consequently, the Commission finds no likelihood of injury to a domestic industry by reason of LTFV imports of work shoes from Czechoslovakia.

The Commission's determination and the above statement of reasons in support thereof are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 66-8890; Filed, Aug. 15, 1966; 8:47 a.m.]

[1] The word "injurious" is here used in the sense of the Antidumping Act, which requires the Commission, after it is advised by the Secretary of the Treasury that he has determined "that a class or kind of foreign merchandise is being, or is likely to be, sold in the United States or elsewhere at less than its fair value," to determine "whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States."

INTERSTATE COMMERCE COMMISSION

[Notice 233]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 11, 1966.

The following are notices of filing of applications for temporary authority under section 210a(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.

MOTOR CARRIERS OF PROPERTY

No. MC 42537 (Sub-No. 34 TA), filed August 9, 1966. Applicant: CASSENS TRANSPORT COMPANY, Post Office Box 468, Edwardsville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (except trailers), in initial movements, in truckaway and driveaway, from Belvidere, Ill., to points in Michigan, Minnesota, Kentucky, Tennessee, and Arkansas, for 150 days. Supporting shipper: Chrysler Corp., Detroit, Mich. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 476—325 West Adams Street, Springfield, Ill. 62704.

No. MC 77424 (Sub-No. 28 TA), filed August 9, 1966. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79 Street, Mail: Post Office Box 6931, Cleveland, Ohio 44104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts*, from Buffalo and Lockport, N.Y., to Detroit, Flint, Pontiac, Lansing, Willow Run, Wayne, Wixom, and Woodhaven, Mich., for 180 days. Supporting shippers: Ford Motor Co., Rotunda Drive at Southfield Road, Post Office Box 657, Dearborn, Mich.; Harrison Radiator Division, General Motors Corp., Lockport, N.Y. Send protests to: G. J. Baccei, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 435 Federal Building, Cleveland, Ohio. 44114.

No. MC 109326 (Sub-No. 93 TA), filed August 9, 1966. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala., 414 Bay Bridge Road, Prichard, Ala. 36601. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from Jackson, Miss., to points in Pennsylvania, New York, Maryland, Delaware, Virginia, District of Columbia, and Kentucky, for 180 days. Supporting shipper: Swift & Co., 115 West Jackson Boulevard, Chicago, Ill. 60604. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala. 35205.

No. MC 110193 (Sub-No. 155 TA), filed August 9, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. 46613. Applicant's representative: Walter J. Kobos (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts, and articles distributed by meatpacking houses* as described in section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Elkhart County, Ind., to New York, N.Y., Linden, N.J., Baltimore, Md., and Washington, D.C., for 180 days. Supporting shipper: J. L. Whisler & Son, Inc., Post Office Box 553, Elkhart, Ind. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 128468 (Sub-No. 1 TA), filed August 9, 1966. Applicant: EULICE E. SHELLEY, doing business as A&A WAREHOUSE COMPANY, 168 West Hollywood Boulevard, Fort Walton Beach, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Okaloosa County, Fla., restricted to shipments having a prior or subsequent movement beyond Okaloosa County, Fla., in containers, for 180 days. Supporting shipper: Columbia Export Packers, Inc., 2805 Columbia Street, Torrance, Calif. 90503. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 128485 (Sub-No. 1 TA), filed August 9, 1966. Applicant: BOWEIL STORAGE & TRANSIT CO. OF LEXINGTON, INC., 225 Walnut Street, Lexington, Ky. 40508. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Fayette, Jessamine, Mercer, Anderson, Woodford, Franklin, Scott, Harrison, Bourbon, Clark, and Madison Counties, Ky., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, for 180 days. Supporting shipper: Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 207 Exchange Building, 147 North Upper Street, Lexington, Ky. 40507.

No. MC 128501 TA, filed August 9, 1966. Applicant: FIDELITY STORAGE & TRANSFER, INC., 543 Brookhaven Drive, Orlando, Fla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material and supplies* having a prior or subsequent movement in interstate commerce, between points in Orlando, Fla., on the one hand, and, on the other, points in Orange, Lake, Seminole, and Osceola Counties, Fla., for 180 days. Supporting shipper: Western Electric Co., Inc., 3300 Lexington Road, Winston-Salem, N.C. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 128502 TA, filed August 9, 1966. Applicant: JIMMY R. SHRUM, AND BOBBY SHRUM, doing business as SHRUM BROS. TRUCKING, 703 Red Boiling Springs Road, Lafayette, Tenn. 37083. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Lafayette, Tenn., to points in Kentucky and points south of Highway 40 in Indiana, for 180 days. Supporting shipper: Lafayette Manufacturing Co., Post Office Box 121, Lafayette, Tenn. 37083. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 128503 TA, filed August 9, 1966. Applicant: WORLD WIDE PET TRAVEL SERVICE, 7 Lee Lane, Vincentown, N.J. Applicant's representative: Martin Armstrong, 54 West Main Street, Maple Shade, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles, property of military personnel*, in driveaway service, moving on commercial bills of lading, and *animal pets* (except equines), between piers, wharves, and airports at ports of Philadelphia, Pa., and New York, N.Y., and points in New Jersey, for 180 days. Supporting shippers: Military Travel Service, Inc., Post Office Box 127, Cookstown, N.J.; General American Shippers, Inc., 205 West 34th Street, New York 1, N.Y. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J. 08608.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-8892; Filed, Aug. 15, 1966; 8:47 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 11, 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. 40674—*Petroleum and related articles from Grimes, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8885), for interested rail carriers. Rates on petroleum, petroleum products, and related articles, in carloads, from Grimes, Tex., to points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 131 to Southwestern Freight Bureau, agent, tariff ICC 4486.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-8893; Filed, Aug. 15, 1966; 8:47 a.m.]

[No. 34733]

SOUTHERN PACIFIC CO.

Adequacies—Passenger Service Between California and Louisiana

It appearing, that by order dated June 21, 1966, the Commission instituted an investigation into the passenger service of the Southern Pacific Co. under the provisions of section 12(1) of the Interstate Commerce Act;

And it further appearing, that upon consideration of the record in this proceeding, this matter is of such a nature as to require the adoption of special procedure, and for good cause appearing therefor:

It is ordered, That:

(1) Petitioners and all interested parties in support thereof shall file with the Commission on or before September 26, 1966, prepared testimony, in writing, including all exhibits thereto and, at the same time, serve a copy of such prepared testimony and exhibits upon all parties to the proceeding;

(2) Respondents and all interested parties in support thereof shall file with the Commission on or before October 24, 1966, their prepared rebuttal testimony, in writing, including all exhibits thereto and, at the same time, serve a copy of

such prepared testimony and exhibits upon all parties to the proceeding;

(3) Parties desiring to cross-examine witnesses who have submitted prepared statements must give notice, in writing, to the affiant and his counsel, if any, on or before November 7, 1966, a copy of such notice to be filed simultaneously with this Commission;

(4) The State Commissions of Arizona, California, Louisiana, New Mexico, and Texas, whose petitions seeking this investigation were granted, and the Southern Pacific Co. are considered parties to this proceeding; any other persons desiring to become a party of record and to participate in this proceeding and to receive and/or serve copies of evidence to be filed in accordance with the procedure set forth herein, must notify the Commission and all of the above-named parties of record to that effect, in writing, on or before September 19, 1966;

(5) In the event any parties to the proceeding desire the opportunity to cross-examine a witness filing prepared testimony, such desire shall be made known by filing an appropriate request on or before November 7, 1966, after which, if such request is granted, a subsequent order will be entered designating the time and place for such a hearing;

(6) An original with the affidavit and signature in ink, together with two copies of all prepared testimony, shall be filed with the Commission.

And it is further ordered, That a copy of this order be delivered to the Director, Office of Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

Dated at Washington, D.C., this 4th day of August, A.D. 1966.

By the Commission, Commissioner Freas.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-8891; Filed, Aug. 15, 1966; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (Syracuse) Rev. 1, Amdt. 2]

SYRACUSE REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 10), 30 F.R. 2885, as amended, 30 F.R. 9078, 13030, 13418, and 31 F.R. 3274; Delegation of Authority 30 F.R. 12138, as amended, 31 F.R. 7097 is further amended by the addition of Item I.K. to read as follows:

I. * * *

K. The following authority is hereby redelegated to the Branch Manager, Buffalo Branch Office:

1. To approve the following:

a. Direct loans not exceeding $15,000.

b. Participation loans not exceeding $20,000.

c. Simplified Bank Participation loans not exceeding $25,000.

d. Simplified Early Maturities Participation loans not exceeding $25,000.

e. Direct disaster loans not exceeding $15,000.

f. Participation disaster loans not exceeding $20,000.

2. To decline the following:

a. Business loans not exceeding $15,000.

b. Disaster loans not exceeding $15,000.

3. To disburse approved loans.

4. Items I.C. 6 through 11.

5. Item I.C.12—only the authority for servicing, administration and collection, including subitems a. and b.

6. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of $25 in any one object class in any one instance but not more than $50 in any 1 month for total purchases in all object classes; (b) make purchases not in excess of $10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed $25 in any one instance.

7. Items I.J. 2 and 3.

8. Item I.A. (Size determinations for Financial Assistance only).

9. Item I.B. (Eligibility determinations for Financial Assistance only).

* * * * *

Effective date. August 5, 1966.

J. WILSON HARRISON, *Regional Director, Syracuse Regional Office.*

[F.R. Doc. 66-8885; Filed, Aug. 15, 1966; 8:47 a.m.]

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